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Chair: The Honourable Bardish Chagger



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• (0830)

[English]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning, everyone.

I call this meeting to order. Welcome to meeting number 98 of the Standing Committee on Procedure and House Affairs.

The committee is meeting today to study the question of privilege related to the Speaker's public participation at an Ontario Liberal Party convention.

This is a reminder that care must be taken. Please don't have your carpieces near the microphone.

All comments will go through the chair. The clerk and I will maintain a consolidated speaking list.

We have with us today Eric Janse, acting clerk of the House of Commons. Just so we know, this committee has the power to remove "acting" from his title. I'll just be a little bit biased and share that. I hope we do.

We also have Michel Bédard, interim law clerk and parliamentary counsel, Office of the Law Clerk and Parliamentary Counsel; and Jeffrey LeBlanc, acting deputy clerk, procedure.

I understand that one person is bringing comments, and you will have up to 10 minutes for those comments. The time starts now.

Welcome to PROC.

Clerk, you have the floor.

[Translation]

Mr. Eric Janse (Acting Clerk of the House of Commons): Thank you very much, Madam Chair.

I want to thank you and the members of the committee for inviting me to appear today to discuss the question of privilege that you are studying. I hope my testimony will assist the committee members in their deliberations on the question of privilege that the House has referred to you.

My contribution to the committee's study today will be some general observations on the committee's role. I will be providing some information that I hope will be of use to the committee in its consideration of this question.

[English]

In adopting its order of reference, the House determined that the matter required further examination and that your committee was

the most appropriate forum to do so. Usually, when considering a question of privilege, a committee first seeks to determine the facts surrounding the events in question. It can then assess whether those events constitute, in its opinion, a breach of members' privileges or contempt of the House. Finally, it can examine corrective measures, if any, to be proposed in the circumstances.

This is, in fact, what the order adopted by the House on December 6 is calling for. It goes without saying that the House itself will ultimately decide whether its privileges have been breached and what action is appropriate in the circumstances.

Invariably, by the nature of our parliamentary and electoral systems, Speakers have to walk a tightrope, balancing their duties in the chair, their role in representing the interest of their constituents and the fact that they are still members elected under the banner of a party. This challenge is perhaps even greater in the age of social media.

[Translation]

The Standing Orders of the House do not provide a framework for the concept of the impartiality of the chair or for the other roles that the Speaker may perform outside the House. The Standing Committee on Procedure and House Affairs has seemingly never been directed to consider a question of privilege related to the conduct and actions of a Speaker of the House.

• (0835)

[English]

A review of precedents from other Canadian legislatures may provide a few areas to think about.

I would like to put forward for your consideration a 2016 study by the Standing Committee on Rules, Regulations, Private Bills and Privileges in Prince Edward Island. The committee did a comparative analysis on partisan activities of Speakers from various legislative assemblies in Canada.

[Translation]

It would appear that certain assemblies have previously proposed a variety of measures to frame the principle of impartiality of the chair. Consider, for example, the adoption of resolutions reaffirming the importance of the impartiality of the chair, the prohibition of partisan activities during certain periods, such as before, during and after a session, and the establishment of a code of conduct for the chair and other occupants of the chair.

[English]

As for corrective measures to be recommended regarding the Speaker's actions under review, only this committee's members can decide and ultimately the House. It's up to the committee to recommend measures that it considers appropriate and provide guidance to the House on how to respond to this matter.

I will close by thanking you again for inviting me to appear before you. My colleagues and I would be happy to answer any questions that you might have.

The Chair: Thank you, Mr. Janse, for those opening comments.

We will now start our six-minute round with Mr. Cooper, followed by Ms. Romanado, Madame DeBellefeuille and Mr. Julian.

Six minutes go to you, Mr. Cooper, through the chair.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much, Madam Chair.

Thank you to the witnesses.

I will direct my questions to Mr. Janse.

Mr. Janse, are you aware of any precedent, whether it be in Ottawa, the provinces or across the Commonwealth, where a Speaker has engaged in a public display of partisanship of the kind we saw on the part of Mr. Fergus?

Mr. Eric Janse: Through you, Madam Chair, I thank Mr. Cooper for the question.

Again, as I mentioned in my opening remarks, there have been certain cases in some of the Canadian legislatures in which there were questions raised about the activities of Speakers outside of the House. For the most part, these were addressed via a substantive motion and not via a question of privilege study by a committee. There are examples, but perhaps not identical to the one in question.

Mr. Michael Cooper: Are you able to cite any examples?

Mr. Eric Janse: Again, there was the case in Prince Edward Island where there were questions about the impartiality of the Speaker, although I think that might have been more related to the Speaker's actions in the chamber and not necessarily outside.

I don't know if any of my colleagues can help me out in terms of some of the others.

Mr. Jeffrey LeBlanc (Acting Deputy Clerk, Procedure, House of Commons): We did sort of canvass our provincial colleagues. There was a case in Nova Scotia, for example, where the Speaker appeared in an ad for their political party along with other members of their caucus. That may have given rise to some questions.

There have occasionally been comments like that about what Speakers do, whether attending party events or appearing in party materials.

Mr. Michael Cooper: Thank you.

Did Mr. Fergus consult you, Mr. Janse, about the appropriateness of recording a video tribute to his Liberal friend John Fraser?

Mr. Eric Janse: Perhaps I can provide a bit of context. Obviously, I and the entire House administration are available to provide

advice and support not only to the Speaker but to all members. The Speaker also, of course, has his own staff that he can rely upon for advice. We, the House administration and I, provide advice on mainly procedural and administrative matters. The Speaker's office would perhaps be better positioned to provide advice to the Speaker on more partisan or party matters.

To answer your question directly, Mr. Cooper, no, I was not consulted.

Mr. Michael Cooper: When did you first become aware of Mr. Fergus's tribute?

Mr. Eric Janse: I think it was Saturday via a tweet—actually, I believe it was from you, Mr. Scheer—which then led to some exchanges between me and the Speaker's office.

Mr. Michael Cooper: Had Mr. Fergus sought your advice, what advice would you have provided him?

Mr. Eric Janse: Through you, Madam Chair, I thank Mr. Cooper for the question.

I think my advice would have been to probably not proceed in this manner or, at a minimum, to perhaps canvass the parties, explain that the Speaker was invited to this event and he was maybe wondering what he should do, and perhaps seek the advice from the parties as to whether or not he should proceed.

Mr. Michael Cooper: Can you elaborate on why you likely would have advised him not to proceed?

Mr. Eric Janse: I think, again, in our parliamentary tradition, as I mentioned in my opening remarks, there's a bit of a tightrope that the Speaker has to walk in terms of still being a card-carrying member of a party and the importance of being neutral and non-partisan in terms of presiding over the House and the Board of Internal Economy and the like, and that perhaps this was going a bit too far into the partisan sphere.

• (0840)

Mr. Michael Cooper: He would have crossed a line. Is that fair?

Mr. Eric Janse: Ultimately, I think that's for this committee to determine, but my advice would have been to not see the Speaker participate in this video.

Mr. Michael Cooper: Okay.

Do the clerks at the table offer chair occupants, including the Speaker, briefings or advice about aspects of their roles and responsibilities upon their election?

Mr. Eric Janse: It's actually a very good question. It's one of the things we've been reflecting on over the last few days in terms of lessons learned. Of course, whenever a new Speaker is elected, we do provide both written briefing material as well as oral briefings to the Speaker and to the Speaker's staff. Perhaps something we should add a larger section on, in that briefing material, is the role of impartiality.

Mr. Michael Cooper: Written and oral materials are provided, and briefings, to the Speaker and to his staff. I presume those briefings would include informing the Speaker about his or her duty to be non-partisan.

Mr. Eric Janse: Again, I think in terms of lessons learned, that is probably something we could focus on more, going forward. Again, it's easy to say looking back. I don't think there have been a whole lot of issues in the past. Generally speaking, yes, obviously a transition has to be made when one becomes Speaker.

Mr. Michael Cooper: Had there been any such briefings—yes or no?

Mr. Eric Janse: There were certainly briefings when Speaker Fergus became Speaker.

Mr. Michael Cooper: How many would he have received, again, specific to being non-partisan, etc.?

Mr. Eric Janse: No, there wouldn't have been a specific briefing on just that subject. It would have been—

Mr. Michael Cooper: However, it would have included that subject. Is that right?

Mr. Eric Janse: I'm sure we would have touched on it, but, again, probably not in as much detail as we will be doing going forward.

Mr. Michael Cooper: Okay.

With regard to Mr. Fergus's trip to Washington, D.C., last week, was that trip booked through the international and interparliamentary affairs unit?

Mr. Eric Janse: It was.

Mr. Michael Cooper: When was it booked?

Mr. Eric Janse: It's been in the works for some time, but I don't know exactly when—

Mr. Michael Cooper: Is “some time” a few weeks since he was elected Speaker, or was it before he was elected Speaker?

Mr. Eric Janse: Yes.

Mr. Michael Cooper: Was it before he was elected Speaker?

Mr. Eric Janse: No, I'm sorry. It was not before, because it was a Speaker-led trip, so it would have been after he became Speaker.

The Chair: Excellent. Thank you.

I will just ask that the exchange back and forth—one person speaking at a time—maintain its course throughout the whole meeting. I would like to not have to interrupt. I think that was a great exchange.

Mr. Janse, I know you're not usually the person speaking or receiving attention, but just make sure that your volume is high enough for everyone in the room to hear, including the interpreters, without popping their ears. That would be appreciated.

We have Mrs. Romanado. We have one person speaking at a time through the chair.

[*Translation*]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Madam Chair.

It really is a pleasure to be here early on this Monday morning.

[*English*]

Thank you so much, gentlemen, for joining us today. I have a couple of questions.

In your remarks, Mr. Janse, you mentioned the 2016 study from P.E.I., and that coming out of that study, there was a code of conduct established for Speakers. You mentioned that when a new Speaker is elected, they are provided some briefings, whether it be a written or verbal briefing, and you mentioned also that perhaps those could be strengthened.

We're also looking at how we can make sure that, in terms of remedying this situation going forward, any Speaker who occupies the chair is fully briefed, understands clearly what the expectations are, and so on and so forth.

Would it be possible for you to perhaps submit with this committee that actual document with respect to the study from P.E.I.?

Mr. Eric Janse: We certainly could. Maybe I can offer a small precision.

The P.E.I. report, as you'll see when you receive it, didn't include a code of conduct. It included a recommendation that basically indicated that Speakers should “abstain from all partisan political activity, (including attendance at party caucus meetings), for a period of 60 days prior to the commencement of sessions...and for a period of 30 days after the conclusion of sessions”.

It was when we looked at other jurisdictions that we noticed that the Yukon Legislative Assembly has a procedural handbook for their Speakers, which has a few sections on impartiality. We could perhaps share that section of that handbook as well.

• (0845)

Mrs. Sherry Romanado: I think that would be very helpful. Thank you.

Gentlemen, I'd like to put this in context. There's been a lot of information flowing around this situation. We're looking forward to hearing from Speaker Fergus himself later today.

The Speaker did not attend a partisan event. The Speaker made a video, wearing the robes, in his chamber, which is inappropriate. The Speaker did not know—and we're going to clarify that—that it would be used or shown at a political event.

Lots of people have come to me and said that the Speaker attended a convention. The Speaker did not attend a convention. The Speaker made a video. Is it inappropriate? Yes. Was it a misuse of parliamentary resources? Probably.

We'll get more into that. I want to put it into context, because we have, before this committee, another question of privilege that we have not been able to complete, because of delay tactics, which involved a member's privilege—threats to a member's family in terms of foreign interference.

I want to make sure that people who are watching understand that what we're talking about is a video that was made, probably with an inappropriate use of parliamentary resources. What we're trying to do is understand what happened and prevent it from happening again. That is the goal of this morning's meeting.

Can I ask your opinion on the fact that normally such a procedure would be a substantive motion of contempt versus a question of privilege raised in the House? We have two other cases where that would be the precedent, yet the Deputy Speaker ruled that he would allow it.

Is this not opening up a new precedent in terms of how to handle such situations?

Mr. Eric Janse: Through you, Madam Chair, I thank Ms. Romanado for the question.

Normally, we don't comment, nor would the Speaker—in this case, the Deputy Speaker—comment on rulings that they make. The ruling stands for itself. I think the wording in the ruling made it clear that this was a pretty exceptional circumstance, which is why the Deputy Speaker ruled in the manner he did. Again, there's not a whole lot of precedent with respect to this.

You're right. In the past, they have been addressed through a substantive motion. Again, if one were to reread the ruling.... I think some elements in there explain why the Deputy Speaker decided to go with the ruling he ultimately went with.

Mrs. Sherry Romanado: Thank you.

After being elected Speaker, a member no longer takes part in partisan things. For instance, Mr. Fergus is not part of our caucus. He does not attend caucus meetings, and so on and so forth.

Would you recommend extending this to meetings and events outside of Parliament?

Mr. Eric Janse: I suppose, ultimately, that's for this committee to dwell on.

It's very hard, I think, to enumerate all the different activities. I think everybody realizes that the Speaker is still the elected representative for their constituency. They have certain roles and responsibilities in play: party AGMs, fundraising events or just meeting with community stakeholders. There's a range of activities.

It may be something this committee would want to spend some time thinking about: Are there any of those activities for which it should be impressed upon Speakers that they should not be involved with, or that, based on practice to date, would be allowed?

Mrs. Sherry Romanado: Actually, during debate on this privilege motion in the House, one of the members of the Conservative Party for whom I have a lot of respect brought up the issue of how, in the U.K., there was a recommendation that maybe the Speaker should run as an independent in subsequent elections, because of the fact that they need to show impartiality.

Could you elaborate a bit on that, if that's something you think we should look into?

Mr. Eric Janse: Very quickly, certainly, the long-standing practice in the U.K. is that the Speaker, once elected, becomes independent. Usually, the other parties don't put up candidates in their riding. Other jurisdictions have other ways of doing it as well. In Ghana, for instance, the Speaker is either somebody from the outside or a member of the elected assembly who quits as an MP when they become Speaker.

There are different options that could be considered.

The Chair: Thank you.

[*Translation*]

Mrs. DeBellefeuille, you have the floor for six minutes.

● (0850)

Mrs. Claude DeBellefeuille (Salaberry—Suroît, BQ): Thank you very much, Madam Chair.

Good morning, Mr. Janse.

I'm going to speak more slowly than I usually do to allow my colleagues who don't speak French to hear me clearly and to make life easier for the interpreters.

I heard the remarks that my colleague Mrs. Romanado made earlier, but I have to say I don't share her opinion. Our work today is directed by a motion that was unanimously passed in the House of Commons. With your permission, I'm going to read an excerpt from that motion, which states that there was "a serious error of judgment which undermines the trust required". The incident wasn't a minor one. In fact, it was deemed to be so serious that the motion was adopted unanimously. All parties and members found that it undermined the trust of the House.

Have I clearly understood the seriousness of that motion?

Mr. Eric Janse: Thank you for your question, Mrs. DeBellefeuille.

A question of privilege is always addressed in two stages. First, the Speaker—in this case, it was the Deputy Speaker—determines whether, on the face of it, the subject should take precedence over all other business of the House. Second, as you mentioned, it is for the House to decide whether to adopt the proposed motion. In this instance, the motion was indeed passed. Everyone agreed that the question should be referred to the Committee on Procedure and House Affairs.

Mrs. Claude DeBellefeuille: The motion clearly states that the incident was serious enough because it undermines the trust of the House.

You said several times that you had found no precedents, although you may have come across similar situations that had occurred in other legislative assemblies, but never in the Parliament of Canada. Personally, I think that's because this serious incident reveals a major lack of judgment.

Does that mean that our recommendations and study will become a precedent? Will the decision we make at the end of our study become jurisprudence?

Mr. Eric Janse: According to procedure, the committee has until Thursday to report the matter to the House. Then it will be up to the House to determine whether it wishes to adopt the recommendations contained in the report. If it does, then, yes, that will somewhat alter our practices.

Mrs. Claude DeBellefeuille: Consequently, the various recommendations that we make will be very important, since they will influence the way in which similar events or incidents that may occur are managed in future.

Mr. Eric Janse: It will help guide future speakers and us clerks who support the chair in dealing with other decisions and points of order.

Mrs. Claude DeBellefeuille: Mr. Janse, I was involved in your interview for the clerk position, and, as you know, the questions I asked you focused on the importance of impartiality.

An MP rarely leaves his or her seat to immediately take over the Speaker's role. There is usually an intermediate step where that person takes on the role of Deputy Speaker in order to learn the job before aspiring to the speakership. The first thing that a new Speaker should automatically do is seek procedural advice from his or her right-hand person, which is to say, you.

Did Mr. Fergus consult you and request advice before he made his video, dressed in his Speaker's robes, standing in the Speaker's office, stating his name and specifying that he was addressing a partisan audience?

Mr. Eric Janse: Thank you for your question.

As I said in response to a similar question from Mr. Cooper, no, I wasn't consulted. However, we clerks and House Administration people are usually consulted on matters of procedure and administration of the House; we aren't necessarily consulted on more political issues or matters related to the political parties. Questions regarding those issues are instead put to the employees who work directly for the Speaker.

• (0855)

Mrs. Claude DeBellefeuille: If you had had a closer relationship with the Speaker, since you'd been working together for only two months, and if he had come to you and asked what you thought about the idea of pleasing an old friend who was leaving politics and of pleasing yourself as well, what would you have told him?

Mr. Eric Janse: As I told Mr. Cooper, I would have advised him not to make the video or at least to consult all the parties to explain the request that he had received and to seek their opinion.

Mrs. Claude DeBellefeuille: Our passing the motion signalled that we feel the trust of the House was undermined. I don't want to consider this incident as a minor one. What happened was serious, but I haven't heard the Speaker apologize for making the video. He told the House that he was sorry it had been misinterpreted.

Do you feel that the Speaker has apologized for his lack of judgment?

Mr. Eric Janse: That's a tough question. It's up to every person to determine whether he offered an apology, an explanation or a combination of the two. That may be a question that you should put to the Speaker at 9:30.

The Chair: Thank you very much.

[*English*]

Mr. Julian, you have six minutes through the chair.

[*Translation*]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you very much, Madam Chair.

Messrs. Janse, Bédard and LeBlanc, thank you for being here today.

The motion passed by the House refers to a serious error undermining the trust of the House in the chair. So this is serious. The committee has to take it seriously, and that's why we've asked you to be here.

Mr. Janse, you said that, if you had been consulted, you would have told the Speaker that he was going too far and that he should not proceed as he did.

[*English*]

I wanted to know if you were consulted after Saturday night, after the video was broadcast. Was there contact from the Speaker's office, the Speaker's staff or the Speaker himself, asking for advice?

Mr. Eric Janse: Through you, Madam Chair, I thank Mr. Julian for the question.

There were some exchanges starting that weekend between me and the Speaker's office in terms of what next, which led in large part to the Speaker's statement on the Monday morning when the House opened.

Mr. Peter Julian: Was it about the framing of the apology or the framing of the response, or was it an after-the-fact request for what the precedent is around impartiality and non-partisanship?

Mr. Eric Janse: The discussion was largely focused on next steps, with the suggestion that if the Speaker so desired, he could make a statement at the opening of the House.

Mr. Peter Julian: Would you be willing to share those emails with the committee today?

Mr. Eric Janse: If the committee directs us to do so, we certainly could.

Mr. Peter Julian: Thank you.

You mentioned oral and written briefings. From the written briefing and how it touches on non-partisanship and impartiality, what was specifically shared with the Speaker when the new Speaker came in?

Mr. Eric Janse: Again, as mentioned in response to an earlier question, I think that's a lesson learned for us.

I don't think there's much in terms of discussion on the impartiality of the Speaker in the written briefing materials we provide. It's never really been an issue in the past, but certainly going forward, I think we will be beefing up that section. It was pretty minimal.

Mr. Peter Julian: Would you be willing to share the written briefing to the Speaker with the committee today? I say today because the timeline is very short, as I know you are aware.

Would you be willing to share those briefings?

Mr. Eric Janse: Sure.

Mr. Peter Julian: Thank you.

Thirdly, was the Washington trip scheduled under the former Speaker Rota?

Mr. Eric Janse: No, this was a trip that the current speaker initiated upon becoming Speaker. I understand he had already hoped or planned to go to Washington and then made it into an official IIA-led exchanges visit.

• (0900)

Mr. Peter Julian: Do you know when that trip was initiated? How soon was it after the Speaker's election?

Mr. Eric Janse: Pretty quickly after the Speaker's election, he mentioned to us that he would like to go to Washington during those dates. That put into motion the preparation for the trip in question.

Mr. Peter Julian: Was it within days?

Mr. Eric Janse: Days or, I would say, within two weeks maximum probably, we were made aware of the Speaker's desire to go to Washington.

Mr. Peter Julian: Thank you for that.

You've cited the precedents around Nova Scotia and Prince Edward Island, and also the code of conduct in the Yukon territory.

Within the examples you cited in Nova Scotia and P.E.I., what were the remedies or consequences? What were the remedies in terms of ensuring non-partisanship and impartiality? What were the consequences if a Speaker violated those fundamental principles of impartiality and non-partisanship?

Mr. Eric Janse: Again, we'll be distributing this material further to the question of Mrs. Romanado.

In the Prince Edward Island example, their committee—the equivalent of your committee—adopted a resolution or recommendation that Speakers should abstain from partisan activity, including caucus attendance, for 60 days prior to the commencement of a session and 30 days after. That was the recommendation in their report.

In the Yukon, they had prepared a memo that went on for some length in terms of outlining certain things a Speaker should and shouldn't do. For example, one is that “publications of the Speaker's party and caucus should not include photographs of the Speaker in the Speaker's robes.”

Again, we will circulate those documents.

Mr. Peter Julian: What are the penalties for transgression? If a Speaker is photographed in their robes and that photograph is connected to a partisan event, what are the consequences or the remedies to that in Nova Scotia, Prince Edward Island or Yukon?

Mr. Eric Janse: I'll ask my colleague, Jeffrey, to respond.

Mr. Jeffrey LeBlanc: In some of the cases we've seen, we've asked our provincial colleagues what happens if concerns are raised. In some cases, motions have been brought forward in some of those legislatures condemning the Speaker's actions and expressing non-confidence in the Speaker.

I don't believe there were any cases where those motions were adopted. In some cases, the Speaker may have apologized and that settled the matter. In other cases, the motions were just never completed or were voted down.

That's usually the way those things have been handled.

Mr. Peter Julian: In all of these cases, were these majority legislatures or minority legislatures?

Mr. Jeffrey LeBlanc: I don't know that off the top of my head, sir.

The Chair: Thank you.

We'll now go into our second round with Mr. Duncan followed by Monsieur Lauzon.

Mr. Duncan.

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Thank you, Madam Chair.

Good morning to our witnesses. Thank you for being here.

I want to follow up with some questions on the Washington, D.C., trip. You mentioned that the trip was booked through the international and interparliamentary affairs directorate. Usually when the Speaker travels, there's a delegation of MPs, one from each recognized party, that would go.

Did that happen, and if not, why not?

Mr. Eric Janse: Through you, Madam Chair, Mr. Duncan, you're right. Often when Speakers go on official visits they will bring a delegation composed of members, representatives from each of the parties. That's not always done. We've seen, for example, past Speakers go on shorter trips, for instance, to one of their provincial counterparts and that would not—

Mr. Eric Duncan: Do we know why the decision was made in this case not to?

Mr. Eric Janse: Probably because of the length of the visit, but this may be a question for the Speaker at 9:30.

Mr. Eric Duncan: Did Mr. Fergus take any staff from the IIA unit with him?

Mr. Eric Janse: To Washington...no.

Mr. Eric Duncan: Is that not unusual for a Speaker travelling abroad on a trip like that, not to have staff from the IIA?

Mr. Eric Janse: Again, if it's a longer perhaps more complicated trip with more meetings, then absolutely we send one of our exchanges officers. Again, if it's a smaller shorter trip, either within Canada or in cases like this to Washington, it's not unusual.

Mr. Eric Duncan: Who accompanied Mr. Fergus to Washington, D.C., then?

Mr. Eric Janse: I believe it was his chief of staff and his director of events.

Mr. Eric Duncan: Does the international and interparliamentary affairs directorate have a copy of Mr. Fergus's Washington itinerary?

Mr. Eric Janse: Yes, because they would have been very involved in preparing it.

Mr. Eric Duncan: Would you be able to table that with the committee, the details of that agenda?

Mr. Eric Janse: The official program, do you mean?

Again, if it's the direction from this committee, we can produce that.

Mr. Eric Duncan: That would be appreciated.

Did Mr. Fergus meet with his counterpart, the Speaker of the House of Representatives, while in Washington, D.C.?

• (0905)

Mr. Eric Janse: I believe it did happen at the last minute. It wasn't confirmed when the Speaker was leaving, but I believe that a meeting did happen finally.

Mr. Eric Duncan: Is it unusual for a Speaker to travel abroad during a sitting week?

Mr. Eric Janse: It's unusual but not completely unprecedented.

Mr. Eric Duncan: Was there any note of why the decision was made for last week and planned for last week, for those dates? The reason I ask is that in January, when our House is not sitting and the U.S. House is in session there, there are several weeks there that would not have provided a conflict.

Was there any discussion about moving that to January or a time when the House was not sitting?

Mr. Eric Janse: I don't know how much discussion there was because I think there was an event that the Speaker had already planned on attending, so the idea was to build a visit around that. Again, those are perhaps questions better put to the Speaker at 9:30.

Mr. Eric Duncan: Mr. Fergus attended a retirement party of some sort in Washington, D.C., for a Claus Gramckow. Were you aware of the Speaker's attendance as part of the itinerary for that trip?

Mr. Eric Janse: Yes.

Mr. Eric Duncan: Did you see the video or the excerpts of the comments he made at that party?

Mr. Eric Janse: Yes.

Mr. Eric Duncan: I'll just remind everyone that he was speaking about his history once again in a partisan fashion, about his time as president of the Young Liberals and his election and how he was going to win that election back in that day, and sharing how Mr. Gramckow was connected in all that.

You mentioned the video was inappropriate in his role as Speaker. I would assume that his comments during a Speaker delegation

to Washington, D.C., speaking at an event, public or a video, would be inappropriate.

Would you say that's another inappropriate comment made by the Speaker on this trip?

Mr. Eric Janse: Excuse me, Mr. Duncan. I didn't say that the video was inappropriate. I said that I would have advised not to do the video—

Mr. Eric Duncan: I'll reword my question to say you said he should not have done it. Knowing this, would your advice have been that he should not have made these comments at this event as well?

Mr. Eric Janse: I think that's a fair remark, yes.

Mr. Eric Duncan: If I were just to conclude on this, had you known ahead of time, you would have advised him not to make the video for the Ontario Liberal Party convention.

Would you have advised him not to make the comments that he made in his interview with The Globe and Mail, where he cited the Ontario Liberal Party as "our party"? Would you have advised him not to do that or to say that?

Mr. Eric Janse: Again, normally we're not sought for advice in terms of political or party events. Again, I've never really been sought for counsel on a question like that. It's really hard to answer, to be perfectly honest, Mr. Duncan.

Mr. Eric Duncan: I think what I would say there, where I'm going, is that it's not only the advice to not partake in the video. It's the advice to not partake in Washington, D.C., at this retirement party, to go and speak in a partisan fashion about his history with the Young Liberals of Canada and so forth there, and again the advice not to engage in partisan matters by referring to "our party", the Ontario Liberal Party. I just wanted to make sure we're on the record for all three of those challenges.

Thank you.

The Chair: Thank you.

I have Monsieur Lauzon.

[*Translation*]

Mr. Lauzon, you have the floor for five minutes.

Mr. Stéphane Lauzon (Argenteuil—La Petite-Nation, Lib.): Thank you, Madam Chair.

Thanks to the witnesses for being here this morning.

Mr. Janse, the House determined that it was important to address this matter promptly. Furthermore, the committee is responsible for making recommendations to the House. It is therefore accurate to say that the committee can't impose sanctions. Would you please tell us more about that process?

Mr. Eric Janse: Madam Chair, I would like to thank Mr. Lauzon for his question.

As he said in response to Mrs. DeBellefeuille's questions, this committee may consider recommendations and select those it wishes to include in its report. The report must be tabled no later than Thursday, at which point it will be in the hands of the House. A motion for its adoption may be introduced, and it would be subject to debate. If the report were then adopted by the House, the recommendations that you would have included would be adopted as well.

Mr. Stéphane Lauzon: You say we're in the midst of an unprecedented situation. Consequently, we don't really have any specific examples or precedents to guide us. You also say that, if the Speaker had consulted you, you would have recommended that he not make that video.

However, if it had been intended for a friend and hadn't been made public, and if it had served to thank only one person, would your hypothetical recommendation have been the same?

Mr. Eric Janse: It's hard for me to answer your question because we usually aren't consulted on these kinds of situations.

If he had consulted me, I would have considered all sorts of details, including the identity of the recipient and what the Speaker was wearing when he recorded video. In that instance, I would have taken the precaution of recommending that he not make the video or that he consult the political parties to determine what they thought of it, as I've already mentioned.

● (0910)

Mr. Stéphane Lauzon: Every MP, regardless of his or her role, whether or not it's the role of Speaker of the House, may make a personal video to thank and congratulate someone. We've all done it in the performance of our duties, whether for our political party or at the municipal, provincial or federal level. Why would the Speaker have to seek an opinion before sending that kind of video to someone?

That's where I draw the line.

Is there some provision in the Standing Orders of the House of Commons stating that the Speaker must absolutely consult you before recording a personal video for someone he or she admires?

Mr. Eric Janse: That's a good question. As I mentioned in my opening remarks, there's nothing codified in the Standing Orders of the House concerning the impartiality of the Speaker. It's really been more a matter of practice for nearly 150 years.

Mr. LeBlanc, would you have something to add?

Mr. Jeffrey LeBlanc: When you're the Speaker, there's an additional obligation to meet expectations of neutrality. Consequently, before recording this kind of video, you should ask yourself some questions. Who is the video for? What is the context in which the message is being conveyed? In what capacity is the person recording the video? Is the person doing it at home, normally dressed, or at the office in the Speaker's robes?

The situation could be interpreted differently depending on context.

Mr. Stéphane Lauzon: Mr. Janse, I know that this situation is unprecedented and that we have no specific examples we can rely

on. However, when Andrew Scheer was Speaker and sent \$3,000 to the riding of Guelph in 2011, was he sanctioned?

Mr. Eric Janse: I don't remember that case.

Mr. Michel Bédard (Interim Law Clerk and Parliamentary Counsel, Office of the Law Clerk and Parliamentary Counsel, House of Commons): We have no knowledge of any sanction against Mr. Scheer when he was Speaker.

Mr. Stéphane Lauzon: Are you aware of that \$3,000 transfer from Mr. Scheer's office to the riding of Guelph during the election when he was Speaker of the House?

Mr. Eric Janse: Personally, no.

Are you aware of it, Mr. Bédard?

Mr. Michel Bédard: I have no knowledge of it.

Mr. Stéphane Lauzon: The money was for robocalls.

If you have any documents concerning this matter, would you please send them to the committee so we can take them into consideration when we draft our report? Perhaps we could compare that matter to the present situation to help us make our decisions.

Mr. Eric Janse: We can check our files to see if we have anything.

Mr. Stéphane Lauzon: Thanks very much.

What recommendation—

The Chair: Your time is up, Mr. Lauzon.

Mr. Stéphane Lauzon: All right. Thank you.

The Chair: Thank you, Mr. Lauzon.

Mrs. DeBellefeuille, you have the floor for two and a half minutes.

Mrs. Claude DeBellefeuille: Thank you, Madam Chair.

Mr. Janse, you clearly stated that, if the young, inexperienced Speaker had consulted you if he had any doubt about his decision, you would have advised him not to make the video. You clearly said that, in English and in French. Explain to me why you would have advised him not to do so. What impact would it have had on his future?

Mr. Eric Janse: Thank you for your question, Mrs. DeBellefeuille.

It's important for the Speaker to be impartial and to be seen to be impartial at all times, even more than other occupants of the chair. I think that's what would have helped to explain why it wasn't a good idea to make that kind of video. We want to take maximum precautions given the impact it can have on the trust of the House of Commons.

Mrs. Claude DeBellefeuille: Mr. Janse, what you're saying is that when you're the Speaker, you have to ensure you're beyond reproach and to prove to all members of the House that you can be impartial, that you're above the fray and that you're capable of exercising proper judgment. In this remarkable case, my understanding is that, if you had been consulted, you would've told him not to make the video because that would create a significant risk to his reputation and impartiality. Is that an accurate summary of your thinking?

• (0915)

Mr. Eric Janse: Yes, that's a good summary.

Mrs. Claude DeBellefeuille: Thank you, Mr. Janse.

I'd like to go back to the Washington trip. I'm the Bloc Québécois whip, and I know how the trips of MPs and the Speaker work. My impression is that it was a somewhat unusual trip or mission for the Speaker. I know that Mr. Rota, the former speaker, made a point of not travelling during sitting weeks and limiting his trips to break weeks.

Do you think that the fact the Speaker and his close associates travelled to Washington when we were in the midst of a crisis shows that he doesn't realize the significance of what happened to the House?

Mr. Eric Janse: Once again, that's a question that you should put to the Speaker when he comes to testify at 9:30. You're right in saying that the Speaker usually doesn't travel when the House is sitting, but there are some precedents.

The Chair: Thank you.

[English]

Mr. Julian, you have two and a half minutes.

[Translation]

Mr. Peter Julian: Thank you very much, Madam Chair.

Mr. Janse, we haven't discussed existing precedents, but perhaps there are others in the House of Commons. I'm thinking of all the discussions and decisions regarding former Deputy Speaker Champagne. Can you tell us about that situation? Can you tell us why there wasn't a breach of privilege in the case of that Deputy Speaker? I believe there were clear directives in that instance.

Mr. Eric Janse: I'm going to ask my colleague Mr. LeBlanc to answer that question.

Mr. Jeffrey LeBlanc: Thank you very much, Madam Chair.

Mr. Julian, you're referring to a case that occurred in 1993. When Ms. Champagne was Deputy Speaker of the House, she was also asked to chair a Progressive Conservative convention at which Ms. Campbell was elected party leader.

A question of privilege was then raised in the House regarding Ms. Champagne's participation in that partisan activity. The Speaker of the House at the time, Mr. Fraser, responded that expectations of impartiality and duties might not be as high for Deputy Speakers as for Speakers, as Deputy Speakers could at times attend their party's caucus meetings. In those circumstances, it therefore wasn't considered a question of privilege.

It seems to me he also noted the fact that the conduct of occupants of the chair is not normally criticized through a question of privilege but rather by means of a substantive motion.

Mr. Peter Julian: Is it accurate to say that the Speaker may not behave in the same manner as a Deputy Speaker because the former is subject to different expectations?

Mr. Eric Janse: A very specific example is that the other occupants of the chair, the Deputy Speakers, attend caucus meetings,

whereas the Speaker hasn't done so for decades. So there definitely is a difference.

Mr. Peter Julian: Earlier you said that showing a photograph of the Speaker in official robes at a partisan event would be viewed as going too far. However, with social media these days, you can't share a photo like that, taken at an event, even if it's private, because it can be broadcasted.

Do you think social media has changed the situation regarding impartiality and non-partisanship?

Mr. Eric Janse: Yes, I said exactly that in my introductory remarks.

[English]

The challenge is, perhaps, even greater for Speakers in the age of social media—absolutely.

[Translation]

The Chair: Thank you.

[English]

I will now go to Mr. Berthold.

[Translation]

You have the floor for three minutes, Mr. Berthold.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you very much, Madam Chair.

Thank you very much for being here today, Mr. Janse.

Was the event that Mr. Fergus wanted to attend in Washington a tribute to Claus Gramckow?

Mr. Eric Janse: I believe so.

Mr. Luc Berthold: You believe so. Then Mr. Fergus's decision to go to Washington wasn't made while he was Speaker of the House of Commons.

Mr. Eric Janse: I think he had previously intended to attend the event if he could.

• (0920)

Mr. Luc Berthold: So he made the decision to take the trip when he was in a partisan role and subsequently stuck to his decision.

Mr. Eric Janse: Yes. However, it turned into an official trip with the addition of all kinds of other meetings, including with the former Speaker of the United States House of Representatives, Nancy Pelosi.

Mr. Luc Berthold: Was the agenda entirely set by Mr. Fergus and his office?

Mr. Eric Janse: No, it was prepared by the international and interparliamentary affairs directorate.

Mr. Luc Berthold: Would it be possible to know what recommendations the directorate made for the visits added to Mr. Fergus's visit and when those recommendations were made?

Mr. Eric Janse: As we mentioned, we will provide you with the program, and then we can try to confirm the substance of the discussions with the international affairs team.

Mr. Luc Berthold: Could we also have copies of the correspondence between that team and Mr. Fergus's office so we can determine exactly when those requests were made?

We'd ultimately like to get copies of the exchanges concerning the planning for that trip. I think that's important considering that the trip was initiated by a member, and thus a partisan, of the House of Commons.

Mr. Eric Janse: Once again, if that's what the committee wishes, we can try to find those emails and exchanges.

Mr. Luc Berthold: Thank you very much.

Madam Chair, to ensure we understand each other, I'd like to note that, since Mr. Janse began testifying, there have been four requests for production of documents: the correspondence between the office of the clerk and that of the Speaker on the statement and everything that occurred after we became aware of the events; the briefing documents prepared by the office of the clerk and intended for the Speaker; the agenda of the Speaker's Washington visit; and all email and other exchanges concerning preparations for that visit.

I just want to make sure that the committee wants the office of the clerk to provide those documents to us.

Mr. Eric Janse: I also think there are three more items: the documentation concerning Yukon, the documentation on Prince Edward Island and Mr. Lauzon's request regarding the example of Mr. Scheer, if we can find it in our files.

Mr. Luc Berthold: Madam Chair, does the committee wish to obtain all those documents?

I want to be sure that the clerk is actually being directed to forward those documents to us.

Mr. Peter Julian: It also has to be done today.

Mr. Luc Berthold: Yes.

Mr. Eric Janse: My colleague has mentioned the following, and I was thinking the same thing: we won't have all those documents in both languages. They'll have to be translated.

Mr. Luc Berthold: Since the House of Commons has passed a motion to the effect that all the resources of the House of Commons must be made available to this committee for the purposes of this study, I'm certain we can engage the necessary resources to get those translations today. Considering the Thursday deadline, Mr. Janse, I would appreciate that very much.

Mr. Eric Janse: We'll do our best.

The Chair: What's your response?

Mr. Eric Janse: I said we would do our best—

The Chair: So you said yes. You said you would do your best.

Mr. Eric Janse: —to provide all the documents in both languages today.

The Chair: Yes, because, if the documents aren't in both languages, we won't be able to accept them. You know, you use the resources as we do. So you agree.

Then does everyone agree to request the documents that Mr. Berthold has named? Mr. Julian has also requested the documents concerning the apology of the Speaker of the House of Com-

mons. Do we also agree to request those documents in both official languages?

Mr. Peter Julian: That follows the revelation of the video. If it's related to the apology or the procedural matters, I'd like to have all those documents.

The Chair: Is everyone in agreement?

Voices: Agreed.

The Chair: That's great. Now we will go to the Liberals.

Mr. Duguid, you have the floor for three minutes.

[English]

Mr. Terry Duguid (Winnipeg South, Lib.): Thank you, Madam Chair.

Thank you to Mr. Janse and his colleagues for all the good work they do for us every day.

Madam Chair, I'd like to go back to a point that my colleague Monsieur Lauzon raised. This is regarding the incident where funds were transferred from Mr. Scheer's riding association to the Guelph candidate. There was some controversy surrounding this. Just to get a bit of clarification, while that transfer happened during a time when Mr. Scheer was not Speaker, the answers coming back regarding that particular transaction came from the long-time director of communications in the Speaker's office.

I'm wondering if you could comment, Mr. Janse. Do you think it was appropriate for the director of communications in the Speaker's office to have responded, or should that have rightly come from somewhere like his constituency office?

● (0925)

Mr. Eric Janse: Again, thank you for the question.

I'm really not familiar at all with this case, so it's very difficult to comment on it. As we have committed to do, we will search in our files to see what we can dig up in terms of any involvement with the administration.

Mr. Terry Duguid: Through the chair, I would like a response to that in due course, after you have had an opportunity to take a look at the record. My understanding is that this issue was raised. I'm wondering if there was a reprimand to the Speaker's office and whether there were any consequences. I think it's relevant to the issue that we have before us.

I think I'm the last questioner. Given some of the context you've given us, that the Speaker, as an MP, has come from a partisan background and is making a transition to a neutral officer of Parliament, do you have one or two crisp recommendations that you would make to this committee?

Mr. Eric Janse: Again, I think it's up to this committee to decide what it wants to include in its report in terms of recommendations. Certainly, I think a takeaway for us, the administration, is to beef up the section on impartiality in the briefing material that we provide to the Speaker.

Over and above that, again, it's really up to this committee to decide what it wants to contemplate in terms of recommendations. Personally, I would shy away from trying to codify everything a Speaker can or cannot do, because the list would be very long and things are constantly changing. A few years ago there was no social media. Now there is. To the point earlier, it makes things constantly evolving.

The Chair: Excellent. Thank you.

Regarding the question that Mr. Duguid has asked for a response to, is it the will of the committee to get that response? Excellent.

With that, I would like to thank you, Mr. Janse. While you're here, we're going to give you a little bit of a gift, possibly.

I would like to ask committee members if we recommend to the House to ratify the appointment of Eric Janse to the position of Clerk of the House of Commons. Is that agreed?

Some hon. members: Agreed.

The Chair: We will be reporting that back on Thursday as well.

With that, thank you for your time and attention. We look forward to receiving documents in both official languages.

Congratulations.

Some hon. members: Hear, hear!

The Chair: The meeting is suspended.

We will be back in our seats in two minutes with the Speaker of the House.

• (0925) _____ (Pause) _____

• (0930)

The Chair: I call the meeting back to order.

In our next panel, we have the Honourable Greg Fergus, Speaker of the House of Commons.

Mr. Speaker, you will have up to 10 minutes for your opening comments. We welcome you to PROC.

The floor is yours.

[*Translation*]

Hon. Greg Fergus (Speaker of the House of Commons): Madam Chair, thank you for the opportunity to appear before this committee.

First of all, allow me to apologize to all of you here present, to all our colleagues in the House of Commons and, obviously, to all Canadians.

I recorded a video for John Fraser, a friend of long standing. Despite the fact that I had received confirmation to the contrary, that message was broadcasted at a public and partisan meeting. However, regardless of whether the message was broadcasted in private or in public, I should never have recorded it. I know that I made a mistake, I will not make it again, and I apologize unreservedly.

When I assumed the speakership, I said I was taking on the role of a referee. I believe that, if there's one thing Canadians know about, it's that referees are human. They make mistakes, but, unlike a referee after a game, I'm here to tell you I made a bad call.

I am also telling you that I will do better. I am putting in place a more rigorous communication protocol to ensure this will never happen again. I will rely much more on the services of the House Administration, under the direction of the Clerk of the House, to evaluate this type of request. I have also contacted speakers of legislative assemblies and parliamentary experts in Canada and other Westminster-style parliaments. My work will benefit from their opinions and counsel.

I told you that words and symbols count. From the moment I put my name forward for the position of Speaker, I told you that respect would be central to my actions: respect for individuals, respect for decorum, respect for the parliamentary institution. These values are still important to me, although it is fair to say that, like anyone starting a new employment, I will be learning on the job.

Allow me to provide more details on the events that have brought us here. Like many of you, I have formed deep and lasting friendships with people of every political stripe. A member of Mr. Fraser's family phoned my office to ask me to provide a personal video for a surprise private event to mark Mr. Fraser's departure from a management position at the Legislative Assembly of Ontario.

I agreed to send what I thought was a private congratulatory message, having quickly recorded the video between two meetings. In that video, I talked about the importance of his friendship and his support for my wife and me when we first met, when we were newly married and, later, when we became parents.

That personal message was then broadcasted at a public and partisan meeting. That should never have happened. Even more important, it would never have happened if I hadn't recorded the message in the first place. It was my fault, a hard lesson to learn and a mistake I will not make again.

Before I conclude, allow me to tell you what I felt as a young Black Canadian who loved Parliament and procedure, a child who dreamed of one day becoming a member of Parliament but who didn't know if that was realistic. I hadn't seen any MPs, and even fewer Speakers, who looked like me.

I was recently stopped in Toronto by Lionel, a young Black Canadian father who had recognized me. He told me how important it was for him and his daughter to see me become Speaker. He also said that his daughter now wanted to run for office when she grew up. To Lionel and his daughter, as well as Black and racialized Canadians who are following these debates, I apologize for disappointing you. I promise I will do better.

In closing, I want to make it clear to you that Parliament and its traditions are deeply rooted within me. I have had a strong connection with this place since I was a teenager 35 years ago, when I was a parliamentary page. I remain determined to chair the House of Commons fairly, thoughtfully and in a spirit of collaboration.

● (0935)

My first task every day is to perform my role in an impartial and respectful manner because that's what Canadians of all origins and political convictions are entitled to expect from the Speaker of the House of Commons.

[*English*]

Madam Chair, I thank you and the committee members for the time.

● (0940)

The Chair: Thank you.

We will now start the six-minute rounds, starting with Mr. Scheer.

It will be six minutes, through the chair, honourable members.

Mr. Scheer, the floor is yours.

Hon. Andrew Scheer (Regina—Qu'Appelle, CPC): Thank you very much, Madam Chair.

Mr. Fergus, everyone comes to the House of Commons having had some involvement in partisan activity. We get elected through party nominations in general elections by running under a party banner. Some of us have a greater degree of partisan activity in our background than others.

I want to quickly go through your background in terms of your partisan involvement.

You held a couple of senior, executive-level types of positions within the Liberal Party. Is that correct?

Hon. Greg Fergus: I held a senior position. I was the national director of the Liberal Party of Canada at one point. Yes.

Hon. Andrew Scheer: Which years would that be?

Hon. Greg Fergus: It was from 2007 to 2010.

Hon. Andrew Scheer: It was until 2010. It was relatively recently.

Before that, you were president of the.... Was it the Liberal youth wing?

Hon. Greg Fergus: That is correct.

Hon. Andrew Scheer: Before that, were you ever involved at the staff level for members of Parliament or for cabinet ministers?

Hon. Greg Fergus: I had worked in opposition for a federal member of Parliament in a constituency office, and I had also worked, from 1996 to 2000—I'm sorry; it might be 2001—for a federal cabinet minister.

Hon. Andrew Scheer: Was this a Liberal cabinet minister?

Hon. Greg Fergus: Yes.

Hon. Andrew Scheer: Upon becoming elected, the path you chose was a bit different from that of other members seeking to be-

come chair occupants. Normally, someone might try to shed some of that partisanship in their recent past in order to establish the credentials or the impression of being a less partisan or non-partisan member of Parliament in order to present as a candidate for Speaker and in order to assure members of other parties that they could, in fact, be non-partisan. For example, in my case, I was Assistant Deputy Speaker and then Deputy Speaker. Other Speakers who have been elected to hold that role have spent time as committee chairs, often in roles that are less partisan than what goes on in the House.

Upon your election in 2015, you were.... Were you immediately nominated as a parliamentary secretary right after 2015, or was there some...?

Hon. Greg Fergus: Through you, Madam Chair, aside from your case and, perhaps, Mr. Rota's case, actually, I think most Speakers who were elected into the role, going back as far as Mr. Fraser, had a similar path as I had in the sense that they hadn't been an assistant Speaker or a Deputy Speaker before they assumed the role.

Hon. Andrew Scheer: Right, but there are other ways to establish non-partisan credentials, such as committee chairmanships or at least taking a bit of a step back from the cut and thrust of the hyperpartisan roles that exist in the chamber.

I'm just pointing out that you held one of those positions. You were a parliamentary secretary right after the 2015 election.

Hon. Greg Fergus: Through you, Madam Chair, I was nominated parliamentary secretary after getting elected for the first time in 2015. I was then a member of the committee—not a parliamentary secretary, but a member of the finance committee—for two years. Just before the 2019 election, I was reappointed as a parliamentary secretary.

Hon. Andrew Scheer: That was parliamentary secretary to the Prime Minister.

Hon. Greg Fergus: At that time, it wasn't parliamentary secretary to the Prime Minister. It was parliamentary secretary to the President of the Treasury Board and the minister responsible for digital government.

● (0945)

Hon. Andrew Scheer: Okay. How long were you parliamentary secretary to the Prime Minister?

Hon. Greg Fergus: I believe it was from 2020 to this autumn.

Hon. Andrew Scheer: You say that a family friend of Mr. Fraser contacted you. It wasn't Mr. Fraser himself. It was a member of his family.

Hon. Greg Fergus: No, it wasn't Mr. Fraser himself. It was a member of his family who contacted my office. It wasn't Mr. Fraser, because it was supposed to be a surprise video at a private event.

Hon. Andrew Scheer: Do you have any copies of correspondence that you could provide to the committee?

Hon. Greg Fergus: I'm more than happy to provide this committee with all correspondence...a phone record of a request that came into the office.

Hon. Andrew Scheer: In your opening remarks, you referenced your own comments about being an arbiter in the chamber.

I'm just asking you to ask yourself this: If you were involved in a situation that needed an arbitrator and you saw the arbitrator at an event with the person on the other side of the table.... Maybe we could imagine a union negotiation with management or some type of dispute between two parties. If you saw the arbitrator—the person whose hands your case was in—at an event with your opposing counsel or with your opposing partner in that situation, would you want that arbitrator to continue to hear your case and to make that decision? After seeing he or she in their full arbitrator's uniform—or at least with clear signals of that's who that person was at that time—saying nice things or being involved in any way with the person on the other side of the table, would you want that person to hear your case?

Hon. Greg Fergus: Madam Chair, am I permitted to respond?

The Chair: Sure.

Hon. Greg Fergus: Madam Chair, I thank the honourable member for that question.

This has been something that has actually been a bit of an aha moment for me. The aha moment came in discussion with a member of the opposition when I realized that by talking about my past.... I thought it was a value-free statement. I was just recounting the things that I did, such as the questions that Mr. Scheer just asked me. The aha moment came in seeing that people don't see that. When I talk about my past, it's not a value-free statement. They see it, almost, as a way of making a statement today about my political partiality, and that was not my intention. I thought I was just talking about the post and the roles that I held in the past and the context in which things were made.

The Chair: Thank you, Mr. Speaker.

Hon. Greg Fergus: Thank you, Madam Chair.

[Translation]

The Chair: Mr. Lauzon, you have the floor for six minutes.

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Thank you very much for being with us this morning, Mr. Fergus.

I'd like to talk to you about your role, your adjustment and the big learning curve facing you when you become Speaker of the House of Commons.

You left your seat as an MP and took up your duties as the Speaker from one day to the next. We understand perfectly well that you had some experience with the Standing Orders of the House, but tell me about that sharp learning curve. You had to put a team in place. You had to direct the entire team of clerks with whom you work directly. I imagine you had to field a lot of requests from all directions. And you made a video in the midst of it all.

Tell me about the learning curve that makes for a lot of work at the start of a Speaker's mandate. Tell me about your experience after two months in the chair.

Hon. Greg Fergus: Thank you for your question, Mr. Lauzon.

I can tell you that the learning period was mind-blowing. You go directly from a member's seat to the Speaker's chair. To be honest, in my mind, I wondered whether I could take just a one-week break to have all the briefing and training sessions before I began presiding over the House. However, it all went so quickly, in three days.

You're right. I had to assemble a team. Fortunately, some people from my predecessor's team had decided to stay on, but others unfortunately left. I had to hire people to round out the team, and I had to attend briefing sessions in order to understand all the aspects of the Speaker's role.

As you know, the Speaker is both the person who presides over the House of Commons and someone who occupies a diplomatic role that is fifth in the order of precedence in Canada, in addition to being an administrator.

The House of Commons has 2,800 employees, and you have to learn who they are, from our interpreters to the people who prepare for meetings, provide IT services, are responsible for security, provide transportation, prepare our meals and so on. Learning who all those employees are is a big adjustment.

• (0950)

Mr. Stéphane Lauzon: Thank you, Mr. Fergus.

As we all know, human beings aren't perfect. We all make mistakes, and we will continue to do so. The only people who don't make mistakes are those who don't dare to try. You dared. However, you admitted your mistake and made a public apology. I also thank you for the apology you made today.

I also want to give you an opportunity to tell us about the new process that you're developing and that you mentioned in your remarks. I'd like you to tell us more about how we can improve communications in future so we can remedy a situation such as this one. You have at least a minute to describe how that process will be put in place.

Hon. Greg Fergus: Thank you for your question, Mr. Lauzon.

Even before this situation occurred, we were working on establishing a process to ensure that all received invitations would be evaluated based on a new evaluation grid. We would thus be able to determine, for example, whether we should take part in a given exercise or whether we were running the risk of disappointing expectations that people might have of the Speaker of the House.

We will also submit that evaluation grid to the office clerks, who will evaluate it and decide whether they approve of it. The clerks definitely have a lot of experience in determining what has been done in the past. We'll thus be able to decide for each communication effort that we make, whether it's appropriate or not. It will be completely clear.

Mr. Stéphane Lauzon: We're all familiar with your past, Mr. Fergus. It's a very political past, characterized by a significant commitment to community and various organizations.

In future, will you take your past into consideration and make good decisions? Will you set aside your past political experience so you can serve your term as Speaker of the House?

Hon. Greg Fergus: I believe and maintain that all the decisions I have made to date demonstrate my impartiality. Where I need to make a greater effort is in my involvement in activities outside the House of Commons. I have good judgment in certain respects, but I never thought it would be problematic to discuss my political past. I believe my past is no more political than that of all the members here, most of whom have political experience within their own party. I think that—

Mr. Stéphane Lauzon: I apologize for interrupting, Mr. Fergus, but this is important. If you have that grid, would you please forward it to the committee so we can add it to the file? If it isn't complete, would you at least send us what you have so we can analyze your grid in the context of the report?

Hon. Greg Fergus: It would be a pleasure, but I must warn you that it's only a draft.

The Chair: Very well. Thank you.

Mrs. DeBellefeuille, you have the floor for six minutes.

Mrs. Claude DeBellefeuille: Thank you very much, Madam Chair.

Mr. Fergus, thank you for being here this morning. You recognized my forthright approach at a meeting of the Board of Internal Economy last week. As I'm sure you will understand, I won't make any exceptions this morning: I'll be frank and sincere.

We had a discussion after you had just been elected, and I told you that you were being closely watched. It's a major challenge to switch from one's seat as an MP, quite a partisan role, to the role of Speaker. I told you that you were being watched and that I hoped you would convince me of the quality of your judgment and of your impartiality because, to my mind, those are the two major qualities that a Speaker must absolutely have. I'm sorry to say this to my Liberal colleagues, but you either have judgment or you don't. It's not something you learn.

You no doubt heard the testimony of Mr. Janse, who said several times, in English and in French, that you didn't consult your right-hand man, the clerk, before making the video. You did it on your own, with your office staff. You recorded a video using House resources, which is prohibited under the Standing Orders. You must be beyond reproach, Mr. Speaker. You recorded that video in your Speaker's robes, in the Speaker's office, and presented yourself as the Speaker of the House of Commons.

You also slighted my leader, the leader of the Bloc Québécois, by suggesting that one of his questions was illegitimate. You apologized personally, but not in the House. You blamed the incident on the interpretation.

Then you went to Washington. I don't understand that. You went to Washington while the House was sitting, and your situation created a crisis of trust in Parliament. To my mind, that was a second display of poor judgment. It seems to me that, when you know you've made a mistake, you should do what you're supposed to do.

You need to listen to and see what's going on in the House, which withdrew its trust in you by means of a motion.

In addition, you referred to your partisan past while you were in Washington. I understand you because that's who you are: you're a campaigner and a partisan. However, you were unable to detach yourself from your past and put on your new Speaker's robes. It's difficult. I knew it would be a challenge for you.

You haven't been Speaker for very long, and you didn't consult the clerk. Did you at least consult your chief of staff or your entourage to see whether it was a good idea to do all that in your Speaker's robes, in the Speaker's office while presenting yourself as the Speaker? But it was a personal video intended for a friend. Did you ask your chief of staff for advice?

• (0955)

Hon. Greg Fergus: Thank you very much, Mrs. DeBellefeuille. I remember our discussion very clearly.

As I explained in response to one of your colleagues here, the moment when I really understood the situation was when I talked about my past. I realized that I might be giving the impression that I was validating that political point of view. That's when I learned my lesson.

Mrs. Claude DeBellefeuille: You're telling me about Washington, but I'm talking about your video. I'm trying to imagine you in that situation. Did your chief of staff film you with his camera?

Hon. Greg Fergus: No, it wasn't my chief of staff; it was my assistant at my Parliament Hill office. As I explained, it wasn't his fault, but rather mine. I admit it entirely. It was a lack of judgment on my part. That's why I apologized to you. It's a hard lesson to learn and it's a situation that will not occur again.

To give you a little more context, as I said, I recorded the video believing that it was a private video that wasn't intended to—

Mrs. Claude DeBellefeuille: Mr. Fergus, I'm interrupting you because I don't have enough time, and I have a lot to tell you. I don't mean to be impolite.

I understand your intention, but that's where you lacked judgment. How can you imagine that you can shoot a video, in the office of the Speaker of the House, dressed in the Speaker's robes, for a friend who's leaving political life?

If I had been your chief of staff, I would've told you that you couldn't do it, that you would be at risk if the video turned up somewhere else and that the Speaker must be impartial and unassailable. So I think your entourage lacked judgment. You had the video shot by your Hill assistant. You didn't consult Mr. Janse. You didn't consult your chief of staff.

So you acted alone. To my mind, that shows a lack of judgment. You tell me it won't happen again, but I'm worried all the same because you will have to judge more complicated situations than that. I would be very concerned because this one was so easy to judge.

• (1000)

Hon. Greg Fergus: Thank you for that observation.

That's why I think it's important to have procedures and a protocol in place to assess that kind of request. It's one way to be able to take a step back and get some perspective rather than act too hastily.

The Chair: Thank you.

[*English*]

Mr. Julian, six minutes go to you.

[*Translation*]

Mr. Peter Julian: Thank you, Madam Chair.

I feel saddened. That week we had a speakership crisis. It was tough for everyone, including all Canadians. Now I sense that we're in the midst of another speakership crisis. This is an incident that called for some serious thinking that we should all do. The Speaker's role is so important.

[*English*]

I'm saddened that we're in this situation. I'm saddened that the House felt compelled to refer.... They referred this to the PROC committee unanimously, because of what they consider to be a serious error.

I've been listening very carefully to your testimony, Mr. Fergus. I want to know when you realized this was a serious error. When did you know that it was wrong to have done that video?

Hon. Greg Fergus: The very moment it was reported to me that it had been aired publicly, all of a sudden, Mr. Julian, it became very clear that this was just wrong.

That wasn't the intention. It shouldn't have.... Not only was it not the intention, but as I said in my testimony and as I say to you again, it should never have been taped in the first place. It became very clear in hindsight how wrong that was.

That's the reason why I apologize to you and to all members and I'm apologizing to all Canadians.

Mr. Peter Julian: When you were doing the video in your robes, in the House and in your Speaker's chambers, what was going through your mind?

I say this with respect. I know that, as a member of Parliament, I can't film partisan videos in my constituency office. In my office on the Hill, we take careful attention to do that. The precedent is vast. We all know it's wrong. I don't understand what was going through your mind as you were taping that.

Did you consult with your chief of staff at any point to say, "Do you think this is a good idea?"

Hon. Greg Fergus: Through you, Madam Chair, to Mr. Julian, that was the problem with it. It was a very quick. It was, "Let's just quickly get this done."

It was not a partisan video. It was a very personal video. I did talk about my past, but it wasn't one where I was pronouncing about the present or making a declaration on that front. It was a mistake. I shouldn't have done it—period—but when I was making

it, it was in the moment. It was between two meetings. We were in a rush, and I just did it in one take and moved on to my next meeting. I've been replaying this moment in my mind over and over again, and I wish I had just taken a moment to think about it.

Sometimes in politics—and I think we all do this, but it's glaring when it happens to you, and it's as embarrassing as all out—when you do these things, you're not thinking. We move from pillar to post so quickly. We go from one event to another, and we don't take the time sometimes to take a step back to think about it.

That's why a protocol is being put in place to make sure that all communications will be going through a process that will use the administration of the House, especially the Clerk, to determine whether something is appropriate or not.

• (1005)

Mr. Peter Julian: I'm troubled by something else as well. In your apology to the House on Monday, December 4, you said video "was played at a convention for a party that I am not a member of, in a province where I do not live in and where I have been unable to vote for nearly three decades".

However, on the Saturday 48 hours before, The Globe and Mail quoted you as saying, in terms of Mr. Fraser, "He's demonstrated so much calm, and conviction and resolve and determination, and he's held it all together at a very challenging time in the history of our party".

You referred to "our party" in The Globe and Mail on Saturday. You said on Monday that it's "a party that I am not a member of, in a province where I do not live in and where I have been unable to vote for nearly three decades". Do you see the contradiction between those two statements?

Hon. Greg Fergus: I do. If you had asked me and I hadn't taken a look at the transcript of the video, I certainly wouldn't have used that word, "our" party. What I was referring to, in terms of his past and my past and where it really connected, was 30 years ago.

[*Translation*]

Mr. Peter Julian: There's another contradiction. I understand that they were very intense weeks. You had just been elected Speaker of the House of Commons; it was a period of intense adjustment.

However, according to Mr. Janse's testimony, a few days after your election, you began to plan a trip to Washington while Parliament was sitting. There again, I see a contradiction. The intensity of that transition period is normal. And yet, at the same time, you were planning a trip to Washington while Parliament was in session. Can you explain that contradiction?

Hon. Greg Fergus: Yes.

I had previously made a personal commitment as an MP to attend that event and therefore explained to the team that I wouldn't be available during that period. When I approached the occupants of the chair to have someone replace me—I don't know who suggested it first—I was told that we could take advantage of my presence there to coordinate meetings for the purpose of conducting parliamentary diplomacy.

[English]

The Chair: Thank you.

[Translation]

Hon. Greg Fergus: Thank you very much, Madam Chair.

[English]

The Chair: We'll now go into our second round. It will be Mr. Cooper, Mr. Gerretsen, Madame DeBellefeuille and then Mr. Julian.

Through the chair, Mr. Cooper, you have five minutes.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Mr. Fergus, you stated that you realized that it was a mistake when it had been aired publicly, and that if only you had a moment to reflect on it, you wouldn't have done that. You stated that as though the video was done in isolation, except it wasn't done in isolation. On the evening of December 1, the day before the Liberal leadership announcement, an interview in *The Globe and Mail*, written by Laura Stone, was published in which you praised Mr. Fraser and offered partisan comments.

Did you think that interview was going to be in private?

Hon. Greg Fergus: No, not at all.

Through you, Madam Chair, I was being interviewed, and again, I made it clear during that interview that I wasn't talking about his current place. I was talking about.... As a matter of fact, if you can get the transcripts of it from Ms. Stone, I said very clearly that I couldn't talk about political current affairs, but I could certainly talk about the man that I knew.

Mr. Michael Cooper: You made partisan comments, including referring to the Liberal Party as "our party". Those were your words. You thought it was appropriate to take an interview with Laura Stone, in your capacity as Speaker of the House, to speak about a sitting MPP who was the leader of the Ontario Liberal Party on the eve of the convention. You thought that was appropriate as the Speaker of the House of Commons.

Hon. Greg Fergus: Through you, Madam Chair, to Mr. Cooper, I had an interview with Ms. Stone to talk about the person I knew, the person whom I'd had an interaction with. I made it very clear during the interview that it was not to talk about current politics. I couldn't do that as Speaker.

• (1010)

Mr. Michael Cooper: Well, you did refer to the Liberal Party as "our party". I would submit, Mr. Fergus, with the greatest respect, that the fact that you didn't see an issue with that raises questions about your judgment.

Now, I do want to drill down on your statement around the video and how that came about. You said that you were approached by a family member of Mr. Fraser. Who was that family member?

Hon. Greg Fergus: Through you, Madam Chair, I'd be happy to provide all the information on this.

Mr. Michael Cooper: It's a simple question: Who was the family member?

Hon. Greg Fergus: Madam Chair, I've been a member of PROC and I know that we've been very careful about revealing the names of family members.

I'm happy to provide that information, and I will, to the clerk of PROC.

Mr. Michael Cooper: When was the request made?

Hon. Greg Fergus: May I ask that the committee speak to Mr. Fraser and ask him whether it's okay for him to reveal the name of the family member?

The Chair: I'm pausing the time for a second.

I think Mr. Cooper has moved on. We know that you're undertaking to bring those documents. I will confirm that all members want those documents at the end of your appearance. We still have lots of time with you.

What I hear from Mr. Cooper is that he has moved on and is asking when the request was made. I feel that Mr. Cooper hears what you're saying. I think he has the same regard.

The floor is yours, Mr. Cooper.

Mr. Michael Cooper: When was the request made?

Hon. Greg Fergus: The request was made on November 27.

Mr. Michael Cooper: It was on November 27.

Hon. Greg Fergus: That is correct.

Mr. Michael Cooper: Okay. In your statement to the House on December 4, you stated that you were asked to record a video to be played at an intimate gathering. What was that intimate gathering?

Hon. Greg Fergus: Through you, Madam Chair, it was to be a surprise goodbye with members of Mr. Fraser's team to be played on December 1.

Mr. Michael Cooper: It was to be played on December 1. Who is Mr. Fraser's team?

Hon. Greg Fergus: I don't know, but I'm assuming it was close folks who had been—

Mr. Michael Cooper: I presume you're talking about his political team. Would that be Mr. Fraser's team?

Hon. Greg Fergus: I'm assuming it would comprise part of his political team, but it certainly could be other friends and family gathering.

Mr. Michael Cooper: The event was to be held on December 1. Where was the event—at what location?

Hon. Greg Fergus: I do not know.

Mr. Michael Cooper: You had no idea, but you knew it was going to be played for Mr. Fraser's team. You weren't sure of the number of people, and as you indicated, part of that would have been his political team.

Mr. Fergus, that again raises serious questions about your judgment.

When did you find out that it was played at the Ontario leadership announcement? What time before then were you alerted that it would be played?

Hon. Greg Fergus: I wasn't alerted at all that it would be played. Indeed, I received assurances that it wouldn't be played publicly.

Mr. Michael Cooper: Assurances from who?

Hon. Greg Fergus: From the family member.

Mr. Michael Cooper: You mean to tell me you found out at the same time that the public found out?

Hon. Greg Fergus: Through you, Madam Chair, that is absolutely correct.

Mr. Michael Cooper: You indicated that a staff member recorded the video in your office. Who was the staff member who recorded the video?

The Chair: Okay—

Mr. Michael Cooper: I asked a simple question.

The Chair: You have asked a simple question. I'm taking from the response and the beep, beep, beep that we're not getting that answer, but it sounds—

Hon. Greg Fergus: No, I'd be happy to provide that answer.

I'm a little uncomfortable. Again, it's a tradition of this committee and this House that the member of Parliament is responsible for the actions of his or her staff. I can tell you that it was a staff member, and it was my staff member from my Hill office.

The Chair: I'm going to minimize.... That's kind of where I was getting to, but it does sound like you're agreeing to provide the documents.

Once again, we will get the committee to confirm that we would like those documents at a later time.

Thank you for that exchange.

Mr. Gerretsen, you have five minutes, through the chair.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): Thank you, Madam Chair.

Thank you, Mr. Fergus, for providing your comments today.

You stated that you were given the assurances that the video would not be used in a public forum.

Hon. Greg Fergus: That is correct.

Mr. Mark Gerretsen: You were under the understanding that it would be played amongst intimate individuals within Mr. Fraser's team.

Hon. Greg Fergus: That is correct.

• (1015)

Mr. Mark Gerretsen: You stated in your introductory comments—and I think it's something that no question has really picked up on yet—that you've been friends with Mr. Fraser for a long time.

How long, approximately?

Hon. Greg Fergus: I can tell you it's since 1989.

Mr. Mark Gerretsen: You said that Mr. Fraser supported you quite a bit over the years. I think you even—correct me if I'm wrong, as this was in the translated part from the French—said he was very supportive of you when you were getting together with your wife.

Did I hear that correctly?

Hon. Greg Fergus: You did indeed. My wife and I had started going out that summer. Mr. Fraser was a key person. He and his wife were slightly older. They had some young children. They were role models for us and, Mr. Gerretsen, one of the reasons why I'd say that I had no intention of this video being played publicly is that, for the last four or five years I rarely mention my wife's name. I don't mention my kids' names in public videos because of the climate we are in.

In this video I did mention my wife's name. He was—

Mr. Mark Gerretsen: I heard you say he was a role model to you.

Hon. Greg Fergus: It was more than that. Mr. Gerretsen, you might not know this or members might not know this, but I'm a practising Roman Catholic. I wasn't born Catholic. To marry my wife, I had to become Catholic. Mr. Fraser and his wife were part of the adult ritual for becoming Roman Catholic, the initiation process.

Mr. Mark Gerretsen: My wife went through exactly the same thing.

Hon. Greg Fergus: They were key parts of that. It was a role that he played in such an important part of my life.

Mr. Mark Gerretsen: It's fair to say that your relationship with Mr. Fraser goes well beyond partisan activities or the Liberal Party of Canada, the Liberal Party of Ontario or the Liberal Party “generally speaking.”

Hon. Greg Fergus: It's a personal relationship.

Mr. Mark Gerretsen: It's a very personal relationship.

Can you talk about the manner in which you have engaged with him outside of political or partisan activities throughout the three or four decades you have known him, whether at conventions or campaigning or whatnot?

Hon. Greg Fergus: Since I was elected, I have not participated in his campaigns. I have a busy schedule being a member of Parliament in my province.

In the intervening years, since 1989, I've babysat his kids. He's babysat mine. I've been to his cottage. We've had a friendship since long before he got into politics.

Mr. Mark Gerretsen: Before Mr. Fraser was even in politics, you had a well-established relationship with him. Did I hear you correctly that you babysat his children and that he has babysat your children? You have spent a lot of time together personally outside of politics, and you have an extremely close friendship with Mr. Fraser.

Hon. Greg Fergus: It was an extremely close friendship. We haven't spoken as much in recent years, but when we do see each other at—

Mr. Mark Gerretsen: You said earlier that you considered him a role model.

Hon. Greg Fergus: I did very much so.

Mr. Mark Gerretsen: This is a role model, somebody you looked up to, somebody you aspired to be—am I correct?

Hon. Greg Fergus: That's correct.

Mr. Mark Gerretsen: When somebody, particularly a family member, reached out to you and asked you to provide a video to your role model thanking him for his service, and you were under the impression or given assurances that it wouldn't be used publicly, is it fair to say that it seemed at the time, in the moment, to make complete sense to do that?

• (1020)

Hon. Greg Fergus: Yes. It did in terms of the context, but I also need to say, Mr. Gerretsen, through you, Madam Chair, that I did make mistakes. I should not have recorded that message in my Speaker's robes, certainly not in the Speaker's chambers, and, frankly, when I reflect upon how this could be seen as affecting my partisanship, I shouldn't have recorded the video at all.

Mr. Mark Gerretsen: Finally, I heard you say earlier in response to a question that you filmed the video between two meetings.

Hon. Greg Fergus: It was a rushed deal with the assistance of—

Mr. Mark Gerretsen: You were in your Speaker's robes. You were at a meeting. You were on your way to another meeting. You said, "I need to film this video for my role model"—that's not what you said but I'm paraphrasing—so you went into your office, the video was filmed in one take and it was done. You thought that was the end of it. You thought it was going to be for a very private audience to thank your role model and then you departed to go to your next meeting.

Hon. Greg Fergus: That is correct.

Mr. Mark Gerretsen: Okay. Thank you.

The Chair: Thank you.

We will now go to Madame DeBellefeuille.

[*Translation*]

Mrs. Claude DeBellefeuille: Thank you very much, Madam Chair.

Mr. Fergus, you told Mr. Julian that everything happened very quickly and that you made your video between two meetings without giving it too much thought.

From what I understand, your employees didn't give it much thought either. You consulted no one because you didn't have the presence of mind to think that might not be something you should do. It happened quickly.

I'm sure you'll understand that, to my mind, you need to set an example as Speaker of the House. However, in my opinion, what happened doesn't augur well for the future because your work as Speaker constantly involves making quick decisions amid various stressful events and always drawing on the best advice. You must be above the fray. From what I see here, there was no thinking on your part.

What impresses me most is what followed, and I'd like to get an answer from you on this. How do you explain why you waited a week before apologizing for that serious mistake? It took a week for you to think, reflect and accept the fact that you had made a se-

rious mistake that undermined the trust of the House. Can you explain that significant delay to me?

Hon. Greg Fergus: I believe I apologized at the first opportunity. I told everyone I spoke to that I had made a mistake and that I was apologizing for it. I told every parliamentarian that it never should have happened, and I apologized for it.

Mrs. Claude DeBellefeuille: Pardon me, you said you apologized, but that can't be interpreted in the same way as what you're saying today. That has nothing to do with the apology you're making this morning. Now you are apologizing for making a mistake and saying you never should have done it.

Unless I'm mistaken, we didn't receive that kind of apology in the House. In your apology this morning, you fully acknowledged the serious error of judgment that you made, which is in no way comparable to what you said in the House. As far as I'm concerned, at any rate, it's as though you understood later the significance of what happened. There's a sign, if you have—

The Chair: Please answer very briefly, Mr. Fergus.

Hon. Greg Fergus: I took the first opportunity, when I woke up Monday morning, to apologize to the House for my actions.

The Chair: Thank you, Mr. Fergus.

Go ahead, Mr. Julian.

[*English*]

Mr. Peter Julian: Thank you, Madam Chair.

This is saddening for Canadians.

I need to understand, having gone through what we consider to be a campaign for speakership. We have Speakers who offer themselves. They all talk about the role of the Speaker. They talk about impartiality and non-partisanship. I'm interested in your perception of impartiality and non-partisanship prior to your election and what you did following that to ensure a full understanding of impartiality and non-partisanship in terms of precedence.

I was disturbed by Mr. Janse's testimony that he had not been consulted in any way about the filming of the video. I need to know and I think Canadians need to know what steps you took after your election to ensure that the comments you made, which were very strong about impartiality and non-partisanship, were kept moving forward?

Hon. Greg Fergus: Madam Chair, through you, thanks very much to Mr. Julian for this question.

Every action or ruling that I've made in the House, whether they were from the chair or reflected in writing, were all based on consultation with our clerks' team to make sure that they were neutral, that they were impartial and that they were in the best traditions of the House.

Quite often you will have seen me stand up in question period and even consult the table to make sure that the decisions that I had rendered were impartial and that they were a reflection of the best of our parliamentary traditions. That was always done. Every decision that I made was in that regard.

• (1025)

Mr. Peter Julian: I don't understand why you didn't consult the Clerk and the legal team that we have for the House of Commons about the video. Why did you not do that?

Hon. Greg Fergus: That is a mistake that is clearly my fault. I saw this at the time...it has taken me to understand how this does not do well. However, I took it at the time that I was making a tribute video to somebody who was leaving a post, someone I had had a deep relationship with in the past.

I'm sorry I made that video. I acknowledge it was a mistake, and that is why I have set up processes to make sure that it can't happen again.

The Chair: Thank you.

We're going to finish the second round of five minutes.

[*Translation*]

After Mr. Berthold and Mrs. Romanado, we will begin a round of questions in which each person will have six minutes of speaking time.

Mr. Berthold, you have the floor for five minutes.

Mr. Luc Berthold: Thank you.

Thank you, Mr. Fergus. We are here today to talk about judgment. I believe that's what has held our attention. The House has previously acknowledged this. I'm going to read the first part of the motion that was unanimously passed by all parties.

That the Speaker's public participation at an Ontario Liberal Party convention, as Speaker of the House of Commons, constitute a breach of the tradition and expectation of impartiality required for that high office, constituting a serious error of judgment which undermines the trust required to discharge his duties and responsibilities...

All 338 members voted in favour of this motion. How can you exercise proper judgment and fail to accept the verdict of 338 members?

Hon. Greg Fergus: Thank you very much for that question.

Mr. Berthold, I acknowledge my lack of judgment in filming that video. That's why I'm here to apologize and to discuss the actions I will now be taking to ensure that I don't make this kind of mistake again and also—

Mr. Luc Berthold: I want to talk about the past. With your permission, I want to discuss the incident. Is this the first time your judgment has been questioned this way?

Hon. Greg Fergus: I can't answer that question, but I've always said that I'm a person who tries to do his best. I think my record is very positive. There have been times in my life when I lacked judgment. When those things happen, I acknowledge my mistake, I admit it, and I apologize for it, in addition to taking action to ensure that kind of thing won't happen again.

Mr. Luc Berthold: The problem, Mr. Fergus, is that you acknowledge your wrongs, but then you repeat them.

I would like to translate a statement that you made when you were found guilty of a lack of ethics on February 14, 2023, not long ago. You essentially said that you would redouble your efforts to be more diligent in the future to ensure that you fully meet your obli-

gations under the act. You also said that you hadn't done what was expected of you as a parliamentary secretary.

That was in February of this year. Here we are, less than a year later, once again assessing and discussing your judgment. For members of Parliament, the Speaker is the person who must fairly adjudicate debates and require members to apologize when they retake the floor. Consequently, we may seriously challenge your ability to make decisions that show good judgment.

The clerk of the House was very clear this morning. If you had consulted him, if you had the judgment to consult the clerk, he would've recommended that you not make the video, that you not dress in the Speaker's robes and that you not discuss your Liberal past at an official event in Washington. That seems quite clear.

Despite the fact that you had previously undergone a similar process, you did it again. Mr. Fergus, it's very hard to accept from a Speaker who aspires to be an arbiter, as my colleague mentioned, that you currently think an apology will be enough to erase that act. I turn the floor over to you.

• (1030)

Hon. Greg Fergus: I am certain that apologies are not enough. There also have to be concrete actions.

After the ethics commissioner intervened with regard to a letter I had written for a group of individuals who had no connection with me, I put a process in place so that every letter that leaves my office to request a service from a department or to request something from the Department of Immigration goes through the Office of the Conflict of Interest and Ethics Commissioner, who will assess it.

Mr. Luc Berthold: We are talking about the present situation, Mr. Speaker.

Hon. Greg Fergus: Since you raised this point, I just wanted to reply that I had taken steps to make sure that...

Mr. Luc Berthold: Why is it always after showing a lack of judgment that you apologize and take measures to ensure that you do not do the same thing again?

Hon. Greg Fergus: It is extremely important to apologize after showing a lack of judgment or making a mistake. When you do things right, you do not need to apologize. The only reason we are here is that out of the thousands of decisions I make, I made this mistake. That is why I admit it and I apologize. I have taken steps to make sure this kind of mistake does not happen again.

The Chair: Thank you.

Ms. Romanado, the floor is yours for five minutes.

Mrs. Sherry Romanado: Thank you, Madam Chair.

I would like to thank the Speaker of the House of Commons for being here.

[*English*]

I just want to clarify some points, Mr. Fergus.

You mentioned your office received a call from a family member of Mr. Fraser on Monday, November 27, asking for a private video, an homage to a friend, that would be played in a private setting on Friday, December 1. We're talking Monday to Friday of that week. It's a 105-second video that was shot at some point during the week. Do you recall what day you filmed that?

Hon. Greg Fergus: It was shot on the day that I was made aware of the request. It was on Thursday. I believe that was November 30.

Mrs. Sherry Romanado: As you know, Mr. Speaker, when we do professional videos, whether it be the CPAC video or so on, we go to a studio, and we have our little name on the bottom. That's an official video that we do, which we have time to prepare a speech for and so on. Based on this, the request came in. You literally had between two meetings. It's pretty obvious, because of the quality of the video, that you had a staffer do it. You were between meetings. You had your robe on, did the video and went on to the next meeting.

While you acknowledge, and we all acknowledge, that it was an improper use of your role as Speaker to film that video, it's clear there was no intent here to create an official Speaker video for this occasion. Is that correct?

Hon. Greg Fergus: You are correct. There was no intent to create an official Speaker video. There was no intent to make a video that would be aired publicly, and certainly there was no intent for a video to be played at a political convention. That was a complete surprise to me, but the error still is mine. The error still is mine. I should not have recorded that video in the first place.

Mrs. Sherry Romanado: Mr. Fergus, before you were even asked to come to PROC, you mentioned that you've put in protocols to make sure that any request, whether it be for letters of support, whether it be for videos, whether it be for something in your capacity as Speaker or a member of Parliament.... You've put protocols into your office so that going forward the grid for decision-making will assist you to ensure that you—but also future Speakers—would not make the same mistake. Is that correct?

Hon. Greg Fergus: That is absolutely correct.

Mrs. Sherry Romanado: With respect to when a Speaker is normally elected, we all know that normally what would happen is that there would be an election, and after the House is dissolved, people would be campaigning to be Speaker and so on and so forth. After a general election, the first order of business is to elect a Speaker.

In your case, it literally was because of the resignation of the former Speaker. Normally, there would have been a kind of cooling-off period in terms of your having time to campaign to be Speaker and so on and so forth. In your case, that was not the case.

In terms of recommendations, we heard from the Clerk this morning about perhaps beefing up some of the briefings and recommendations to train new Speakers on the dos and don'ts of being a Speaker. Is there any recommendation you would also put forward, given this lesson learned, that you think we should also recommend to the House?

• (1035)

Hon. Greg Fergus: The Clerk brought up an excellent suggestion to beef up the aspects on the briefing and the briefing binder

that are provided to the Speaker and to make sure that protocols are put in place so that any outside communication from the Speaker would run through the system. This is what we're putting in place right now.

Mrs. Sherry Romanado: Perfect.

Mr. Speaker, you're probably not aware of it, but late last night, many members of PROC received letters supporting you in your role as Speaker. In fact, I believe at 10 a.m., the West Island Black Community Association was holding a press conference in Quebec supporting you and acknowledging that you made a mistake.

I don't know about you, but I think every single one of us in this room has made a mistake in their lives. It's what we do with it. We apologize. We learn from it, and we move on.

I want to personally convey to you that you have people supporting you who have written to all of us to say that you are new and that we all make mistakes. It's time to acknowledge you made a mistake. You've apologized for that mistake. We're going to put remedies in place.

I want to thank you and let you know there is support out there for the role model you are being for young Black Canadians. I want to thank you for that.

Hon. Greg Fergus: Madam Chair, through you, I'd like to thank Mrs. Romanado. I was not aware of that letter. I'm very grateful for that.

I hope all Canadians can understand that if you do make an error, you can show some contrition, have a real soul-searching view and put in place processes to make sure it doesn't happen again. You can still make big mistakes, and you can still have an opportunity to move on.

The Chair: Thank you.

We're now going to our third round, which will be a six-minute round.

[*Translation*]

The first person to have the floor will be Mr. Scheer, followed by...

[*English*]

Mr. Eric Duncan: I have a point of order, Madam Chair.

I'm wondering, in reference to Mrs. Romanado's comments.... She referenced some emails we received last night, including the members of PROC in their personal parliamentary emails. I'm looking for unanimous consent to table those two letters that were provided to us by email last night. Also, I would include in that a copy of the metadata from both of those. When you open the Microsoft Word document, you can actually see who the original authors of those two were.

Along with each, I'd like to table not only the letters but also the names of the authors of each letter. One letter, dated yesterday, came from Liberal-appointed Senator Andrew Cardozo. With the second letter, I'd like to table not only the letter but also the metadata that shows the author of that original letter, who is former Liberal member of Parliament Frank Baylis.

I'd ask for unanimous consent that those full documents be tabled with the committee, please.

The Chair: I don't think there are any concerns. I will be going through documents at the end.

To remedy this, are we fine with that?

Some hon. members: Agreed.

The Chair: We welcome them to the digital binder.

With that, we will be going into a six-minute round with Mr. Scheer, followed by Mr. Duguid, Madame DeBellefeuille and Monsieur Julian.

Mr. Scheer, go ahead for six minutes.

Hon. Andrew Scheer: Madam Chair, I have a point of order, before you start my timer.

Is it possible for me to share my time with Mr. Calkins?

The Chair: You can pass the floor as you please, as long as you stay within your six minutes.

Hon. Andrew Scheer: Could you give me a three-minute warning then?

The Chair: Yes. Do you want me to?

Hon. Andrew Scheer: Is that okay?

The Chair: Anything you'd like. We welcome you here any time, Mr. Scheer.

This is going to start your time, because I want to maximize our time. Excellent.

That's six minutes to you, and I'll tell you at three minutes, Mr. Scheer.

Hon. Andrew Scheer: Thank you, Madam Chair.

I think it's really important for Canadians to understand why this is such a big deal. You have come from a very partisan past, what some might describe as a hyperpartisan role, given the fact that you have served in executive-level positions. I think you said that nationally you were director of the Liberal Party and president of the youth wing. You were parliamentary secretary to the Prime Minister right up until the beginning of this fall session. Those are roles in which you were very close with the government and very close with the Prime Minister himself.

When you ran for Speaker or once you won and transitioned into being Speaker, members of Parliament had to kind of park that history of yours and trust that you were going to be non-partisan and objective.

The fundamental rule of being Speaker is also one of the easier rules to follow, and that is that you don't do partisan things. You don't participate in partisan events. You don't say things publicly or certainly while wearing the Speaker's robes in the Speaker's office that would have any connection to partisan activities or partisanship or indicating partisan favour.

You did an interview with The Globe and Mail in which you praised a sitting Liberal politician. He's currently an MPP, and he's given every indication that he's going to run again as a Liberal in

Ontario, so it's not as though it was a retirement party or that he was going off to do something else. He's going to continue being an active partisan player in Ontario politics. You referred to the Ontario party as "our party".

All of this has come to light. In addition to this, we understand that your chief of staff—and I understand your hesitance to name certain people at committee, but he is listed on a public website, the government employee directory service—Tommy Desfossés, was very close with the current Prime Minister, Prime Minister Trudeau. He was his executive assistant at one point, and now he's your chief of staff. You have had a hyperpartisan role in your very recent past and you hired someone very quickly out of the PMO who has very close personal relationship with the Prime Minister, and now this has come to light.

You talked about the arbitrator and you didn't quite address the nature of my question. If you were a hockey player and you were about to play a game and you just saw the referee in his uniform giving a pep talk to the locker room of the opposing team, it wouldn't matter what the context was—would it? You wouldn't want that official refereeing your game. If you were involved in some kind of dispute that needed an arbitrator and you saw that judge in his robes at an event with opposing counsel, no matter what the context was, you couldn't unsee that.

You've now acknowledged that it was a grave error in judgment. As many colleagues have mentioned, you are trusted to make on-the-spot decisions without time to run things through filters or decision-making trees, and we have to trust that those decisions are coming from a non-partisan and objective place. I would suggest that the fact that you didn't see that shows that you're still too close to the partisanship of it. You're too close with these partisan players if you don't see how, for members of other parties, that would be a problem.

Again, I ask you this: Would you want to hear your case adjudicated or would you want to play in a sports game, having seen the referee or having seen the judge or arbitrator involved in that type of display with an adversary or an opponent? Having seen that would you trust that process?

● (1040)

Hon. Greg Ferguson: Madam Chair, through you, I think it's very important and I thank the honourable member for his intervention—a person who has sat in this role before.

To go back to the ref analogy, quite frankly, it was a different league in which we were involved. However, I also recognize that the member is right. Talking about my past, that reference to the notion of "our party" was to when I was a resident of Ontario, back in the late 1980s and early 1990s, up until 1994. It was that time that it was referring to. I do not like talking. I don't want to talk about my past here, because, every time I do, I know that it sounds like I'm being partisan. It is a matter of record that, at that time, we were both members of the same party. It is a fact that I don't want to.... I'm not validating that today. I just want to make sure about that.

The second thing is that you raised the issue of my chief of staff. As you know, having been Speaker, you're administrating a large organization. My chief of staff left Parliament Hill in early 2018. It's been almost six years that he's been occupying a senior management role in the private sector. He's someone who can help manage this and, more importantly, someone who also has political experience. He understands what it is to be a third political party, and to be in official opposition and in government. He's someone who has an ability to hear and respond to the needs brought up by all folks. That's the reason why this person was hired. He's calm and collected, and he has a great reputation on the Hill.

● (1045)

The Chair: Thank you.

I want to put on the record that I apologize. After you asked me to give you a three-minute warning, I was so invigorated by the exchange that I lost track of time. I also went to go get bacon. I apologize for not having my priorities in order.

Mr. Calkins, we'll make sure you have time in the next round.

Mr. Duguid, it's six minutes to you.

Mr. Terry Duguid: Thank you, Madam Chair.

Hon. Andrew Scheer: I have a point of order.

Was that the entire six minutes?

Mr. Mark Gerretsen: We had to sit through it. We can confirm that it was.

The Chair: Let's stay focused.

Mr. Duguid, you have six minutes.

Mr. Terry Duguid: Thank you, Madam Chair.

I want to thank the Speaker for his forthrightness today, for admitting his mistake, for apologizing—I certainly accept his apology—and for referencing how this is a position he was thrust into quite recently. There's a learning curve and mistakes are made.

Earlier, I referenced, Madam Chair, as you will recall, an error committed by the previous Speaker's office. His communications officer commented on what was clearly a political matter—a riding association matter. It's a little much for Mr. Scheer to get on his high horse today. We'll get some information back, which the Clerk has promised us, and we'll be able to weigh in on that.

I'm interested in the future. We've heard a lot today about codifying, protocols and clarity, and we've heard about a Nova Scotia study. We've heard about best practices around the world.

I'm wondering, Mr. Speaker, if you could comment on the thoroughness with which you were going to approach that issue, so the guidance you received can guide not only you but also, potentially, other Speakers throughout the federation.

Hon. Greg Fergus: Through you, Madam Chair, I would like to thank the member for the question.

I think there's a lot of work which a committee can do on this, if it were to turn its mind to this issue, in terms of comparing how our system stacks up to various other Westminster parliamentary systems.

In the U.K., for example, the Speaker, once elected as Speaker, of course, completely resigns all partisan affiliations and runs again as an independent. There is a tradition in the U.K. that the opposing parties agree not to run against that white flag candidate, that neutral candidate, as Speaker.

In Ghana, for example, when a Speaker is elected from members of Parliament, the Speaker not only resigns party affiliations but actually resigns her or his seat in the legislature and becomes just an officer of Parliament who is not an active politician.

We have an interesting system here. We request for our Speakers to be impartial. That is entirely correct. Speakers then also have to run again. They don't run as independents. They run as a member of their party—at least that's been the Canadian tradition. In doing so, they have to do fundraising. There are a number of things—advantages—which accrue to being a member of a party, as opposed to being an independent member.

That is a very interesting perspective that you're raising.

Mr. Terry Duguid: Madam Chair, in the few minutes I have left, there was a personal incident that our Speaker was a part of.

I don't know whether you remember this, Mr. Speaker. There was a group of women leaders from Winnipeg who were standing outside the chamber and you came in. This was the very day that you were elected as our Speaker. There were two Black women in that group and they were beaming. They were interested in leadership, with perhaps a future call to politics.

You admitted that you may have let some of the wider Black community down. You acknowledged that as the first Black Speaker in our history as a country, you have a special responsibility. You are a symbol to many in the community out there. Could I get just a few reflections from you as I wind down my time?

● (1050)

Hon. Greg Fergus: Through you, Madam Chair, this is a source of pride for me. It's also a burden. Being the first, you're held to a higher standard. You want to make sure that you lead the way so that you won't be the last.

I'm certain not to be the last. This is a very generous country and this country has given me so many opportunities, as the son of immigrants, in being here. It's given an opportunity to so many Canadians to be welcomed and to be able to run for Parliament, for all political formations. It's remarkable.

I also have to say it has been a particular source of pride. I've received a lot of correspondence. I talked to you about Lionel. He was not the first person to stop me in the street—somebody who doesn't know me, who has never met me before, but recognizes the face. It has been a significant achievement for the community.

I made a mistake. I apologized for this mistake. I'm putting in place protocols to make sure this never happens again, and I hope to be able to continue to be a symbol for Canada's generosity.

The Chair: Thank you.

[*Translation*]

Ms. DeBellefeuille, the floor is yours for six minutes.

Mrs. Claude DeBellefeuille: Thank you, Madam Chair.

Mr. Fergus, if we summarized things briefly so we can understand the situation clearly, we could say that you misused House resources. You recorded a video with House of Commons resources. You recorded the video in the Speaker's robes. You described yourself as the Speaker when you made the video. You left on a mission to Washington while there was a crisis of confidence in connection with leadership in your office. You did not consult anyone. When you got to Washington, you referred in your speech to your partisan past. You did not consult your chief of staff or the Clerk of the House.

You said earlier that you had apologized. I am going to quote what you said on December 4: "I regret that this video was used in a different way than intended." On the same day, you told the Canadian Press: "I recognize how this may have been interpreted." In all sincerity, those are not, in my opinion, genuine apologies like you gave this morning when you recognized the significance of your error of judgment.

In fact, what we understand, Mr. Fergus, is that these were errors of judgment made one after the other. You will understand that it has affected our confidence to such an extent that half of the members of Parliament have called on you to resign your office. I do not know the committee's conclusions in advance. However, I can tell you that I wonder how you are going to regain the confidence of half of the members after doing what you did.

I used to be a social worker, and I understand that we learn from our mistakes. However, there is no protocol, no manual, no pedagogical tool that prevents people from making errors of judgment. The Speaker of the House, it may be dull, but he has to be above it all. He cannot make mistakes, as Mr. Rota also learned the hard way. He made a serious mistake and he had to leave.

Today, we are here before you. I want to tell you this: Mr. Speaker, I think that in the name of democracy—because you are a major democrat, you respect democracy and you respect Quebec—you have to keep in mind that it may be preferable for you to resign your office of your own free will, out of respect. What you did was a mistake, but it was not a small mistake. It was a serious mistake.

I don't know how you think you are going to be able to regain the confidence you have lost. What I can tell you is that we in the Bloc Québécois, with what has happened and with your staff, we cannot continue to have confidence in you. How do you think you can deal with the situation in a minority government and the atmosphere we find ourselves in now, and having lost the confidence of half of the members in the House?

• (1055)

Hon. Greg Fergus: It will take a lot of work. It will be a long process. We know that it takes time to regain people's confidence,

but it takes only a second to lose it. Regaining people's confidence will be a long process.

If the House of Commons gives me the chance, I intend to continue doing that work, to regain that confidence.

The House of Commons has created a process. Part of that process will happen here at the Committee on Procedure and House Affairs. Then you will compose your recommendation. The recommendation will go to the House of Commons. The House will make a decision, and I will abide by the decision of the House. If the House gives me a chance to continue, Ms. DeBellefeuille, I will do everything I can to regain the confidence of MPs like you.

Mrs. Claude DeBellefeuille: Mr. Fergus, you are aware of the fact that you are the one who has created a precedent. We asked Mr. Janse whether there were precedents, but he did not find any.

By wanting to continue as Speaker of the House of Commons, if the recommendations support that, you are therefore aware that with this event, this serious error of judgment, the precedent that will guide future advice and future clerks' manuals for the use of future Speakers is being created.

As I see it, by agreeing to continue your work and not taking into account the significance of what has happened, you are agreeing that a precedent be created that lowers the bar for the rigour, impartiality and judgment that are required. It must be understood that this will lower the bar for what guides your clerks from now on.

How do you see this situation? Do you agree with what I am saying?

Hon. Greg Fergus: I recognize that you believe this is the case and I recognize that my mistake puts you in a difficult situation. However, I am taking steps to make sure that this kind of mistake does not happen in future. I am deeply sorry that we have got to this point, but I am going to do whatever I can to regain your confidence.

The Chair: Thank you.

Mr. Julian, the floor is yours for six minutes.

Mr. Peter Julian: Thank you, Madam Chair.

Mr. Fergus, if I understand correctly, whatever recommendations are made by this committee, which might range from imposing sanctions or penalties to submitting your resignation, you are prepared to accept them if the House of Commons supports them.

Hon. Greg Fergus: Absolutely, Mr. Julian. I will respect the process that has been created by the House. I am its servant. If I cannot regain the confidence of the members, if they believe I cannot carry out my responsibilities as Speaker after learning of the mistake I made, with a deep and sincere desire to remedy it and work hard to regain the confidence of the House of Commons, and it decides that I am not up to the job and the mistake is not rectifiable, I will leave, absolutely.

• (1100)

[English]

Mr. Peter Julian: I wanted to follow up on two things that I'm still trying to understand.

First, you testified that on Saturday night you learned of the video in the same way all Canadians did. I want to know the actions you took immediately following that. Did you feel betrayed? Did you contact Mr. Fraser? What did you do in terms of the Liberal convention, and what did you do in terms of your own team, your chief of staff? The clerks have testified. Mr. Janse testified that you were in contact over that weekend around the apologies, so I need to know what actions you took.

Secondly, I wanted to ask you about the Washington trip. We went through this crisis. It was convulsive around the speakership in October. It was profoundly difficult for our Parliament, and I think for Canadians. We're in what can be legitimately described as a crisis. Two parties that day—the Bloc Québécois and the Conservative Party—called for your resignation. Did you contemplate cancelling your trip?

It seems to me in a minority Parliament that kind of situation merits that the Speaker be here in the House of Commons at the very least, having discussions with members of Parliament.

Hon. Greg Fergus: Thank you very much.

Through you, Madam Chair, on the two questions, regarding my reaction on the Saturday night when that video came out, I was obviously sickened. The immediate calls were, “How did this happen?” This was not supposed to be a video that was to go to anything besides a private gathering.

There was that aspect of it and trying to—

Mr. Peter Julian: May I ask who you called?

Hon. Greg Fergus: I called my chief of staff and we started to go through it.

I did not personally call Mr. Fraser. I'll be honest with you; the reason why was that I knew this was such a situation, and I did not want anyone to think that I was calling Mr. Fraser to influence what he would say. I was going to let the process play out. I knew I had truth on my side. I didn't want to play around with that so that I would be accused, post that, afterwards, “Did you call Mr. Fraser? Did you try to work things out? Are you close friends?” and the like. I made sure that this did not happen.

Regarding the Washington, D.C., trip, Mr. Julian, certainly we did contemplate cancelling the trip. We actually went back and forth on this and had a huge discussion on this matter. We realized that perhaps because of the recusal.... Of course, on the Monday morning at the first opportunity I recused myself from any matter

that would be coming forward to this debate to make sure that I wasn't going to be a part of the decision-making as to what the decision of the Deputy Speaker would be. We then found ourselves saying, “Okay, well, should we cancel or should we continue with this?”

We had meetings set up with just over a dozen representatives and with senators, and we also had diplomatic meetings that had been cancelled beforehand. When the previous Speaker had designed these meetings, they were set up in terms of the Speaker receiving diplomats and some of them were accredited from the United States. There were a couple that had been cancelled, so while I was going to be there, I was going to take up the flame and do that. We didn't want to cancel a second time.

That was the reason why we decided, let's go down to Washington, we'll continue with the responsibilities and we'll be back in time for the decision by the Deputy Speaker.

Mr. Peter Julian: This is a minority Parliament, and it is unprecedented. What the Clerk, the law clerk and the deputy clerk cited earlier were majority legislatures. Do you feel that your actions were appropriate in responding to the crisis, in learning what you learned on Saturday night, given the fact that this is a minority Parliament where all parties have to work together?

• (1105)

Hon. Greg Fergus: I thought that the right action immediately was to recuse myself from any termination that would happen. That way, members could feel that it was being done fairly.

The Chair: Thank you—

Hon. Greg Fergus: If I had stayed in the chair, it would not have been. There's no possibility that people could have seen that it would have been fair.

The Chair: Thank you.

We're going to go into our fourth round. We will start with five minutes for Mr. Calkins, followed by five minutes for Mr. Noormohamed, and then we'll have Madame DeBellefeuille and Mr. Julian.

If we keep it tight, we will do five more minutes for the Conservatives and five more minutes for the Liberals. Then we'll have a 10-minute health break and will start with Mr. Fraser at about 20 minutes to.

Mr. Calkins.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Madam Chair.

Through you, Madam Chair, Mr. Fergus, when exactly did you do the interview with Laura Stone?

Hon. Greg Fergus: Through you, Madam Chair, I'll get back to the committee after checking my agenda.

Mr. Blaine Calkins: Okay.

Mr. Fergus, you've been a member of Parliament now since 2015, if I remember, when you arrived here on Parliament Hill.

In the eight years that you've been a member of Parliament have you ever had a conversation with any of your communications people, either in your constituency office or in your Hill office, in saying, "No, we can't send this out because it's not saying something that I want to get into the public domain", or something to that effect?

I'm not asking you to name staff and I'm not asking you to name an issue, but have you ever had a conversation with anybody, saying, "We have to be careful what we send out because we don't know if it's going to be in the public domain"?

Hon. Greg Fergus: Thanks for the question, Mr. Calkins.

Nothing comes to mind.

Mr. Blaine Calkins: You're saying that you don't vet or you've never ever redacted or changed anything that anybody has written or done for you on your behalf as member of Parliament. You've never made an edit to a letter that's gone's out.

Hon. Greg Fergus: No, I'm sorry. I apologize. I misunderstood—

Mr. Blaine Calkins: You've never made an edit to a social media post. You've never done anything to that effect that's going to go into the public domain.

Hon. Greg Fergus: No. I misunderstood your question.

Of course, yes, that has happened several times.

Mr. Blaine Calkins: You do this, I'm presuming.... I do this as a member of Parliament, because once it leaves my office and leaves my care and control, I have no control over what that message actually is once it leaves my office. Experience teaches you that very early on in your career as a member of Parliament—does it not, Mr. Fergus?

Hon. Greg Fergus: That is correct, Mr. Calkins, but—

Mr. Blaine Calkins: Well—

Hon. Greg Fergus: May I answer your question, sir?

Mr. Blaine Calkins: I think you already did. The premise of my question.... I think you'll be able to get to where you want to go as I follow up with you here.

The entire argument that I'm hearing here at this committee is that things are right or wrong depending on who is the recipient of the information. We fully know, as members of Parliament, that anything we send beyond the care and control of our offices, and in your case the office of the Speaker, once it leaves, there is no guarantee that it will end up in the public domain. You've just told me.... It's common sense, because every member of Parliament does this. Every member of Parliament has this experience. You are an experienced member of Parliament. You ought to have known...and you've apologized. You ought to have known that something like this could end up in the public domain.

How is it that with that experience, with all of the years of experience of sending out correspondence, letters and social media posts, that you didn't consult with somebody in the non-partisan aspect of your office?

You, sir, have more staff than any other member of Parliament here, except for maybe a ministerial office. You have the most re-

sources out of anybody at this table to help you in the administration of your duties and responsibilities. How is it that nobody in the non-partisan portion of your office was even asked or approached before you sent this out, even though it's a typical practice for a member of Parliament, even within his own office, to vet these things, knowing full well that they could end up in the public domain? I'm flabbergasted that this happened.

Hon. Greg Fergus: Through you, Madam Chair to Mr. Calkins, it's a difference of kind. I don't know about you, Mr. Calkins, but I perhaps have a much lower threshold for when I send out private messages than when I send out public messages. On things that are going out to be published and displayed publicly, I'm very careful about what is sent out. I'm a lot less cautious in messages that I would send to a long-time friend, my family or even you, Mr. Calkins, if we were corresponding by text—

● (1110)

Mr. Blaine Calkins: With the greatest of respect, Mr. Speaker, you weren't sitting in a lawn chair on a dock at the beach.

The Chair: You are interrupting.

I get it. It's your time, but I do need the person that we've invited here to provide information to be able to provide information. That opportunity will be given.

Mr. Speaker.

Hon. Greg Fergus: I'm finished with my comments.

Mr. Blaine Calkins: Given the fact that you were in your regalia in your office, apparently doing a personal message and not an official message, as you've now tried to reassure us, the issue is one of confidence, trust and judgment. You're now trying to reassure members of this committee that putting protocols in place will somehow give you the compass that you need in order to fulfill your job in a non-partisan way, when the reality is that all you have to do is stop doing partisan....

How hard is it to stop doing something that's partisan? It's not like you need protocols on how you do things. You just need to stop doing some things. How hard is that?

The Chair: Thank you.

I think it's a rhetorical question. Give a really short answer.

Hon. Greg Fergus: It's not hard to stop doing partisan activities. This certainly wasn't a partisan activity. I also mentioned that the intention was not for it to be at a partisan activity. It was to be a goodbye for a long-time friend.

That being said, Madam Chair, that is the reason why protocols are going to be put in place. All communications coming out of my office will be going through this process.

The Chair: Thank you.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Madam Chair.

Thank you, Mr. Speaker, for being here today.

Mr. Scheer is not here, regrettably, but I was struck by his comments about partisan actions by Speakers.

I recall that Mr. Scheer, just prior to becoming Speaker, had money from his EDA transferred under his watch to engage in questionable robocalls. Then when he became Speaker, he refused to recuse himself and did not let the House know that he had been involved in this. I am sure that the response that Liberal members of Parliament at that time gave him, which was the benefit of the doubt.... I am sure that our Conservative colleagues will extend the same courtesy to you for something that is, I would argue, far less egregious.

I note that, after he became Speaker, he continued to serve on the board of his EDA.

We all make mistakes in life. Some people are generous of spirit, and they are able to move on in the interest of all Canadians. I'm sure the Conservatives will do the same.

I want to talk a little bit about the question that was asked of you earlier about your relationship with Mr. Fraser. Mr. Gerretsen spent a little bit of time on this. Did you see this as a partisan thing, or did you see this as doing something for someone that you cared about as a human being?

Hon. Greg Fergus: Thank you for the question.

Through you, Madam Chair, it is clearly the latter. However, in retrospect, it comes to me in looking at this, that I can see how talking about and revisiting my past, and talking about a partisan activity in my past, could be seen by members who do not share that same past as a way of making comments about it today. That is why I am truly sorry that this video was recorded.

Mr. Taleeb Noormohamed: You've said you're sorry many times. I think many of us will accept that apology. I want to know this: If Mr. Fraser had been a Conservative and he had been your role model or someone you had a deep relationship with, would you have been as comfortable recording such a message?

Hon. Greg Fergus: I would have.

Mr. Taleeb Noormohamed: What if you had been a New Democrat?

Hon. Greg Fergus: Absolutely.

Mr. Taleeb Noormohamed: What if you had been a member of the Bloc?

Hon. Greg Fergus: Absolutely.

Mr. Taleeb Noormohamed: For you, this was not about being partisan.

• (1115)

Hon. Greg Fergus: No. It was about the relationship. I have close personal friends.... I would even say probably all of us do. They are close, dear personal friends who have a wide swath of political allegiances. I also have friends who have no political allegiance whatsoever.

It was done under that understanding. That being said, the Speaker has to be held to a higher standard, and I recognize that. I'm in

the hands of members, but I hope they would understand that it was not an error of intention. It is one, however, that I will certainly make sure we put processes in place to ensure it doesn't happen again.

Mr. Taleeb Noormohamed: Thank you.

I want to read from a statement made by Mr. Scheer when he was Speaker. He said, "Another [one] of our time-honoured traditions is that of respect for the office of Speaker." He goes on to say, "O'Brien and Bosc, at page 313, states that: 'Reflections on the character or actions of the Speaker—an allegation of bias, for example—could be taken by the House as breeches of privilege and punished accordingly.'"

I start with that because I reflect on something that was said to me when I was elected to this office, and it is that people of colour are treated sometimes differently when you get to this place. It's an uncomfortable thing for us to talk about, but it's an important thing for us to talk about because we are, for better or for worse, role models for others. We are, for better or for worse, sometimes the front line for things that happen outside of this place. This place is no different, sadly, and sometimes things in this place, when it comes to matters of diversity, are worse.

My question to you, in the context of that statement by Mr. Scheer and the quote from page 313 is this: Do you think you are, or have been, treated differently as somebody who is a person of colour in the process of becoming Speaker and since you have become Speaker?

Hon. Greg Fergus: Through the Chair to the member, that is not something I am able to pronounce on.

Mr. Taleeb Noormohamed: That says a lot about you and your character as a person. I thank you for that answer, because I think it's important for us to hope that we are treated fairly and reasonably, regardless of how we got here.

The Chair: I'm sorry, but the beep is going to go off in three seconds.

Mr. Taleeb Noormohamed: Thank you.

The Chair: I appreciate your kindness for that understanding.

[*Translation*]

Ms. DeBellefeuille, the floor is yours for two and a half minutes.

Mrs. Claude DeBellefeuille: Thank you, Madam Chair.

Mr. Fergus, this meeting is not easy for you. Today, you have apologized officially for poor judgment. You have done that in front of us and the people watching us, and the journalists, and it is not easy to say that one has had poor judgment.

You know that I speak plainly; you have told me so in the past. I am therefore going to tell you sincerely that I will always doubt you, because the mistake you made is not a learning error, it is an error of judgment.

It is all very well for you to put whatever manual you want in place. It may help you make fewer mistakes. But it tells me a lot about your ability to be a Speaker who stays above the fray and to regain the confidence of the House. That has nothing to do with you personally. You are a good person; I am simply saying that you may not be in the right place.

What is happening right now is that the seriousness of your mistake is undermining the confidence of the 32 Bloc Québécois MPs. Do you remember what I said to you personally, when you were nominated? I told you that you were under tight surveillance, because I had doubts about your election. My doubts have been confirmed. I know you have good intentions, but every time you do something or make a decision, I am going to doubt you. I will be wondering whether you are talking to the government.

The Bloc Québécois wants the Speaker to be the Speaker for all members. It does not want the Speaker to be the Speaker for the government. It wants to be sure that you are able to be an arbitrator and not to favour any party in the House.

Today, I am sad to tell you that unfortunately the Bloc Québécois will never regain its confidence in you. That is sad to say, but it is the truth. I strongly urge you to think about what I am telling you, because when you return to the House, it will not be easy for you to know that a large number of members have lost confidence in you, in a situation in which the government is in the minority and the atmosphere is not always easy.

On that note, I will conclude. I hope that you will make the right decisions when the results that come out of the Committee's recommendations are known.

The Chair: Thank you.

Mr. Julian, the floor is yours.

[English]

Mr. Peter Julian: Thank you, Madam Chair.

I want to thank you, Mr. Fergus, for coming to committee.

I'm satisfied with some of your answers. I will say, quite frankly, that I'm not satisfied with other answers.

What I have clearly understood from your testimony is that you understand this committee has to go through a process that, ultimately, could be decided by the House of Commons, and that you are ready to accept the conclusions of the committee, whether we're talking about penalties or potentially asking for your resignation. You are prepared to heed the results of this committee's inquiry.

Am I right?

• (1120)

Hon. Greg Fergus: Through you, Madam Chair, I'm prepared to heed the decision of the House, which I'm assuming would concur with the decision of the committee.

Mr. Peter Julian: That is important.

I will ask you this: I only have about a minute left and there are a number of documents that I think would be very useful to this committee. We've asked Mr. Janse, as well, to provide them. The reality is that we need to receive all of it today, because the timelines in

the House order, as you know, are very short. We have to report back by Thursday, which means we have to draft this report and conclude by tomorrow. I would ask that those documents and those questions that remain unanswered.... If you can endeavour to do that in the coming hours, it would be very helpful.

I think it is fair to say that we all feel, keenly, the convulsions we went through in October. It was profoundly difficult for Canadians. I know this committee will reflect properly on this, even if we have a very short time frame to do this.

I appreciate that you will be providing those documents in the coming hours.

Thank you.

Hon. Greg Fergus: If there are any further questions where you don't feel satisfied, I'd be happy to receive them and try to answer them in a way that will satisfy your questions. I'm here to answer all questions and to provide all members with the information that they require.

The Chair: Excellent.

I will just say that, per my list when it comes to the Speaker, we want the records regarding the video for whoever you communicated with. All exchanges would be appreciated in both official languages, and the date of the interview that you had with Laura Stone has also been requested.

Do all members agree that this is the information we are asking for?

Mr. Cooper, do you have a point of order?

Mr. Michael Cooper: Just on that point, Madam Chair, as far as what we understand Mr. Fergus is agreeing upon—and, again, I'll put it to him—it is all emails, memoranda and records of communications in his control in relation to the video tribute, as well as any emails, memoranda and records of communications, including text messages, instant messages, etc., under his control concerning his interview with Laura Stone. It is also any recording or transcript under his control of his interview with Laura Stone, as well as any communications that he has had with John Fraser.

Hon. Greg Fergus: Madam Chair, with regard to the interview with Ms. Stone, we will certainly provide it to you. The only concern that I have is making sure that we can provide it in French, but we are going to get on this right away.

I understand that the committee has precedence over every aspect of resources of the House, to make sure that the information can be given to the members and supplied to them quickly, so I will provide all of that.

The Chair: Okay. That was a little bit more than what I had heard. I'm not sure, but obviously that's what members want. The more we ask, the harder it is to obtain information because, when it comes to our two official languages and the people who do it, that is a very limited resource, even when things are not under pressure like this item is.

Mrs. Romanado.

Mrs. Sherry Romanado: Thank you, Madam Chair.

I'm sorry, but that was not what I heard coming out of that. This is adding additional stuff. I understand that, if it is the will of the committee, it is the will of the committee, but my concern, again, is to be able to receive all of these documents in both official languages in advance of a deadline. I think we're making it harder and harder for this committee to meet that deadline, to be honest.

The Chair: I will just put on the record that, as chair, I am reporting back to the House on Thursday, based on what the committee has. If it is not in both official languages, I, as chair, will not be reporting back. That's what I will state in the House.

Mr. Speaker is well aware of the resources, and I think that we do have agreement from him to provide, as quickly as possible and in both official languages, as much information as he can.

With that, I can do a quick minute. I have to end by half past.

• (1125)

Mr. Eric Duncan: If we go a couple more minutes, we can each have a five-minute round.

The Chair: No, we can't because we need a health break. Then I have other people coming, and my resources are limited.

Would you like a minute or not for a quick question?

Mr. Eric Duncan: Yes. Thank you, Madam Chair.

Mr. Speaker, do you agree that it was poor judgment on your part, while in Washington, D.C., to make comments at a retirement party for a Liberal friend of yours, Claus Gramckow, about your partisan history with the Young Liberals of Canada? You were part of an official Speaker delegation that originated before you became Speaker.

Do you believe that your comments, again, that night were a breach of the code that we've been talking about with regard to partisan politics for a Speaker delegation?

Hon. Greg Fergus: I'd just like to provide some context, and I would also like to be able to provide context on those comments. I used that reference only to place it within time. The error that I made is that I should have talked about the year that I met...and not have provided any other context around it.

Given where we are and given what the situation is, it is an error and it is one that won't be repeated. I will not be talking about my past.

Mr. Eric Duncan: Again, on Monday morning, you apologized in the House and said that you would do better. Then you changed course. Twenty-four hours later, you committed the same issue again.

Hon. Greg Fergus: The point is that it was just a biographical reference. The aha moment came a little later that week in speaking with a member of the opposition as to why just talking about my biography was a problem.

The Chair: Thank you.

That was one minute and 27 seconds.

[*Translation*]

Mr. Lauzon, the floor is yours for one minute.

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Mr. Fergus, thank you for all the time you have allowed us this morning.

I want to talk to you about consent. When a person decides to make a video, there is always the question of consent. Today, we have clearly understood that you did not give your consent for this video to be shared. I think that this consent is the key point of the meeting today. Although you were wearing your robes and you were in your place of work, I have never felt today that you had given your consent for the video to be made public and for you to find yourself in this situation this morning.

I am going to give you the opportunity now to wrap up, Mr. Fergus. If you had not been wearing your robes and had not been in your office, would you still have made the video? Would you have made it in a private context, at your home?

Hon. Greg Fergus: No. I would not have given my consent. My consent was not given in that context either.

[*English*]

The Chair: Thank you so much.

With that, Mr. Speaker, we appreciate your time with us today. We ask that you provide the documents as quickly as possible. You know the parameters within which we're working.

I am suspending the meeting for a health break. We will be starting promptly at 20 minutes to. See you back in less than 10 minutes.

• (1128)

(Pause)

• (1140)

• (1140)

The Chair: I'm calling the meeting back to order.

We have with us, John Fraser, member of provincial parliament, Legislative Assembly of Ontario.

Mr. Fraser, we thank you for coming, especially on such short notice. You will have up to 10 minutes for your opening comments.

The floor is yours. Welcome to procedure and House affairs.

Mr. John Fraser (Member of Provincial Parliament, Legislative Assembly of Ontario, As an Individual): Thank you.

Good morning, Chair and members of the committee. Thank you for the opportunity to speak to you today.

[*Translation*]

I speak French a little, but for this discussion, I will speak in English so I can make sure I am being precise and using the right words.

[English]

Please feel free to ask questions in any official language. I won't make you endure my trying to respond in French, because I don't want to take up too much time. Thank you for your acceptance of that.

My name is John Fraser. I am the member of provincial parliament for the riding of Ottawa South and the former interim leader of the Ontario Liberal Party. I was elected in a by-election in 2013 and was subsequently re-elected in 2014 and again in 2018. After the 2018 election until March of 2020, I served as the interim leader of the Ontario Liberal Party. Subsequent to that, after winning another election, in the summer of 2022, I was asked again to serve as interim leader—a position I served in until December 2 of this year.

I am also a friend of Greg Fergus, whom I have known for over 30 years. Although I am 10 years older, our friendship grew through our political community work and our faith. I am here today at the committee's request to discuss his participation in a tribute video to me, which was played at the Ontario leadership event on December 2.

I will begin with a bit of context.

As most members in this room will know, political parties will usually compile a tribute for an outgoing leader. Typically, these tributes will involve family members. In mid-November, through a volunteer, the party asked my family to coordinate a personal video about me, to compile photos and video and audio clips that would speak about my life and about me as a person. You will note that it includes photographs of me as a child, with my parents, my grandparents and my siblings, and with my extended family. These are pictures and words about my life—very personal ones.

The tribute was a surprise. I was not part of these discussions, nor was I made aware of the tribute or its content. As part of this tribute, my wife Linda Hooper called Greg's office and spoke to Mr. Desfossés about providing a brief video clip speaking about me as a person. A video was then returned to the family. As the timeline was short, it was immediately provided to a volunteer at the party who assembled the presentation, which I assume most of you have all now seen.

The request was made to Greg, as a family friend and someone who has known me personally for over 30 years. As the content was to be personal, apart from Greg, the only other non-family member who was asked to participate in the tribute was Dalton McGuinty. Again, that request was made as someone who had known me for more than 30 years and with whom I worked for almost 15.

As anyone who has viewed the series of videos that were used in the tribute can attest, they are deeply personal. Though some identify me as a politician, they are all in reference to me as a person.

The video provided by Greg, though it referenced the political activities that brought us together, was deeply personal and a kind, heartfelt gesture from one friend to another. Both my family and I were moved by its content, and we're deeply sorry that an innocent request has negatively affected Greg and caused undue attention.

I have known Greg for 30 years. For a period of time, we and our families were very close. I know that Greg is a person of integrity, generosity and kindness. He was asked to give a personal tribute to me by my family and that is what he did.

What Greg did was done with kindness, because that is his nature. I deeply regret, again, that this has caused any harm, hurt or undue attention.

I'm happy to take your questions.

• (1145)

The Chair: Thank you very much.

We will now enter a six-minute round starting with Mr. Cooper.

Mr. Fraser, at this committee, we respect the two official languages, so feel entirely comfortable to speak in the language of your choice.

If you're using the earpiece, please just keep it away from the microphone so that it does not cause a feedback loop. Keep it either in your ear or outside your ear, just not near the mic.

Mr. John Fraser: I'll keep it away.

I was just going to make a joke. I'm having a hard time fitting it over my ears, but that's another issue altogether. Some of you may have that problem, as well.

The Chair: People are listening, so it's good to have—

Mr. John Fraser: If I have my hand here, it's just that I'm trying to keep it in place.

The Chair: Thank you so much.

Mr. Cooper, you have six minutes.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Thank you, Mr. Fraser.

As I understand it, your wife, Linda Hooper, had reached out to Mr. Fergus's chief of staff regarding the video. He shot the video. It was sent back to your wife, and then it was turned over to a volunteer connected to the Ontario Liberal Party.

Is that correct?

Mr. John Fraser: That's correct, yes. It came back.

Mr. Michael Cooper: Mr. Fergus said that it was his understanding that the video would be shown at an intimate event on December 1 at a private gathering.

What was the intimate event or what private gathering took place, or did such a gathering take place on December 1?

Mr. John Fraser: There was no gathering on December 1.

As a normal course of matter—and I think maybe this is where one of the miscommunications came in—often, when you have a convention, you do a tribute, and you do it on a Friday night. I think it was just an error on Linda's behalf, and I think that's where the date of December 1 came out.

Mr. Michael Cooper: What precisely was Mr. Fergus told, at least based on your understanding of what he was told, presumably in conversations that you've had with your wife? He was very clear that it was to be shown at a private gathering.

Mr. John Fraser: I don't have exact knowledge of the conversation between my wife, Linda, and Mr. Desfossés, so I can't provide you that information. That might be a question that's better for Mr. Desfossés, but I'm not privy to that conversation or the exact details of that conversation.

Mr. Michael Cooper: You have no idea what your wife said to Mr. Desfossés.

Mr. John Fraser: No, I don't, other than what I've just told you right now. My—

Mr. Michael Cooper: What you've told.... I'm sorry. Go ahead.

Mr. John Fraser: Just so I can finish here, what my family, and my wife in particular, did in this tribute was something very special. It was something that they were very proud of, and it was something that touched me very deeply.

Like I said, I had to watch it again because I didn't fully grasp it the first time around.

Mr. Michael Cooper: Yes, so what you—

Mr. John Fraser: If I can finish this part—

Mr. Michael Cooper: You have 10 seconds.

Mr. John Fraser: I'll do my best to get it in 10 seconds.

My wife felt very bad about it. I wasn't about to make her feel even worse, simply because she did it out of love. Maybe that's why we've been married for 43 years, or maybe it's because she's patient.

I don't have the exact details.

Mr. Michael Cooper: To be clear, I appreciate that you feel bad and your wife feels bad. That's fine and understandable, but my question isn't about that. I would assume you would not feel good. It is about the fact that this video that was to be presented was intended for the Liberal leadership event. Is that correct?

That's what your wife was making—

Mr. John Fraser: I can't give you the exact details of that conversation because I wasn't privy to the exact details. I think it's a question that's better for Mr. Desfossés.

• (1150)

Mr. Michael Cooper: Can you undertake to contact your wife today and provide those details to the committee by the end of today? It's a very straightforward question.

Mr. John Fraser: Respectfully, Mr. Cooper, I think there's a way that, if you need to find this out, you can have a conversation with one of the participants. I just want to make it clear. I am not going to make my wife of 43 years feel bad by.... I am not going to do that, so just simply, I will let you know—

Mr. Michael Cooper: It's not about.... Mr. Fergus—

The Chair: I am going to pause.

I'm sorry it has come to this, because none of us are new. All of us have a lot of regard and respect for this work. I need one person speaking at a time. I think we need to understand.

I think we know the parameters in which we are working. All members know, publicly, what the motion we agreed to was. We understand there are some documents we're asking for. People are endeavouring to provide them, and we need to have some regard for this. To pretend that, prior to our next meeting later on today, we're going to have all this stuff.... It's not factual or real. There are certain things that I think are very important. I'm not determining what isn't. I'm just suggesting we maximize our time to get the information we need from the people we called here, so that PROC can do its work and report back in a timely fashion.

Moving forward, I would like to hear one person in my ear at a time. I put my earpiece on to ensure that remains the case.

Mr. Cooper, you have one minute and 52 seconds.

Mr. Michael Cooper: What I'm understanding, Mr. Fraser, is that there was no private event. Secondly, the video was going to be shown on Friday night, but a decision was made to present the video at the convention, instead—on Saturday night.

Is that correct?

Mr. John Fraser: No.

What I said was that I believe what happened with Linda's communication was that she believed, at the time, that there was a tribute on December 1, which would normally be the course of those tributes. I'm sure that, in your party and all the other parties, outgoing leaders get this. That's where the date of December 1 comes in.

Mr. Michael Cooper: That would have been a tribute at the leadership event. Is that correct?

Mr. John Fraser: It would have been, if it had been a convention. That's what it normally would have been, but it wasn't. It was an event that wasn't an official meeting. It was, basically, "count the votes".

Mr. Michael Cooper: It was a public event—

Mr. John Fraser: It was a public event. That's correct.

Mr. Michael Cooper: —hosted by the Ontario Liberal Party.

Mr. John Fraser: Yes, that's the best way to put it. Thank you.

Mr. Michael Cooper: Mr. Fraser, through you, Madam Chair, is it your intention to seek re-election as the Liberal MPP candidate for Ottawa South in the next election?

Mr. John Fraser: Yes, God willing. It's three years away. I love what I do, and—

Mr. Michael Cooper: Fair enough.

Would you concede, therefore, that it is inappropriate that the Speaker of the House of Commons has effectively given his endorsement for your seeking re-election as a Liberal MPP?

Mr. John Fraser: I can't speak, again, on the exact nature of the conversation. I think what was communicated very clearly.... It was a tribute to me. I can't speak about whether—

Mr. Michael Cooper: Mr. Fraser, I want to be as respectful as I can. Don't you see anything problematic about that?

Mr. John Fraser: No, I don't, because I think it was a very deeply personal video, as all of them were. They were about me as a person, about our families being together and about the kind of person I am. It's very hard to listen to those things, with people saying nice things about you. I'm sure—

The Chair: Thank you.

Mr. John Fraser: Usually we're underground, so we don't get to hear them.

The Chair: Thank you so much.

[*Translation*]

Mr. Lauzon, the floor is yours for six minutes.

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Mr. Fraser, you published a statement on X in which you thanked your dear friend Greg Fergus and said you were sorry there had been a lack of communication between your offices as to how the video would be used.

Did your offices properly assess the impact that publishing this video would have, or were they completely unaware of the video that was going to be shown during the event?

• (1155)

[*English*]

Mr. John Fraser: I can't speak to how it was communicated within Mr. Fergus's office or the exact details of the conversation. Again, I deeply regret that what was, I think, an innocent request from one family member to another family member has caused some hurt and harm or any undue attention.

I think it's important for me to come to committee. I was prepared to come to committee or do whatever is necessary. I spoke about it to the media on the Monday after. That is my regret. Something done genuinely for me with a lot of feeling and emotion, and very personally, has ended up where we are today.

[*Translation*]

Mr. Stéphane Lauzon: With what we know today, can you confirm, from your knowledge of the situation since the creation of the video, that Mr. Fergus had no intention of airing a video at a partisan event?

[*English*]

Mr. John Fraser: Again, I can't speak to what was communicated to him in his office, but knowing Greg and knowing what I've heard in the media...

[*Translation*]

Mr. Stéphane Lauzon: You have told us a bit about your relationship with Mr. Fergus and his family. Explain some more about why he was a key person in the messages you sent on that day, who was extremely important to the family, to you, and to the message.

Explain a bit about the difference between a message from the speaker of another legislature and a message from a long-time friend. Why was Mr. Fergus chosen? Was he chosen because he is the Speaker of the House of Commons or because he is a friend of the family who is part of your life?

[*English*]

Mr. John Fraser: Greg and I got to know each other around 1989. I will be a little bit partisan here. I got involved in the 1998 election. That's the first election that I was involved in. I was managing grocery stores. That's what I did. That was my life for 22 years. Greg started to work in John Manley's office. We became very connected. We spent a lot of time together doing things. We worked on something called “stop hunger fast”, which was an initiative for the Heron emergency food cupboard. We did all sorts of campaign and politically related things together. We hung out together. There are just a lot of memories.

Greg and Julie were two of a handful of people who we let babysit our kids. That's how we—

Mr. Stéphane Lauzon: Did you think that the message came from the Speaker of the House or from Greg Fergus?

Mr. John Fraser: What I heard and what I saw was a message from Greg to me personally. It was very moving and very thoughtful. I am very grateful for it. It's not often that we can have people express to us...or have the chance to express to people publicly how we feel about them, what we think of them or what they've meant in our lives. It is hard when something that is that special ends up where we are right now.

I'm not saying that to complain. I understand why we're here. I'm glad to be here. I'm proud to be Greg's friend. I'm proud of what...as a friend....

Politics is.... Stop me if you want to, but I can go on. You can ask my colleagues in the legislature and my family.

Mr. Stéphane Lauzon: It's okay. Go ahead. I'll keep my question for later.

Mr. John Fraser: Politics is just something that brings people together, like the grocery story brought me together with colleagues. It was a way for us to connect. Our relationship isn't based on politics. It began with politics. It's because of politics, just like it would be because of being in a community group. We're both Catholic. We share that. That helped us to be connected together in a way that built a lifelong friendship. I'm not surprised when my kids.... I think it was actually my kids who thought, “You should do this,” that this is what we should do.

• (1200)

[*Translation*]

Mr. Stéphane Lauzon: I have 20 seconds, Mr. Fraser.

I just want to conclude on that point. We are all in politics, we all make videos for all sorts of reasons, for such as for associations, to thank someone, or for a wedding, for example. I have made them here and there. I have made them for Canada Day and for the national holiday of Quebec.

Is using a video without our consent something that is done in politics?

[English]

Mr. John Fraser: Sometimes you can find out that a video gets used at an event or place that you didn't think it was going to be used at. Often—most of you would know—we're busy. We're always on the run.

The Chair: Okay. Thank you. I'm sorry.

I really do appreciate your being so quick to respond. The clerk let me know that the minute we asked you to come, you were kind. I'm trying to be gracious, but I also need to run a tight committee.

Thank you so much.

[Translation]

Ms. DeBellefeuille, the floor is yours for six minutes.

Mrs. Claude DeBellefeuille: Thank you, Madam Chair.

Mr. Fraser, I understand your discomfort at being here. I also understand the discomfort felt by your wife at finding herself in this adventure, but don't worry, it is not your fault. The fault is Mr. Fergus's, because he is the one who agreed to make the video.

He said himself that he made a mistake and that if he had to do it over, he would not make the video again. He committed an error of judgment and he recognized that earlier.

You are a good friend of his and he was asked to pay tribute to you because you are long-time friends. I am going to read the title of the message. The video started with:

[English]

"A Message from the Hon. Greg Fergus, Speaker, House of Commons of Canada".

[Translation]

Do you think that tribute might have been paid to you on behalf of the House of Commons?

[English]

Mr. John Fraser: My understanding is that the raw video with the pictures and other videos were compiled by a volunteer at the party. My family didn't put it together, which is the normal course of things, so I can't speak to whatever.... Obviously, my family didn't put the header on that or the header for Dalton McGuinty, but they were responsible for all the pictures that were put up that were kind, thoughtful and somewhat embarrassing.

[Translation]

Mrs. Claude DeBellefeuille: Mr. Fraser, you are an experienced parliamentarian; you are a member of a legislative assembly; you are very familiar with the requirement of impartiality imposed on the speaker of such an assembly.

How do you explain that Mr. Fergus agreed to make the video dressed in his Speaker's robes, in his Speaker's office, introducing himself as the Speaker of the House of Commons rather than just as your friend, and that he sent you his message from Parliament Hill? How do you explain that your friend decided to make that video?

[English]

Mr. John Fraser: With all due respect, as I said earlier, I've known Greg for over 30 years, and for a period of time we were very close. A family member, my wife, asked Greg to give a personal tribute. He provided a very kind and personal tribute. I'm really grateful for that. Again, I regret that it has caused any hurt or harm or undue attention.

[Translation]

Mrs. Claude DeBellefeuille: I am speaking to a parliamentarian who is familiar with the requirements of impartiality that the office of speaker of a legislative assembly demand.

The tribute Mr. Fergus paid to you seems to have touched you deeply, but he did it as the Speaker of the House of Commons. He spoke his message as the Speaker, wearing his Speaker's robes, in his office at the House of Commons, which is located on Parliament Hill. Do you understand that this is not just a slip?

He agreed to pay tribute to his friend as Speaker of the House of Commons. That creates some confusion. Do you not think that the line between friend and Speaker is being blurred here?

• (1205)

[English]

Mr. John Fraser: Thank you very much for your question.

I think if we go back to where this all started, I'm not privy to all the exact details of the conversation that occurred between Linda and Mr. Desfossés, so I can't give you what happened on the other end. All I can tell you is what I saw, what I heard and what I know.

I know my friend was asked to do something for me. He did something very kind, and I really appreciate what he did. I regret that a request that was put forward to my friend to do something for me has gotten to a situation right now where it has obviously caused some harm and some hurt and undue attention.

That's the answer I can give you on that. Thank you.

[Translation]

Mrs. Claude DeBellefeuille: Mr. Fraser, did you, as a parliamentarian, not find it curious, were you not a bit alarmed, to see your friend pay tribute to you in his robes and in his role as Speaker of the House of Commons in a video played at a party meeting? Were you not told that Mr. Fergus had got himself in a jam? Obviously that was going to get out.

That is contrary to the impartiality that the Speaker of the House of Commons must maintain. Did seeing Mr. Fergus in his Speaker's robes not sound a bit of an alarm for you?

[English]

Mr. John Fraser: The first I saw or knew of this video was literally minutes before I had to go and deliver a speech that I had been working on for a week and a half.

All of the video was a surprise to me. I really didn't think about it much after that, because I had to go say thank you to a whole bunch of people, not just the people in the video but the people who have helped me along the way. I won't get into party politics here, but it was a really important speech for me and the last time I would ever do it. That's what I promised them. Never say never, but it was a very important speech.

The Chair: Thank you.

[*Translation*]

Mr. Julian, the floor is yours for six minutes.

Mr. Peter Julian: Thank you, Madam Chair.

Mr. Fraser, it is obvious that your wife wanted to do something to pay tribute to you in as striking a way as possible. I quite understand all the work that went into the video. However, it is important for us to get some answers.

[*English*]

I think you just answered, with the question from Madame DeBellefeuille, that your reaction in terms of the video was.... I gather that you didn't really have time to absorb it because you were preparing to give a keynote speech. Is that fair to say? You absorbed the emotion but not necessarily the details.

Mr. John Fraser: There is some emotion in it, but everything is just flicking by you, and then you literally have to turn around, get up on stage and deliver a speech that I wish I'd had more time to work on, without getting into the details of it, and to practise.

It was a busy week for us. We were doing midnight sittings, and we had a by-election on the Thursday. That whole week is a bit of a blur leading up to Saturday. I was a bit tired, not overwhelmed, but I felt emotional over it. Then, after you were done, there was a whole other thing that was going on that weekend with a lot of media interviews. It just blew right by me.

Mr. Peter Julian: It's fair to say that it didn't register with you that Mr. Fergus was in his Speaker's robes and in the Speaker's chamber.

Mr. John Fraser: Of all of the things that were processing in my brain at the time.... There was a lot there. To give you the short answer, no.

I'm sorry. I give long answers—just ask any of my colleagues.

Mr. Peter Julian: That's fair enough.

Mr. John Fraser: We all have to fill the clock.

Mr. Peter Julian: I come from B.C., and we have different rules in terms of the provincial legislature. In terms of the Ontario legislature, what are the rules around the Speaker's impartiality, the use of the Speaker's robes and the Speaker's chamber?

Mr. John Fraser: I couldn't tell you what the rules are for that. I know Speaker Arnott fairly well. I have an office just down the hall from him.

I'd have to refer to what I'm pretty sure would be in the Standing Orders. Although I've spent 10 years there, the Standing Orders are not something that I've thoroughly studied, so I can't tell you the answer to that question.

I see what you're getting at.

• (1210)

Mr. Peter Julian: If you saw the current Speaker in the Ontario legislature in their robes in their Speaker's quarters offering greetings or even an homage to a Conservative convention or that video played at a Conservative convention, what would be your reaction?

Mr. John Fraser: I can only speak to what my experience is. My experience was that my family asked a close friend to do something very special for me, and that is what he did. I appreciate it very much. That's a question best answered by Mr. Fergus—Greg—and his office.

That's what I can say about that. That's what that video means to me. That's what I see when I see that video. I really very deeply appreciated it.

All of us, I'm sure.... For everybody who has listened, seen the video or has the transcript, I think the message he was delivering was very clear.

Mr. Peter Julian: The Ontario leadership convention was livestreamed. Is that right?

Mr. John Fraser: It was livestreamed, yes.

Mr. Peter Julian: Was it livestreamed on Friday as well?

Mr. John Fraser: There was no Friday. As a normal course of events.... We used to have delegate conventions that would be like an AGM. We would go Friday, Saturday and maybe Sunday morning.

This was literally an event that went between 12 and six in the afternoon. It was an error in communication that it was to be December 1. There was no December 1.

Mr. Peter Julian: Was there no event at all?

Mr. John Fraser: There was no event.

The error, I think, that occurred is that.... At most of our conventions—and I'm not sure about your party—usually, if somebody's outgoing, something will be done on the Friday night. However, there was no Friday night. That's the confusion. That's what caused the confusion with the date.

Mr. Peter Julian: Okay, but the intent of Saturday was always to be livestreamed and broadcast with the leadership—

Mr. John Fraser: Very much so, yes.

Mr. Peter Julian: —results being announced. It was always going to be a very public event.

I'm going to ask you a question about your personal response to this. You've very kindly come to committee.

Do you understand how many members of Parliament feel that this is a very serious issue? Parliament voted unanimously to refer this matter to procedure and House affairs as a serious error. Do you understand why the reaction is that strong?

Mr. John Fraser: I know that Parliament has expressed its concern. That's why I'm here today. I think it's important. It's important that I am here today. That's why I came here today, so I can provide what I know and what I believe to be the case.

The Chair: Thank you.

We will now enter into our second round, starting with Mr. Duncan, followed by Mr. Gerretsen.

Mr. Duncan, you have five minutes.

Mr. Eric Duncan: Thank you, Madam Chair.

Thank you, Mr. Fraser, for being here today.

I want to follow up, because Mr. Fergus said several times here at committee, and in the past few days, that you're a departing colleague. You've confirmed, again, that you are planning to seek, God willing, re-election in the next provincial election.

Could you also confirm that you're going to be remaining a Liberal MPP? With the leadership race done, you're still the parliamentary leader because the new leader does not have a seat. Is that correct?

Mr. John Fraser: Yes. I am still a Liberal MPP, although they look at us as independents there. That's a story for another day, because we don't have time for that in committee right now.

Currently, I am, as I say, shepherding the flock in the legislature.

Mr. Eric Duncan: You're the legislative leader.

Mr. John Fraser: In the new year, we're going to take a look at what we're going to do.

• (1215)

Mr. Eric Duncan: Have you had any communications with Mr. Fergus or his staff about your anticipated testimony before this committee today?

Mr. John Fraser: I have not talked to Mr. Fergus.

I did talk to Mr. Desfossés three times. The first was to inform him of what happened, and how I became aware the night of. Mid-week, he was just checking in. He called to check to see how I was doing. I told him to express to Greg how badly I felt, that I had spoken to the media and that I was available. Finally, I confirmed that I received my notice to come to committee later in the week.

Mr. Eric Duncan: Who else have you spoken to about your testimony here today? Specifically, have you spoken to anyone in the Ontario Liberal Party?

You were surprised by this video tribute over the weekend. Knowing you were coming here today, still as parliamentary leader, as a member of the Ontario Liberal Party and a key figure in this, who did you speak to in your party to ask questions about what exactly happened here?

Mr. John Fraser: The three people I spoke to were Steve Blais and Kathryn McGarry, who were invited to this committee. They weren't co-chairs. They were actually co-emcees.

Subsequent to that, I spoke to Simon Tunstall very briefly, because he was the CRO of the event, and the person best to come

before the committee. I think he's coming here today, appearing by video.

I also spoke to Milton Chan. It wasn't about—

Mr. Eric Duncan: Milton Chan is legal counsel.

Mr. John Fraser: He's legal counsel. He just simply informed me that the committee had accepted Mr. Tunstall, and that he would be appearing here at committee.

Mr. Eric Duncan: The reason I ask is that we talk about the video originally being in an intimate and private format. Nobody today has been able to describe that intimate and private event. It never seemed to exist.

I could, perhaps, ask this, through you to the Ontario Liberal Party. It ended up going from the Speaker's office to technicians at the Ontario Liberal Party to display on the screen. It was obviously announced in some way that it was there. Would you be willing, and would the Ontario Liberal Party...?

We talk about the production of documents and information and understanding the flow. The video file ended up going from the Speaker's office to the party in some way. Would you be willing to provide—

Mr. John Fraser: It was through my family.

Mr. Eric Duncan: Through your—

Mr. John Fraser: Our family gathered everything, including all of the pictures and the video from Dalton McGuinty, and sent it back.

Mr. Eric Duncan: Would you be willing for the Ontario Liberal Party to provide all emails and any records of communication—including text messages or instant messaging applications under the party's control or in and around it—involving with this issue concerning the video tribute, both in the lead-up to getting the file and afterwards as well, to understand what was communicated or how this happened. Would you be willing to do that both before the video tribute and after?

Mr. John Fraser: That will have to go to the legal counsel of the party. I'm no longer leader of the party. I know that Mr. Tunstall will be appearing here after. If you're going to make that request, then I'd say that would be the most appropriate place to do that.

Mr. Eric Duncan: The individual who is appearing next is trying to not come today and not appear. I'm taking the opportunity to address this on the record as we can—

The Chair: I'm going to stop the clock. I'm going to make sure that the matter in front of us stands.

A letter was circulated. I can confirm that the individual is appearing. As per what I saw, members don't need them to appear based on what they can provide, but the individual is appearing. Let's stick to the facts and let's try to get to the bottom of determining how the committee wants to move forward with a recommendation to the House and how that will happen, but we will be fact-based here.

Mr. Duncan—

Mr. Eric Duncan: Could I make a point of order without taking my time?

We received a letter in which the individual did ask not to appear today. I'm going on the fact that the individual asked not to. I was taking the time to ask Mr. Fraser about this, because I hadn't received anything since then. I'm just taking the opportunity to do that, and I've done it.

The Chair: I'm going to answer your point of order, as you want to refer to it, and say that the individual asked did not receive a positive response because the notice for the meeting was out, but the individual is on standby and will be appearing.

The floor is back to you for questions to Mr. Fraser that Mr. Fraser can actually answer.

Mr. Eric Duncan: I'd say, answer the question about asking for the production of documents and taking that opportunity to make sure that request has gone to the Ontario Liberal Party for that information before the video tribute and the production of documents on the conversations afterwards as well, which I believe are important in framing the understanding of what the time flow was.

Madam Chair, I will pass on the rest of my time, in the sense that we will ask the next witness this as well, but I wanted to get that in to make sure it was put on the record—our desire to see that information and the production of those documents.

Thank you.

• (1220)

The Chair: That's time.

Would you like to answer, Mr. Fraser? You have 15 seconds.

Mr. John Fraser: I'll say it again: The witness will be appearing here. I think that's the most appropriate place for that question

Thank you. That's understandable.

The Chair: Thank you.

Mr. Gerretsen.

Mr. Mark Gerretsen: Thank you, Madam Chair.

Thank you, Mr. Fraser, for being here today.

When I was listening to you speak earlier about Mr. Fergus, I don't know, but perhaps you were a little humble in your relationship. Mr. Fergus referred to you as a role model.

He said that you're somebody that he looked up to and learned a lot from. He said that he's babysat your children and that you've babysat his children, and that you were there particularly for him as a support around the time that he was getting married. Are you a role model for a lot of people like this or...?

Mr. John Fraser: Okay. The tribute's over.

Like most of you, I've met a lot of people in politics and in the grocery business. They become lifelong friends. Greg's not one of my kids. He's more like a brother. I've met a lot of brothers and I have kids in politics, like all of you do—people who worked for me 10 years ago when I started and worked for me when I worked for Dalton McGuinty. It's not like I'm trying to be a parent to them. I just want them to succeed.

Mr. Mark Gerretsen: Your relationship certainly was unique. I mean, you were quite close with him. I'm sure that, as you indicat-

ed, you meet a lot of people and get to know a lot of people. The impression we were left with from Mr. Fergus was that you had a very close relationship that was perhaps much...well, not perhaps. It was indeed much more than an acquaintance just through politics. You were on a very personal level with him. You would agree with that, I assume.

Mr. John Fraser: Yes, I would.

Mr. Mark Gerretsen: Your wife, who we now understand was the one who requested, if I heard that correctly, would have known about that close relationship, obviously.

Mr. John Fraser: Yes.

Mr. Mark Gerretsen: She left her children with him to babysit.

When your wife made this request of Mr. Fergus, do you think there was any possibility that she was making the request of him as the Speaker of the House of Commons, or do you think she was making the request as an individual, Greg Fergus?

Mr. John Fraser: I know she was making the request as my friend—as someone I had known a long time.

Mr. Mark Gerretsen: Is there any possibility in your mind that she was making the request of the Speaker of the House of Commons? Would she have made this request had it been any other Speaker in the House of Commons?

Mr. John Fraser: All I can say is that the only other non-family member in the video was my boss of 30 years and my friend. I've known him for 30 years and he was my boss for 15 years. In some ways he's still the boss. He was the only other person to speak.

It was based on relationships and that's why she asked. It was our friendship, how close we've been and how that friendship had lasted a lifetime. We all....

Mr. Mark Gerretsen: I'm just trying to picture the correspondence here, and I'm hearing that there might be an opportunity to get a little more detail on that later. I'm just trying to picture how this went down, for lack of a better expression.

Mr. Fergus is contacted by your wife, who is clearly not going through the channels of the official correspondence with the Speaker's office. Mr. Fergus receives the request of somebody he knows very well—he's babysat her children and she has allowed her children to be babysat by him—and he replies, "Yes, of course I'll do that. This is my friend." Is that a fair assessment of how it probably went down?

There are people around this table who are trying to paint this as though official correspondence comes to the Speaker's office. The Speaker's office weighs the pros and cons. The Speaker's office decides that yes, he should make this video. The Speaker's office coordinates setting up this video.

I think that, based on what Mr. Fergus has said and based on your testimony today, it's much more plausible that your wife, who is a lifelong friend of Mr. Fergus, reached out and said, "Hey, we're doing this event for John." It's going to be private or the information was delivered in such a manner as to suggest that and then she says, "Will you make this video?" or "Will you record something?"

Is that a fair assessment?

• (1225)

Mr. John Fraser: Again, as I said earlier, I'm not privy to the exact details of the conversation. What I do know is that she made a request, as a friend and for a friend, asking a friend to provide—

The Chair: Thank you.

[*Translation*]

Ms. DeBellefeuille, the floor is yours for two and a half minutes.

Mrs. Claude DeBellefeuille: Mr. Fraser, concerning your testimony, we have to be clear: the problem is not that your wife asked her friend Greg to make a video, it is that Mr. Fergus made a video at his friend's request but kept his Speaker of the House of Commons garb on and stayed in his office. That is the mistake.

Ultimately, who can criticize a friend who makes a video for a friend? Mr. Gerretsen told you that your wife approached an old friend, a very close friend, based on all the details you have given, but the big problem is that she asked for something from a friend who forgot that he was also the Speaker of the House of Commons and kept his Speaker's garb on to pay tribute to him, going so far as to introduce himself as Speaker of the House of Commons. It is not a video along the lines of "Hi John, I'm Greg;" rather, it is along the lines of "I am the Speaker of the House of Commons," with all his garb and in his office. That is the problem.

We are not denying that your wife did something nice, that you are good friends, and that Mr. Fergus is a good person. This takes nothing away from him in that regard. What it takes away from him is that he made a bad decision and he showed poor judgment. It is very sad to say, Mr. Fraser, but you are here today to defend Mr. Fergus because he is your friend and you feel bad that he is in a fix because of a situation relating to his tribute to you.

As a parliamentarian, it is impossible for you not to feel bad about the fact that he has compromised his impartiality. The way he made that tribute compromised his impartiality to the point that the members of the House of Commons unanimously told him that he had undermined the confidence of the House. You cannot say that what he did is not serious. It was nice of him to say fine words of friendship and love to you, but not the way he did it. That is what he is being criticized for.

You, as a parliamentarian, would you have liked your Speaker, dressed in his garb—I do not know how he dresses where you are, to be able to introduce himself at a Conservative convention and make the same video paying tribute and expressing love for a friend? You would probably have been the first to raise the hue and cry, as we are doing now.

[*English*]

Mr. John Fraser: I've come here because the committee expressed concern. I respect Parliament, and I respect committees. I came here to tell you what I know. I think I've done that.

Thank you very much.

[*Translation*]

Thank you for your question.

[*English*]

The Chair: Thank you.

Go ahead, Mr. Julian.

Mr. Peter Julian: Thank you, Madam Chair.

You have a lot of friends in Queen's Park and across the country with your long career. How many MPPs would you count as personal friends?

Mr. John Fraser: Wow.

I have a lot of friends in the Ontario legislature. It's more than nine, or eight, I should say, which I remember in the party. I have some pretty close friends in all parties. I have been there 10 years. Some of them I worked with from other parties before I got into the legislature. I have a lot of friends and people I care about, sort of lifelong personal friends, people who, when you get together, you start from where you left off. Maybe it's half a dozen friends, and that would include members outside the legislature.

• (1230)

Mr. Peter Julian: Absolutely. I have no doubt of that.

The only MPP or former MPP who was in the video was Mr. McGuinty. Is that correct?

Mr. John Fraser: Yes. I've known him for 30 years, and I actually worked for him for 14 years.

Mr. Peter Julian: Okay.

How many federal MPs would you count as friends?

Mr. John Fraser: I would say.... Oh, my gosh. John Manley, who is no longer a federal MP, is somebody who would be a close, personal friend.

Mr. Peter Julian: Yes.

Mr. John Fraser: There are other MPs I know who are friends with me. Francis Drouin and I used to work together. I have a lot of respect for him.

I'm sorry. I'm blanking out here. Those MPs I'm friends with are going to say, "What happened to you at committee? You forgot me."

Mr. Peter Julian: That's quite all right.

My point is that the only MP in the video is Mr. Fergus.

Mr. John Fraser: Yes. I think it was because of the nature and depth of our relationship. Francis and I don't have the same kind of relationship. We're friends. We're good friends. The only other person who would be similar to that is Arnold Chan, who is someone Linda would have asked, I think.

Mr. Peter Julian: How would you respond to the comment that Mr. Fergus was featured in the video because he's the Speaker of the House?

Mr. John Fraser: I know he was asked as my friend. That was the request made of him. That's the response we got back.

The Chair: Thank you so much.

Just so we know, as we enjoy our time here—as you are, also—we're going to do a quick two minutes with Mr. Cooper.

Go ahead, Mr. Cooper, through the chair.

Mr. Michael Cooper: Thank you, Madam Chair.

Mr. Fraser, I am following up on your conversations with Tommy Desfossés, the chief of staff to the Speaker.

You indicated that you had three conversations, including on the night the video was presented at the Ontario Liberal convention.

Did you initiate those calls?

Mr. John Fraser: No.

Mr. Michael Cooper: What—

Mr. John Fraser: I didn't.

I'm trying to think. The initial one.... No, I don't believe.... I was busy at the time. I know I spoke to him.

Mr. Michael Cooper: What was the—

Mr. John Fraser: The matter was brought to my attention. At the time, I let him know that I felt very badly about it and that I would respond, which I did on X.

Mr. Michael Cooper: Desfossés contacted you on December 2. What did he say?

Mr. John Fraser: He simply said the video.... They were upset. There was a controversy over the video. I simply said I would respond. I feel very badly about it.

Mr. Michael Cooper: Did Desfossés suggest you put out a tweet?

Mr. John Fraser: No, I did that myself. It was the only thing I could do to respond at that time. There was no way to put out a statement or anything like that. It was very clear that—

Mr. Michael Cooper: Did you tell Mr. Desfossés that you would be putting out a tweet?

Mr. John Fraser: Yes, I said that I would perhaps do something about it. I don't think I specifically said it would be a tweet.

Mr. Michael Cooper: You were coordinating on a PR basis with the Speaker's office.

Mr. John Fraser: No, I was just responding, in the sense of saying, "Here's what happened. Here's how I feel." I wasn't coordinating a response. It's not that complicated.

As I said, I feel very—

Mr. Michael Cooper: I guess that would be subject to interpretation, Mr. Fraser.

Mr. John Fraser: I guess it would be.

The Chair: Excellent, but that's not necessarily the tone we need on the matter.

You have two minutes, Mrs. Romanado.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

Through you, I would like to thank Mr. Fraser for being here.

I want to make sure I'm clarifying something for the record. There have been a lot of comments made.

I'm looking at the exact transcript of the video Mr. Fergus did. It starts out with, "Hey, buddy. It's such a great opportunity to speak about my long-time friend, John Fraser." It doesn't say, "Hi, I'm Greg Fergus, Speaker of the House of Commons." When I look at the actual transcript of what he said, it is very clear that his understanding of this request from your wife, a friend for a long time, is that it would be a private video to you. He didn't preface this with, "I am the Speaker and I'm wearing my robes. Here I am." He thought it was a video to you. It was to thank you and talk about your friendship.

I want to make sure that's clear. There have been some allusions here that it was in his capacity as Speaker. I understand it got sent to the Ontario Liberal Party. They put a preamble on it—an introduction for a whole bunch of videos that says who these people are.

It's very clear to me that Greg made a mistake. He's apologized for that mistake. Quite frankly, the fact that this point of privilege.... Two parties in the House of Commons came out on Monday and said he should resign, without even giving him the opportunity to defend himself or to hear what actually happened, which we've now heard today. To me, they don't want to know the truth.

The truth is that he was asked to make a video. He made a video. He made a mistake. He's apologized, but they have already convicted him in the court of public opinion. Do you agree with that?

• (1235)

Mr. John Fraser: Yes, I do remember the video and how it started out. I thought what Madame DeBellefeuille was referencing was the header that was put on it at the Ontario Liberal Party.

The Chair: Thank you.

With that, Mr. Fraser, we thank you for your time and attention today.

I will note that, because you are a sitting member of the provincial legislative assembly, we would not have been able to make you come. We appreciate that we invited you and you made yourself readily available.

With that, we wish you the best. Have a great rest of the day.

Mr. John Fraser: Thank you very much for the opportunity. I appreciated all of the members' questions.

The Chair: Thank you.

The meeting is suspended. We are going to do a sound check for the next presenter. We'll be back in five to seven minutes.

• (1237) _____ (Pause) _____

• (1243)

• (1240)

The Chair: Hello and welcome back to committee.

For our final panel, we have Simon Tunstall, chief returning officer of the 2023 leadership election, by video conference.

I am going to remind members that, when it comes to interpretation, when we're all in the room with our mics, it's a connected system. When we bring people in by video conference, these are systems working with each other, and therefore, if the witness is speaking, no member in this room will turn on their mic, because that also causes feedback.

We have tech people who will turn mics on and off. I will watch the clock, and I would ask that nobody turn their mic on, because I need the system to unfold. If this is not adhered to, I will use my prerogative as chair to protect the ears of the interpreters. One thing that's causing us the most challenge right now in responding back to the House is interpreters and translation services.

I am clearly using my words and stating my expectations, and I do expect that they will be satisfied and met.

We have Madame DeBellefeuille.

• (1245)

[*Translation*]

Mrs. Claude DeBellefeuille: Madam Chair, I may not have understood what you said. I would like to know whether the technical tests have been done and whether they are conclusive.

The Chair: Yes, both the tests with the technicians and the tests with the interpreters have been done.

[*English*]

Mr. Tunstall, I will be passing you the floor for up to 10 minutes for your opening comments. I will ask that you speak slowly so that interpretation can be provided in a way that is good for all members.

With that, welcome to the procedure and House affairs committee. The floor is yours, Mr. Tunstall.

Mr. Simon Tunstall (Chief Returning Officer, 2023 Leadership Election, Ontario Liberal Party): Thank you, Madam Chair. Good afternoon, everyone.

I prepared some remarks earlier this morning. I since was watching John Fraser's appearance. I've learned a few things, so I will update a few comments at the end.

My name is Simon Tunstall. I was the chief returning officer for the Ontario Liberal Party's 2023 leadership election.

Before I go any further, I need to start by saying that I've been a little bit sick for the past few days. In particular, I've been sneezing and coughing a lot. I just wanted to give a heads-up that if I very suddenly move off camera or mute myself, it is because I would really like to avoid sneezing into a microphone on camera.

On Thursday, December 7, this committee passed a motion to invite the "chair or co-chairs of the Ontario Liberal Party's 2023 leadership election organizing committee". The leadership election organizing committee, or LEOC, is a body mandated by the governing documents of the Conservative Party of Canada and the Progressive Conservative Party of Ontario. The Ontario Liberal Party does not have a committee by that name or any committee by any name with a similar function.

Setting that aside, it appears that the committee was interested in inviting the senior official or officials with authority and responsibility for the organizing of the Ontario Liberal Party's 2023 leadership election.

The Ontario Liberal Party's constitution gives authority and responsibility over almost all aspects of the leadership election process to the chief returning officer. The chief returning officer is the only close equivalent in the Ontario Liberal Party to the "chair or co-chairs" of the leadership election organizing committee.

In April 2023, I was appointed by the Ontario Liberal Party executive council to be the chief returning officer for the 2023 leadership election. For a little context about me, I held senior roles in the two other Ontario Liberal Party leadership elections that were held this century, in 2013 and 2020. I also oversaw the organization and execution of almost all of the Ontario Liberal Party's contested nomination meetings for four consecutive nomination cycles, in 2007, 2011, 2014 and 2018, usually in the role of returning officer. Additionally, I have twice held the role of executive director of the Ontario Liberal Party.

From the time I was appointed as chief returning officer in April, I had authority and oversight for the organization and administration of the 2023 leadership election contest. One secondary component of that was determining how to announce the results of the election.

On Saturday, December 2, the Ontario Liberal Party held an announcement event at the Metro Toronto Convention Centre. The broad content and agenda for the announcement event was decided upon by me as chief returning officer. The programming included videos from the leadership candidates, speeches by former premiers Dalton McGuinty and Kathleen Wynne and a tribute to outgoing interim leader John Fraser.

However, in the days leading up to that announcement event on December 2, my focus was on preparing for the counting of the ballots, which was taking place at the exact same time. The receiving of all the other components of the announcement event, such as the videos from the leadership candidates, the speeches from the former premiers and the tribute to John Fraser, were handled by volunteers and staff.

My understanding is that the content of the tribute to John Fraser was determined and compiled by supporters, friends and family of John Fraser. This is normal. As I recall, there were similar tributes to Dalton McGuinty in 2013 and Kathleen Wynne in 2020, with the content organized by their close supporters, friends and family. I suspect this is also true for almost all tributes to politicians in almost all political parties.

I personally did not become aware that there was a video message from Speaker Greg Fergus until more than an hour after the video was shown at the event. I do not know who the close supporters, friends and family of John Fraser were who put together the content of the tribute. Therefore, I do not know which of those supporters, friends and family communicated with the Speaker or with his staff regarding the purpose or content of the video. Therefore, I do not know the content of those communications with the Speaker or his staff. I should also add that I have never met the Speaker and have never had any interactions with him.

As a final comment, I would like to add that John Fraser is an exceptionally kind and thoughtful person. I have not actually watched any part of the tribute from December 2 yet, but John absolutely deserves every nice thing that is said about him by anyone. He is a genuinely good human, and I hope he plans to stay in public life as an MPP for many years to come.

That was what I wrote this morning.

• (1250)

I watched the tail end of the Speaker's appearance before this committee and I watched almost all of John Fraser's appearance before the committee. I learned that the conversation happened between John's wife, Linda, and.... I'm sorry that I didn't catch the individual's name. I believe they were referenced as the chief of staff to the Speaker. It's not an individual I'm familiar with. That was news to me today.

That's all I have to say. Thank you very much, Chair.

The Chair: Thank you very much.

We will now enter into six-minute rounds, starting with Mr. Cooper.

Mr. Cooper, you have six minutes, through the chair.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Thank you, Mr. Tunstall.

In the letter that was sent from Milton Chan, legal counsel to the Ontario Liberal Party, and reiterated by you today, you had broad oversight of the announcement event. That included determining or deciding upon having a tribute to the outgoing leader, John Fraser.

Who then did you delegate the assignment of preparing the tribute to?

Mr. Simon Tunstall: There were hundreds of volunteers and a handful of staff who we have involved in all aspects of the leadership election. The particular event was organized by about a dozen different people. I actually am not 100% sure which individual, of the people organizing the event, contacted John's friends and family to put it together.

Mr. Michael Cooper: A handful of staff and some other volunteers were tasked with organizing the tribute. That included getting video clips to put together as part of the compilation that was to be presented at the leadership announcement. Is that correct?

Mr. Simon Tunstall: I'm sorry. I missed the first few words in the question.

Mr. Michael Cooper: You had assigned to a handful of staff and volunteers the task of going out and getting clips from various friends and associates of John Fraser, all of which would be compiled and put in a video presentation.

Was that the direction?

Mr. Simon Tunstall: I think there's a step in there. The team that was putting together the event contacted somebody or multiple people who are part of the friends and family of John Fraser. They were tasked with putting together and collecting the videos.

The Ontario Liberal Party volunteers were simply an intermediary to reach out and have the friends and family of John Fraser collect—

Mr. Michael Cooper: Thank you for that, Mr. Tunstall.

The bottom line is that there was an Ontario Liberal Party staff member who contacted friends or family members of Mr. Fraser. They, in turn, went out and got the various video clips from various friends. That was compiled and then presented at the leadership announcement. That was essentially the plan.

Is that correct?

Mr. Simon Tunstall: I believe so, yes.

Mr. Michael Cooper: Thank you for that.

Would you be able to provide names to this committee?

Mr. Simon Tunstall: I would rather not. The team of volunteers—

Mr. Michael Cooper: Why?

Mr. Simon Tunstall: I'll explain why.

There was a team of volunteers doing this. They aren't staff. Most of them are former political staff from Queen's Park from many years ago. I've not asked them for their permission to share their names. I have not consulted them on this. I don't know if their current employers would like to have their names involved in this.

Mr. Michael Cooper: I understand, Mr. Tunstall.

Mr. Tunstall, was there any communication between the Ontario Liberal Party—that being staff or volunteers—and Mr. Fergus, Mr. Fergus's chief of staff or anyone else in Mr. Fergus's office, aside from a volunteer or a friend of Mr. Fraser, that being his wife?

• (1255)

Mr. Simon Tunstall: To the best of my knowledge, no.

Mr. Michael Cooper: Okay.

Mr. Fergus had undertaken an interview with Laura Stone at The Globe and Mail on the eve of the Ontario Liberal leadership announcement.

Was anyone in the Ontario Liberal Party involved in connecting Ms. Stone with Mr. Fergus?

Mr. Simon Tunstall: I'm not actually familiar with this interview, so I strongly doubt it.

Mr. Michael Cooper: Will you undertake to provide all emails, memoranda and records of communications, including text messages and instant messaging application messages, under the control of the Ontario Liberal Party regarding this video tribute to this committee?

Mr. Simon Tunstall: Can you be more specific?

I'm sorry. That's through the chair. I apologize. I'm not speaking in correct parliamentary terms. That was through the chair to the member.

Mr. Michael Cooper: Very simply, this video didn't come out of nowhere. It came out as a result of a coordination between the organizers involved in putting on the Liberal leadership convention.

You were not directly involved, but you delegated responsibilities to individuals. What I'm asking you to do is that, if there were communications, emails, on the part of staff or executives of the Ontario Liberal Party, will you undertake to provide those records to this committee?

Mr. Simon Tunstall: I apologize. I don't have legal counsel here with me because I'm ill and contagious, but I'd like to speak with legal counsel before answering that question.

Mr. Michael Cooper: Okay. Thank you very much, Madam Chair.

The Chair: Excellent. That does bring us to time.

Thank you for giving me those six seconds back.

Mrs. Romanado is next for six minutes.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

Through you, I'd like to thank the witness for being here today. I'm sorry that he's ill and contagious, and I hope he feels better soon.

I have a very brief question, and then I'll pass my time to Mr. Gerretsen.

We've learned now, after interviewing witnesses, that what happened was that the spouse of Mr. Fraser reached out to the chief of staff of Mr. Fergus to request a personal video about his friendship with Mr. Fraser. That was provided by Mr. Fergus for a lifelong friend.

Unfortunately, he did the video in his robes in his office. However, it's very clear to me that it was not in his capacity as Speaker of the House. I can imagine the reaction by Mr. Fergus and his chief of staff and staff when it became public that this was shown at a leadership announcement for the Ontario Liberal Party.

Mr. Tunstall, did you get any feedback from the Speaker's office in terms of their surprise or shock that this was actually shown at the leadership event?

Mr. Simon Tunstall: As far as I'm aware, there have been no direct conversations between anybody in the Ontario Liberal Party and Mr. Fergus—the Speaker and/or staff. The Ontario Liberal Party spoke with the organizers, who are the friends and family of John Fraser who put together the event. They're the ones who communicated with the Speaker or the Speaker's office.

Mrs. Sherry Romanado: Thank you for that.

With that, Madam Chair, I'd like to share the rest of my time with Mr. Gerretsen.

Mr. Mark Gerretsen: Thank you, Madam Chair.

Thank you, Mr. Tunstall, for appearing before committee.

So that the committee is absolutely clear, it was decided that the Ontario Liberal Party would like to do an acknowledgement for Mr. Fraser. They reached out to family to get some testimonials. That was the extent of the party's involvement in requesting testimonials. They stopped at asking the family. Is that correct?

• (1300)

Mr. Simon Tunstall: That's correct.

Mr. Mark Gerretsen: The family obtained them through their own requests, based on friendships and personal relationships. Once they obtained them, they sent them to the party. Is that correct?

Mr. Simon Tunstall: That's correct.

Mr. Mark Gerretsen: The video starts off....

I mean, I've been asked to make multiple videos in my time. I guess I'm just looking for your opinion on this.

I'm assuming that you've seen the video. Have you seen the video?

Mr. Simon Tunstall: No.

Mr. Mark Gerretsen: Oh, you haven't even seen it. Then I won't even ask you that question.

Madam Chair, I'm happy to yield the rest of my time to Mr. Duguid.

Mr. Terry Duguid: Thank you, Madam Chair.

Thank you, Mr. Gerretsen, for passing the baton.

Madam Chair, once upon a time, I was a party officer like Mr. Fergus. The one thing I know about the Liberal Party is that, like the Conservative Party, it is a volunteer organization. There are a few paid staff, but for the most part, we are all volunteers. As I understand the sequence of events, it was volunteers who put together this video. It was a volunteer who obviously mislabelled Mr. Fergus's status on the video. Madame DeBellefeuille has repeatedly mentioned that this was coming from the Speaker himself, which is not the case. He starts off his video with "hey, buddy" and clearly indicates that he's a friend of Mr. Fraser.

I wonder if Mr. Tunstall could comment on the nature of the Liberal Party. It's a volunteer organization. Volunteers make mistakes, and clearly the Speaker had no knowledge of how his participation would be labelled in that particular video.

Then I'll pass my time to Mr. Lauzon.

Mr. Simon Tunstall: I've not seen the video, so I'm not 100% sure what the label is on the video. However, the label could have been applied by the volunteers who were putting it together, or it could have been applied by the non-political audiovisual company that was preparing the event and that wouldn't have even been aware of the politics of it.

The video would have been passed by the Speaker's team to John Fraser's friends and family who were putting together and collecting things. Then it would have been passed on to the Ontario Liberal Party, and then prepared for technical presentation. It could have been, and likely was, edited by the AV company that was employed to help us out with the event, or it could have been applied by the many volunteers who were preparing the event.

The Chair: Excellent.

I'm going to actually thank you for the seven seconds you have provided us back.

Mr. Stéphane Lauzon: Are there seven seconds? I will take them.

The Chair: You can bank them.

[*Translation*]

Ms. DeBellefeuille, the floor is yours for six minutes.

Mrs. Claude DeBellefeuille: Thank you, Madam Chair.

Mr. Tunstall, I understand that your role at the event was to organize a great evening. When you are an event organizer, you want everything to go well and you want party workers to be content and happy. At this kind of meeting, you always arrange for videos to be played. So you scheduled certain videos to be played throughout the evening's activities.

What I find it hard to understand is that you seem to have said that you did not do any review of all the content that was aired at the event. Have I understood your remarks correctly?

[*English*]

Mr. Simon Tunstall: That is correct. We conducted voting in 139 in-person voting locations the previous weekend. That was my primary focus, as well as collecting all the voters lists and ballots from those, dealing with the mail-in votes and then preparing for ballot counting.

[*Translation*]

Mrs. Claude DeBellefeuille: Thank you, Mr. Tunstall. I just wanted to get an answer to my question.

Essentially, my Liberal colleagues were trying to lay the blame for this mistake on the volunteers who put a banner in the video identifying Mr. Fergus as the Speaker of the House of Commons. It would actually have been difficult not to do that, since he was in his Speaker's garb. They were intelligent enough to understand that this was not Greg who made a video in a T-shirt and jeans in his living room; it was the Speaker, who was wearing his robes very solemnly in his office on Parliament Hill. He may well have started the video by saying "hey buddy;" nobody can say "hey buddy" while wearing the Speaker's robes.

In my career, I spent a long time managing volunteers, and never, but never, will I say that volunteers made a mistake, because they do their best. The main error lay with the person who agreed to make the video and send it off. The problem we are discussing cannot be mitigated today by saying that some volunteers sent off a video and others inserted a banner into it saying "Speaker of the House of Commons." That is not the issue today.

The issue is that the Speaker, Greg Fergus, agreed to make a video to be sent to a friend he is very fond of—we have understood that—for it to be played at your event. The volunteers put the videos together and inserted a banner, but the primary responsibility lies with the person who agreed to make the video.

You do know that all of the parties in the House of Commons have acknowledged that this video undermines the confidence of the House. It is not just me, Claude DeBellefeuille, the Bloc Québécois whip, saying it. All of the parties admitted that it was a serious mistake. So I am sorry, but I am unable to lay the blame on the volunteers and party workers who did their best to make your event a success. You will let them know that we are not blaming them; on the contrary.

Now, I would like to know your opinion, since you have organized a lot of events. Do you think it is appropriate for the Speaker of a great Parliament like Canada's to make a video to be played at a partisan event?

• (1305)

[*English*]

Mr. Simon Tunstall: First, I apologize if I gave any indication that I was blaming volunteers. I absolutely would not do that. Secondly, I don't think it is within my role or my expertise to judge what is appropriate and not appropriate for a Speaker. I think that is actually perhaps a matter for this committee's expertise and not my expertise.

[*Translation*]

Mrs. Claude DeBellefeuille: Thank you for your testimony. I did not have great expectations for it, but I thank you for your candour.

The Chair: Thank you.

Mr. Julian, the floor is yours for six minutes.

Mr. Peter Julian: Thank you, Madam Chair.

It is important to note that the issue is not the banner that was put in the video, it is the fact that the Speaker of the House was wearing his robes and was in his office. That is what brings us to this meeting, at the Standing Committee on Procedure and House Affairs, to examine the facts and get answers. Some answers have satisfied me, but others have not at all. I hope we will obtain all the documents that are needed in order for the committee to be able to make the decisions that are required in the next few hours.

[English]

Mr. Tunstall, you're part of this process of getting information. I wanted to understand what the vetting process is for videos that are broadcast through the Ontario Liberal Party convention. Obviously, there is a whole series of things that need to be checked. Videos don't go out on their own, so what was the vetting process to ensure that the videos produced for the convention didn't contravene any rules or cause any offence?

● (1310)

Mr. Simon Tunstall: Thank you for the question. I think there are three relatively quick parts to that.

One, there's an element of trust that the people around John Fraser... They were giving us videos, and the four leadership candidates were providing videos, and any other content was coming from good sources.

Two, there was a team of volunteers who were reviewing the videos. I believe they all came in within a day or two or three, right before the event. I was preoccupied with other components of the event.

Three, I think the main interest in reviewing the videos would have actually been more from an audiovisual technical perspective than a content perspective, because all these videos, whether they were coming from leadership candidates or supporters and friends of John Fraser, were all coming from friendly sources.

Mr. Peter Julian: There was a team that was checking and vetting the videos. Is that a group that would have reported to you in some way? At any point did they flag concerns about the House of Commons Speaker appearing in a video at a partisan event wearing the robes of the Speaker in the Speaker's chambers?

Mr. Simon Tunstall: I was not aware that there was a video from the Speaker until after it had aired. An hour or two later, somebody mentioned it to me.

Mr. Peter Julian: Okay, so that wasn't communicated to you. Obviously it doesn't seem to have been part of the vetting process.

You've been executive director for the Ontario Liberal Party on two occasions. Is that correct?

Mr. Simon Tunstall: Yes.

Mr. Peter Julian: Part of your job is to ensure that party materials don't contravene parliamentary legislative rules. Queen's Park has rules in the same way that the B.C. legislature has rules, in the same way that the House of Commons has rules.

When you were Ontario Liberal Party executive director, how did you ensure that there wasn't an improper use of resources for the Ontario Liberal Party, resources that were public in nature, for example, having the Speaker of the Ontario legislature appearing at a partisan Ontario Liberal Party event?

Mr. Simon Tunstall: There's no short answer to questions like these.

Essentially, any political party—and I think ours is not alone—is made up of some staff and a large number of volunteers. Depending on what is taking place and the event, there's involvement from

many different people. It varies from situation to situation. I don't think there's one simple answer to that question.

Mr. Peter Julian: In the same way, if the Ontario Liberal Party's not in power—the current governing party in Ontario is the Conservative Party—and the Speaker of the Ontario legislature appeared at an Ontario Conservative convention wearing his robes of office in the Speaker's chambers, what would be the reaction of the Ontario Liberal Party and the caucus?

Mr. Simon Tunstall: That's a great question.

I apologize. This is going to sound flippant, but I think that's a question for the caucus and not for me.

I apologize for how that answer comes across.

Mr. Peter Julian: As former executive director, you would have been in a situation where you were watching out for that. You'd want to make sure that the public resources weren't going to partisan purposes.

Is that not one of the functions that you had when you were executive director?

Mr. Simon Tunstall: Yes, there is an element, I think, in any political party of making sure the line is drawn in the right place between government resources and political party resources.

The Chair: Thank you.

We will now have a really quick—it will not be a full second round because we do have to end this meeting by 1:30.

Mr. Duncan, you have up to five minutes.

● (1315)

Mr. Eric Duncan: Thank you, Madam Chair.

I will just say that I am disappointed by the lack of information provided by the Ontario Liberal Party today and the lack of respect, frankly, especially knowing the tight time frames that our committee is under.

The Ontario Liberal Party has had four days since Thursday, when we passed the motion here at committee, at the Standing Committee on Procedure and House Affairs, to have someone appear regarding the leadership announcement event by the Ontario Liberal Party.

Mr. Tunstall, you were the one offered by the party. What was frustrating this morning was that you're not new to politics. You've served as executive director of the party multiple times, and you've been involved in politics and in public life as a staff member for many years.

We got a letter from the legal counsel of the Ontario Liberal Party this morning. It goes through a bunch of reasons as to why you're not an appropriate witness, after the party offered you to come here today. The only thing they offer at the end here is, “Mr. Tunstall would beg for the Committee's indulgence and be excused from making an appearance.” They didn't offer an alternative to say, “Okay, here's somebody we can provide who would know information”.

The legal counsel, I'm sure, and I'm sure you and others in the Ontario Liberal Party.... We're now nearly five hours into committee testimony here today. We've asked for the production of documents multiple times, and to have to go back to legal counsel at this point.... Legal counsel had no problem sending us a letter over the weekend begging for you not to appear, but you had no time to offer to get an answer about document production or provide some assurances of what happened. You say how it innocent it was, but nothing is provided.

It is extremely frustrating, and what I'll do here is ask for unanimous consent, Madam Chair, to do the same thing that we did for the production of documents from the clerk this morning during Mr. Fergus's testimony with his team. We all agreed by unanimous consent for a similar set of documents.

I will ask for unanimous consent that an order do issue to the Ontario Liberal Party for all copies of emails, memoranda, records of communications, including text messages and instant messaging application messages, or any other documents that are under the party's control concerning the Speaker's tributes to the former interim leader of the Ontario Liberal Party, provided that those be deposited with the clerk of the committee no later than 5 p.m. today.

I will just say that there's no reason why any of that should be a surprise. They've known for four days at the party, and they should have known that this request was coming.

I will ask for unanimous consent on that, Madam Chair.

The Chair: Do we have unanimous consent?

Mr. Mark Gerretsen: I have a question.

The Chair: Do I have unanimous consent, yes or no?

Mr. Mark Gerretsen: I can't answer that.

The Chair: There we go. There's no UC.

Mr. Eric Duncan: That's telling right there.

The Chair: I have a really serious role in front of me, and I take it seriously. I am really trying to get to the crux of the question of privilege that's come here.

I do not like this, in a sense, culture we're creating, where the House sends us work to do and we cannot get to it. We have had conversations in camera. I think there's a little bit of cuteness being displayed, because people know that my hands are tied and I can't talk about certain things. We know the conversations we've had. We know the timeline we have.

With that, Mr. Duncan, you have a minute left, if you would like it, for questions and comments to the witness. Otherwise, I'd like to move on.

Mr. Eric Duncan: I would like to move the motion. I asked for unanimous consent and was denied that, so I'd like to move the motion that I had translated and can provide to the clerk.

I move:

That an Order do issue to the Ontario Liberal Party for all copies of emails, memoranda, records of communications (including text messages and instant messaging application messages) or any other documents, which are under the Party's control, concerning the Speaker's tributes to the former Interim Leader of the Ontario Liberal Party, provided that these be deposited with the Clerk of the Committee no later than 5 p.m. today.

Mr. Mark Gerretsen: I guess we'll have to suspend until we get that. I need—

The Chair: We are suspending until that is received. If it's not received by 1:30, we will be coming back at 3:30 for the report, because that is what that business is.

Actually, this meeting is adjourned.

Thank you.

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