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Chair: The Honourable Hedy Fry



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• (1100)

[*Translation*]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): I call this meeting to order.

Good morning, everyone.

Welcome to meeting No. 70 of the Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

Today's meeting is taking place in a hybrid format, pursuant to the House Order of Thursday, June 23, 2022.

[*English*]

There are some quick housekeeping rules we want to talk about.

While public health authorities and the Board of Internal Economy no longer mandate or require us to wear a mask indoors or on the precinct, masks and respirators are still excellent tools to prevent the spread of any kind of disease.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Tuesday, September 20, 2022, the committee is meeting to continue its study on safe sport in Canada.

Today, by video conference, we have three witnesses representing the Canadian Soccer Association. They are Earl Cochrane, general secretary of Canada Soccer, and Paul-Claude Bérubé, independent director on the board of directors of Canada Soccer.

[*Translation*]

We will also be hearing from Stephanie Geosits, Independent Director of Canada Soccer's Board of Directors

[*English*]

Here's how we do this.

First and foremost, you are not allowed to take any pictures of yourselves at the meeting. No photos are allowed.

Secondly, if you look at the bottom of your screen, you will see there is a little globe. That globe, if you press it, will give you English or French translation.

Anything you say should be through the chair.

Basically, that's about it. We can begin.

Before we begin, we will be giving the three witnesses a total of 10 minutes—not each, but a total of 10 minutes.

I also wanted to remind the committee that we have a hard stop, because we have 15 minutes of business at the end of this meeting.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): I have a point of order, Madam Chair. I want to get confirmation on something.

We asked for the outgoing president of Canada Soccer, Nick Bontis, to appear. We also asked for Mr. Cochrane, but we did not ask for the two independent directors. Through the clerk, I would like to know how they became involved in today's meeting.

I'm just going to throw this out. On Wednesday, we got the notice that Mr. Bontis was coming. When we received notice that he was not coming, I wondered if we should cancel this meeting with Canada Soccer. Everybody around this table, Madam Chair, wanted Mr. Bontis. He's not here today. We also wanted Mr. Cochrane, and I thank him for showing up, but we did not want the independent directors.

I'm going to ask the clerk, if you don't mind, how we got here today, with two people from the board whom the committee did not actually call on as witnesses.

• (1105)

The Chair: Clerk, perhaps you can respond.

The Clerk of the Committee (Mr. Michael MacPherson): Sure.

The motion the committee adopted was to invite the president and CEO of Soccer Canada. Typically, when we invite any organization, we leave it up to the organization to decide which representatives it will send to the committee to testify. I believe there is no restriction on other witnesses being included. When we issue an invitation like that, it's not exclusive to just the person in the invitation. We leave it up to the organization.

If the committee has an issue with these witnesses testifying, the committee could decide to excuse them.

The Chair: If I may add, Clerk, we received a letter from Mr. Bontis telling us that due to certain circumstances that required an empathetic decision, he could not come to this particular meeting.

Mr. Kevin Waugh: Will Mr. Bontis be rescheduled, then? This committee desperately wants to hear from the former president of Canada Soccer. Yes, you have alluded to a letter, but at the same time, when would Mr. Bontis come to committee and testify?

The Chair: I will ask the clerk to answer that question, because he has been in touch with Mr. Bontis.

I agreed that the letter warranted that we listen to his sympathetic, humanitarian and compassionate grounds for not coming to this meeting.

Go ahead, Mike.

The Clerk: I have no new information other than the missive that we received from Dr. Bontis's lawyer, indicating that he would not be present today. I have no new information on when he may be available.

[*Translation*]

Moreover, Chair, I believe Mr. Lemire has a motion.

[*English*]

The Chair: Go ahead, Sébastien.

[*Translation*]

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Thank you, Chair.

I move that we invite Mr. Bontis back. I would also like Mr. Heffernan, Canada Soccer's Chief Financial Officer, to join him.

Today's meeting will allow us to determine the urgency of holding that additional meeting. I think we should schedule another meeting, to make sure Mr. Bontis appears before us, along with Mr. Heffernan, to answer our questions.

[*English*]

The Chair: Thank you, Monsieur Lemire.

Is there anyone on the committee who objects to this, or do we agree with Monsieur Lemire's suggestion?

Go ahead, Peter.

Mr. Peter Julian (New Westminster—Burnaby, NDP): I would like to move that we summon Mr. Bontis to a meeting to be held in March by this committee.

The Chair: Are there any objections to that motion by Peter?

Mr. Anthony Housefather (Mount Royal, Lib.): I have no objection, but I believe he was summoned already. I believe the original thing was not just an invitation. I believe he was summoned in the event he didn't accept the invitation.

I would suggest, since we're dealing with this now, that we also summon Victor Montagliani. It is very evident from the previous meeting that he is needed and was very involved in the CSB agreement as well.

Maybe Peter would adjust his motion accordingly. I'd be delighted to support the three of them coming.

The Chair: Thank you.

It sounds as if we have an amendment to Mr. Julian's motion.

Does anyone disagree with the amendment that Mr. Housefather placed?

• (1110)

[*Translation*]

Mr. Sébastien Lemire: Madam Chair, I want to make sure that Mr. Heffernan, Canada Soccer's Chief Financial Officer, is also invited. So this is a subamendment.

[*English*]

The Chair: All right. Are there any objections to Monsieur Lemire's second amendment of names?

Not hearing anybody, I think we accept the names.

(Subamendment agreed to)

(Amendment as amended agreed to)

Mr. Kevin Waugh: Madam Chair, the motion is for before the end of March, meaning that we would need these people in committee either this Thursday, next Monday or next Thursday.

The Chair: Yes. I think that was suggested before the break.

Mr. Kevin Waugh: That's good. Thank you.

The Chair: Given that we now have an amended motion, does anyone object to the amended motion brought forward by Mr. Julian?

Peter.

Mr. Peter Julian: I have no objection, Madam Chair. I appreciate the amendments by my two colleagues, Mr. Housefather and Monsieur Lemire.

When we originally summoned Mr. Bontis, it was by his position, not his name. Now that he has resigned his position, I think it's important that we issue the summons in his name. That way, we are crystal clear that we expect him to come to committee.

(Motion as amended agreed to)

The Chair: Thank you.

Shall we move on now to listen to the witnesses?

For 10 minutes, we begin with Mr. Cochrane. Are you going to be the spokesperson?

Mr. Earl Cochrane (General Secretary, Canada Soccer, Canadian Soccer Association): Thank you, Madam Chair.

All three of us will have a part to play in the 10 minutes.

The Chair: All right. You may begin. I am setting the stopwatch.

I will give you a 30-second cue so that you can wrap up whatever you're saying.

Thank you.

Ms. Stephanie Geosits (Independent Director, Board of Directors, Canada Soccer, Canadian Soccer Association): Thank you, Madam Chair. Hello to you and to the members of the committee.

I am Stephanie Geosits, a member of the Canada Soccer board of directors.

[Translation]

Mr. Paul-Claude Bérubé (Independent Director, Board of Directors, Canada Soccer, Canadian Soccer Association): Madam Chair, Committee members, good morning.

My name is Paul-Claude Bérubé and I am a member of Canada Soccer's Board of Directors. I am also a member of its governance committee.

I was also involved with Soccer Quebec for several years.

[English]

Ms. Stephanie Geosits: Canada Soccer is the governing body for the sport in our country, and it is made up of our provincial associations and professional league members. Canada Soccer is also charged with coaching and referee development. The other board members and I are volunteers from across the country who collaborate with partners and staff to grow soccer in Canada from the grassroots level up and strive to ensure that soccer is the safest sport in our country.

All the national teams, including the players and technical staff of the senior men's and women's national teams, are part of Canada Soccer, not separate entities. The senior national teams are the backbone of the association, and the women's team have been crucial in our growth, inspiring Canadians with their skills for decades.

Equality in sport for people of all gender identities is imperative and subject to an increasingly global conversation. Canada Soccer must always be a force for progress in that conversation. On equal pay, we feel we are doing that. In other ways, we have fallen short at times, and we commit to doing better.

We hear the concerns of the women's national team players, and we are committed to addressing those concerns and consistently improving their experiences in the national program.

Mr. Earl Cochrane: Good morning, Madam Chair and members of the committee.

My name is Earl Cochrane. I'm the general secretary of Canada Soccer.

Canada Soccer governs the global sport in our country. We are custodians of a sport that, perhaps more than any other, has a platform to transform society for the better. It is incumbent upon Canada Soccer to amplify Canadian values and to weave them into the fabric of our game, both domestically and internationally. We haven't always been perfect, but our intent is to have a significant positive impact on those who play and enjoy our sport.

In recent years, compensation for the Canada Soccer national teams has grown exponentially, but payments to the two teams have always been similar. From 2012 to 2019, player compensation was \$2.92 million for the men and \$2.96 million for the women.

As the national teams have grown and enjoyed success, they have been paid as such. When payment to each national team has been unequal in any given year, it has generally been driven by differences in competition calendars. In 2020, COVID-19 led to the inactivity of both teams and obviously had a negative impact on their compensation. Even so, that year the women's national team was paid the amount contractually owed to them, while the men's

team received no pay. However, the compensation for the teams has never been the same, and Canada Soccer understands and fully supports the women's team's desire for equal pay.

Canada Soccer is committed to delivering equal pay and ensuring that the environments for both of our national teams are built for success. Based on those principles, in June 2022, Canada Soccer first offered a framework for the same collectively bargained agreements to the players of both national teams. The proposed agreements will pay players on both teams the same amount for playing a 90-minute match and will share total competition prize money equally between the teams. Simply put, national team players, regardless of their gender identity, will be paid the same amount for their work in representing our country.

Canada Soccer has negotiated in good faith and will continue to do so. We have provided documentation to inform those negotiations. In fact, we have a financial information session with the teams in a few hours. We have provided the national team players and their representatives detailed information and briefings on Canada Soccer's financials, its audited financial statements and detailed breakdowns of Canada Soccer spending.

The leadership team of the women's national team and their legal counsel were also given a presentation on Canada Soccer and the Canadian Soccer Business agreement. The players and their representatives have always been welcome to ask any questions about that information. Canada Soccer has also met and will continue to meet all legal requirements for financial disclosure. We know the government is considering new requirements for national sports organizations, and we welcome direction on that from the Minister of Sport.

We firmly believe the offer in front of the national teams today is fair and equitable. The agreement would make Canada's women's team the second-highest paid women's national team amongst the 211 FIFA member associations, trailing only the United States. The men's team will also be fairly compensated and in line with other World Cup-calibre nations, but this requires a sign-off by all three parties. We are doing this despite the fact that Canada Soccer's revenues are significantly less than those of most of our competitors.

In 2021, Canada Soccer's total revenue was approximately \$33 million. In that same year, the football associations of the women's teams currently ranked higher than Canada by FIFA—the U.S., Germany, England, Sweden and France—had total revenues ranging from \$70 million to \$700 million. We are paying Canada's women more than those associations, with the exception of the U.S.

Also, Canada Soccer is working to deliver equal pay in an extremely unequal international environment. For example, Canada Soccer will receive \$9 million for appearing in the group stage of the 2022 men's World Cup, while receiving a similar amount for winning the 2023 women's World Cup.

Canada Soccer is offering to equalize this disparity for the women's team, because they deserve it. They are world-class athletes and global ambassadors for our country. Canada Soccer commits to being a part of the solution to the unequal financial environment in which we operate. Canada Soccer is also dedicated to equity in our national team operations. Equal opportunity has been and will continue to be our standard practice.

• (1115)

From 2012 to 2019, total staffing and program spending was just about \$37 million for both national teams. Recently at Canada Soccer we made some funding decisions for the operations of the women's team that we thought would have minimal impact. We were wrong. Those decisions were made with good intentions of controlling spending, but we should not have made those decisions that negatively impacted the women's team.

Canada Soccer is now in conversations with the technical staff of our women's team to reconfirm what they need to be successful at the World Cup, and we are committed to meeting those needs.

Canada Soccer also recommitted privately to the women's team players and is publicly reiterating today that we will continue to deliver the resources needed to compete and succeed at the international level. That includes, but is not limited to, preparatory matches against top-tier opponents, adequate staffing, a minimum number of players, adherence to an agreed-to travel policy, and equitable training venues and accommodations. However, it would not necessarily mean equal amounts spent on the operations of the national teams at all times, because the teams have very different competitive calendars and requirements within the FIFA match windows.

Delivering on those commitments will require additional revenue, so Canada Soccer is developing a five-year, revenue-focused strategic plan and holding discussions to amend its agreement with CSB.

The CSB agreement provides valuable broadcast and streaming opportunities for both national teams. It guarantees Canada Soccer an annual payment, and it has secured new partners to significantly invest in grassroots and high-performance soccer in Canada.

Prior to the CSB agreement, Canada Soccer was paying hundreds of thousands of dollars to broadcast women's and men's national team games. No Canadian broadcaster was willing to pay to broadcast those games. The CSB agreement has resolved that issue and helped grow the women's game in Canada.

The governing body for European football, the Scottish FA, Major League Soccer and Soccer United Marketing have or have had similar agreements.

Today, the unilateral term option and limited ability for us to share in upside revenue are drawbacks of the agreement with CSB, but we hope to resolve those issues shortly.

In recent years, Canada Soccer's national teams have achieved an unprecedented level of success. The women's team's 2021 Olympic gold medal was a particularly special moment, and the women's team has consistently demonstrated excellence. Canada Soccer is proud of those achievements and will fully support the women's team to succeed at the 2023 women's World Cup, to qualify for Paris 2024 in September, and to continue to compete for titles.

We are listening and responding to what the players and technical staff need. We are committed to equal pay through the proposed collective bargaining agreements, and we must deliver on our commitments within set budgets and financial realities.

I'm going to go off-script for one moment, so I apologize, Madam Chair. A few weeks ago, Janine Beckie, a player on the women's national team, appeared before you. She recently suffered an injury that will see her miss the World Cup and the remainder of her 2023 NWSL season with her full-time, professional club. On behalf of Canada Soccer and, if it's not too presumptuous, on behalf of this committee, I would like to let her know that she's in our thoughts and we wish her the best on her recovery.

I've gotten to know Janine over the past year, quite well. On top of being incredibly professional and passionate about this sport and this country, she's a warrior. I know that she will come back stronger than ever. I wanted to share publicly that we will, through the team and through our full-time staff, do everything we can to provide every opportunity for her to be involved in any way that she sees fit at the World Cup.

Thank you for your attention.

• (1120)

The Chair: Thank you.

I want to echo your concern and hope that Janine will be able to be back on her feet some time soon, playing the game she loves so much.

However, we're going to move now to the question and answer segment. That segment is going to be starting with a six-minute segment. You will get questions from the committee, and the six minutes include questions and answers. Can everyone be as concise as possible in their answers and their questions?

We will begin with the Conservatives.

Mr. Kevin Waugh is first, for six minutes, please.

Mr. Kevin Waugh: Thank you, Madam Chair.

I, too, wish the best for Janine. She was here less than two weeks ago, and it was a devastating injury that she suffered in Portland. Our thoughts are with her as she is on the rebound.

Mr. Cochrane, thank you for your comments. I'm a little disappointed we are not seeing the former president, Mr. Bontis, but what reason did Mr. Bontis give you and others around the board for his departure?

Mr. Earl Cochrane: The reasons for Mr. Bontis's departure and what was shared with the board were based on the letter from the member associations, seeking his resignation.

Mr. Kevin Waugh: For the provincial associations to do that, what was their issue with the leadership of your organization? Obviously, it must have gotten to a toxic location for the provincial authorities to write this letter to see Mr. Bontis step down.

Can you fill us in?

● (1125)

Mr. Earl Cochrane: The letter didn't describe the reasoning in detail. We reached out to the member associations to see if we could get on a call to have a further discussion, and they did not want to have that call.

Mr. Bontis decided that it was in the best interests of the association if he accepted what they were asking and made his resignation known.

Mr. Kevin Waugh: Did anyone reach out to the provincial associations from Canada Soccer to deal with their issues? According to you, we don't know what their issue was. They just wrote the letter; Bontis left, and let's leave it at that. There has to be a little more involved here.

Mr. Earl Cochrane: Madam Chair, the message that we received from the member associations was that for all intents and purposes, it was what would equate to a non-confidence vote.

I'll also turn it over to my colleagues, in case they have anything further to add. They are on the board and may have had some conversations with some of the member associations.

Ms. Stephanie Geosits: The member associations were coming out of a meeting in Ottawa, where they gathered and identified some issues that they would like addressed through better stakeholder relations with them, ensuring that there is feedback and that their input is included going forward.

As a board, we know that we need to do better in terms of our broader stakeholder relations. That was the discussion around the board table and with our interim president and vice-president in place. That is a key focus for us, based on the member associations' feedback and feedback from the teams that we need to do better in communication with our stakeholders.

Mr. Kevin Waugh: Like Hockey Canada, do the grassroots teams in each province and territory give a registration fee to Canada Soccer? If so, where does that money go?

That's for Mr. Cochrane.

Mr. Earl Cochrane: Madam Chair, yes, the member associations provide us with a membership fee. That membership fee is \$9 per player across the country, and that fee and that structure go into the general revenue of the association to help support the development of both of our national teams. In addition to that, there's the significant influence that we have on coaching development, refer-

ee development, player development and all the things that we are responsible for as a governing body.

Mr. Kevin Waugh: Yes, we heard that from the four women who represent the national team, who were here two weeks ago. It's not only about salary. It's about the surrounding of accommodations and it's about extra players. It's about a number of things.

I laughed when you said you're looking forward to pay equity, and then you released a news release about an hour ahead of our meeting with the four-woman team. They're upset. The men are upset. The men tried, in fact, to boycott the game in Vancouver last year. The women nearly walked off the field in the United States. You have a big problem here.

The problem is they want to follow the money. Who agreed to the deal with Canadian Soccer Business? Let's start there.

Mr. Cochrane, who agreed to this deal in secrecy with Canadian Soccer Business?

Mr. Earl Cochrane: There are a couple of questions there. I think I'll answer the latter first.

The decision to agree to a contract and a representation agreement with Canada Soccer Business was a decision that was ultimately made by the board of directors. Perhaps it would be best answered by one of the members of the board of directors who was here. I was not here. I was not party to that contract, and I did not negotiate that contract.

I will turn it over to Paul-Claude to answer.

● (1130)

[*Translation*]

Mr. Paul-Claude Bérubé: I will answer the question very specifically, if I may, Madam Chair.

Indeed, discussions regarding this agreement with Canadian Soccer Business began in 2017. As the Board of Directors, we agreed in March to adopt a Memorandum of Understanding. Subsequently, in late 2017, we proceeded with due diligence. In March 2018, we received a draft agreement and agreed to seek amendments. Ultimately, this agreement was signed on January 1, 2019, if memory serves me well.

It was not a secret. It was addressed during all of the Board discussions. Moreover, Board members were given all the information they needed to make this decision as discussions about this agreement proceeded.

[*English*]

The Chair: Excuse me, Monsieur Bérubé. I am very sorry. We have gone over time now. Maybe when you get another question later on, you might want to expand on this answer that you're giving us.

Thank you very much.

I now go to the Liberals and Mr. Housefather.

Anthony, you have six minutes, please.

Mr. Anthony Housefather: Thank you very much, Madam Chair. Of course, I also send my best wishes to Janine, who was a very impressive witness before us a few weeks ago.

I'm going to come back to Mr. Waugh's line of questioning. Both of you have testified, and you're both under oath, as you know.

The board of directors approved the agreement with Canadian Soccer Business. One of the issues that we are here for relates to the lack of transparency around the representation agreement.

I will ask you.... At your board meeting of November 30, 2018, motion 37 was adopted. It states:

Motion: The CSA CPL negotiating team...to meet with representatives of CSB no later than December 14, 2018, with all non-substantive issues resolved and with the intent of negotiating a final agreement by December 14, 2018; and that the CSA negotiating team report back to the Board at a conference call no later than December 16, 2018 to recommend either approval of the negotiated agreement, or to decide on next steps.

That was moved by Bernie Morton and seconded by Ryan Fequet.

The next meeting minutes provided to us were from March 23, 2019, and there was no signal that the board ever approved this agreement. I have no board minutes showing the board approving this agreement.

Mr. Cochrane, on what date did the board of directors approve the agreement? Where can you refer me to that in the minutes, please?

[Translation]

Mr. Paul-Claude Bérubé: I can answer that question.

If I recall correctly, the agreement was approved with some amendments on March 27, 2018, as part of Resolution No. 55...

Mr. Anthony Housefather: Mr. Bérubé, I must interrupt you.

I just quoted verbatim from the minutes of a meeting that took place after March 2018, that is on November 30th, 2018, during which a motion was passed that clearly stated that the Board had not yet approved the agreement.

[English]

It reads, again:

The CSA...negotiating team...report back to the Board at a conference call no later than December 16, 2018 to recommend either approval of the negotiated agreement, or to decide on next steps.

There was never, then—as I see it, because all the board meeting minutes were supposed to be provided to the committee—any subsequent board meeting that showed that this agreement, that this very material agreement in its final version was ever approved by the board of directors.

Can you please clarify? On what date after November 30, 2018 and motion M-37 did the board of directors of Canada Soccer approve this very material representation agreement?

This question is for you, Mr. Cochrane.

Mr. Earl Cochrane: I wasn't involved in any of the board discussions, nor was I at the time the general secretary or CEO of Canada Soccer.

Mr. Anthony Housefather: No, but you're here to represent Canada Soccer. You were the witness summoned to represent Canada Soccer. You should have taken material notice of this very important question that everybody knew was going to be brought up today at the committee.

You have a former board member named Ryan Fequet, who was quoted as saying:

The board recognized this was a [expletive] deal right from the start. You should know about an organization you are partnering with if you are giving them literally all of your marketing rights. And every time we have asked for information about Canada Soccer Business, the board has been shut down. The board absolutely did not approve this contract.

You have other former board members who say the same.

I went through all your minutes, and you have no minutes. Yes, it is true that in March 2018, there was a document that had some type of approval, but that was not a final version. On November 30, 2018, the board reconsidered that document and said it wanted to come back to it to have the negotiating team report back to recommend either approval or next steps. The agreement was signed on December 1, 2019. It does not look like your board ever approved this agreement, which would be a considerable, material problem, as this is a very important document that would have needed to be approved by the board.

Mr. Cochrane, what did you find in your research in terms of what date the board approved this document?

• (1135)

Mr. Earl Cochrane: My understanding was that the date of March 27, 2018 was when the board of directors approved the representation—

Mr. Anthony Housefather: Mr. Cochrane, I have read for you from the minutes of November 30, 2018. November 30, 2018 is later than March 2018. Is that right?

Mr. Earl Cochrane: That is correct.

Mr. Anthony Housefather: That is correct.

On that date, the board said that all non-substantive issues should be resolved by December 14, and that the negotiating team “should report back to the Board at a conference call no later than December 16, 2018 to recommend either approval of the negotiated agreement”—clearly, the board did not consider it approved—“or to decide on next steps”.

Did that meeting ever happen? We don't have minutes of it.

Mr. Earl Cochrane: Madam Chair, I'm not aware of the board meeting minutes, as I was not involved in the board at that time. I can certainly go back through the minutes that we have provided and try to find if that information exists, but my understanding, again, was that on March 27, 2018—

Mr. Anthony Housefather: You're repeating that. You're saying that, but I have proved to you that you have minutes from later that year, when the board had clearly not approved the agreement, because it said it wanted the negotiating team to come back either to recommend approval or to decide on next steps. Clearly, on November 30, 2018, the board felt it had not approved the document.

In my next round of questioning, since you in your opening comments, Mr. Cochrane, made substantive comments about the agreement—even though you have asked us not to discuss it and said you wanted to do so in camera—I will reserve the rest of my time for the next round of questions that I have, and I will be asking you substantive questions about this agreement, since you opened the door in your opening statements.

Thank you.

The Chair: Thank you very much, Mr. Housefather.

I now go to the Bloc Québécois with Sébastien Lemire for six minutes, please.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Madam Chair.

I, too, would like to send a message of encouragement to Janine Beckie and tell her that we support her with all our hearts.

My question is along the same lines as my colleague Mr. Housefather's.

Who advised you to enter into this agreement with Canadian Soccer Business?

Mr. Paul-Claude Bérubé: I don't know if the question is directed at any of us in particular, but I can answer it.

First off, let's revisit the context in 2017. At that time, we were in dire need of revenue and had huge expenses related to broadcasting rights for Canadian teams' games, both on the women's and men's side. In fact, it was costing us close to \$1 million per year to broadcast our games and we needed revenue to sustain the development of soccer in Canada.

This agreement was one of the solutions identified by management and the Board of Directors. It allowed for the creation of a national soccer league in Canada, while also generating revenue. Of course, this was all prepared and discussed by the Board of Directors and management. We also spoke to our organization's legal counsel to get their opinion on the various documents we received.

I want to clarify that this agreement was indeed approved on March 27, 2018. I have before me the resolution that was passed at that time. It clearly states the following:

• (1140)

[*English*]

“To approve the CSB representation agreement as circulated with amendments.”

[*Translation*]

So that was done on March 27, 2018. We asked for changes and discussions continued. Finally, in December, during a conference

call, all board members expressed satisfaction with the agreement. The agreement was subsequently signed on January 1, 2019.

Mr. Sébastien Lemire: If I understand what you are saying correctly, no board member voiced any objection to the agreement.

Mr. Paul-Claude Bérubé: There were no objections from the members of the Board of Directors to this agreement. The resolution was adopted by all members of the Board of Directors. As to what may have been said thereafter, obviously, that is up to each Board member.

At the time, I was present and participated in all of the Board meetings. Obviously, this deal was supported by the Board for a very good reason: it allowed our organization to earn \$3 million a year in revenue and avoid \$1 million a year in expenses for broadcasting our games. We needed the money. We concluded that receiving this amount would secure our activities for the long term, benefiting all our athletes and the sport we promote in Canada.

Mr. Sébastien Lemire: If the decision was unanimous, where is the Board resolution authorizing Steve Reed to sign this agreement?

Mr. Paul-Claude Bérubé: That's the one I just read, dated March 27, 2018.

Once we pass a resolution approving such an agreement, Mr. Reed, as Chairman of the Board, has the ability to sign the agreement on behalf of our organization. This right is granted to him automatically. There is no need for us to pass a resolution stating that Mr. Steve Reed may sign such an agreement.

Mr. Sébastien Lemire: You were supposed to receive reports from Canadian Soccer Business. Did you receive them? Did the Board of Directors review them?

Mr. Paul-Claude Bérubé: This is a question about the organization's operations. I will ask Mr. Cochrane to answer it, since he is the one who receives such reports.

Mr. Sébastien Lemire: Mr. Cochrane, can you answer the question?

[*English*]

Mr. Earl Cochrane: Thank you very much.

We do have regular dialogue with Canadian Soccer Business. We do receive reports from them. As part of the ongoing discussions, as we look to modernize the agreement we will continue to have those moments where they report, and report via us, the details of their business.

[*Translation*]

Mr. Sébastien Lemire: The United States had agreements in place, and those provided you with somewhat of a template. They, however, terminated those agreements, because they were bad.

Do you intend to do anything to terminate your agreement, since the conditions are no longer the same?

We really feel that Canadian Soccer Business and its participating teams, none of which are in Quebec, are being funded by women's soccer and our athletes.

Mr. Paul-Claude Bérubé: I don't know if your question is for Mr. Cochrane or for me, but I'm happy to answer it.

Actually, it's quite the opposite. The agreement with Canadian Soccer Business allows us to fund the various programs we have in Canada for soccer development, which includes our women's and men's national teams.

Earlier, I mentioned \$4 million a year, which is a net profit for our organization. If we didn't have that money, it would be impossible to pay our women's and men's national teams what we currently pay them.

So this agreement was beneficial at the time it was signed. Today, I agree with you that it warrants revisiting, and it will be reviewed. In fact, that began long before a request was made by a parliamentary committee.

Mr. Sébastien Lemire: Would you sign such an agreement again?

Is it possible to terminate this agreement?

Mr. Paul-Claude Bérubé: As with any agreement, there must be something in it for each partner. Obviously, if we found ourselves in a situation where the agreement was no longer achieving our long-term goals, we could certainly take steps to end it in some way. However, that is not our goal. Our goal is to renegotiate the agreement and obtain better terms given today's context.

• (1145)

[English]

The Chair: Thank you, Mr. Bérubé.

I'm sorry, Sébastien. Your time is up.

I will go now to the New Democratic Party, with Peter Julian.

You have six minutes, Peter.

[Translation]

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

Canadians deserve transparency. The reality is that this organization, which is supported by soccer players across the country and their parents, does not appear to be transparent at all.

[English]

I'm a former soccer coach. The reality is that as we ask these questions, we're finding that Canada Soccer is not providing the appropriate responses. I would suggest that it is in the interests of soccer players across the country and our national women's and men's teams, which we're very proud of, that Canada Soccer start giving responses.

My first question is related to the filing of financial statements. Corporations Canada requires that Canada Soccer file its financial statements every year. It was reported on February 11 that Canada Soccer is now in non-compliance for seven years in a row.

Has this been discussed at the board of directors level, that Canada Soccer is not filing its financial statements as required by Corporations Canada?

Mr. Earl Cochrane: Madam Chair, I can take that, and then perhaps Paul-Claude or Stephanie can follow.

I have no understanding of what the honourable member is speaking about. We have been in compliance with everything required of us by law, whether that is through the CRA, whether it's through Sport Canada, or whether it's through any of the government institutions we must report to. I have no understanding of what the member is speaking about.

Mr. Peter Julian: Does this come as a surprise to you? I want to ask the board members. Does the board of directors, as we saw with Hockey Canada, have in camera meetings, with no minutes kept of certain decisions?

Ms. Stephanie Geosits: As part of our regular board meetings, we are updated on the filings. To our knowledge, similar to what Mr. Cochrane said, all of our filings are up to date. The comment from the member is not in keeping with what we have come to know. Like all board—

Mr. Peter Julian: With respect, that is not my question.

My question was, does the board of Canada Soccer have meetings, or parts of meetings, that are in camera, with no minutes kept?

Ms. Stephanie Geosits: Like all boards, we have in camera sessions at the end of every board meeting. That's part of best practices. There are minutes kept of those meetings.

Mr. Peter Julian: I will move on to the representation agreement, and the response of Canada's national women's and men's teams. This is a statement that was issued on July 13 of last year, speaking to Rick Westhead's article:

However, Rick Westhead's article raises serious concerns about whether Canada Soccer can be a proper steward of our sport and the revenues associated with the Women's and Men's National Teams under the current leadership and governance structure. It also raises serious concerns that the sponsorship and broadcast revenues associated with the National Teams for the next 15 years—important future revenue streams that are growing as a result of the players' success and the excitement surrounding the FIFA World Cup coming to Canada in 2026—are being transferred to owners of a for-profit professional men's league and used instead for their benefit.

Did the board do any evaluation of what the broadcast rights would actually entail? I cite the \$250 million a year that is part of the broadcasting rights for MLS paid by Apple TV. These are huge sums of money.

Was there any discussion at the board level of what the actual evaluation of broadcast rights would be?

[Translation]

Mr. Paul-Claude Bérubé: I can answer part of that question, and Mr. Cochrane can add his own remarks.

According to the information we received, we believe that in 2022, Canadian Soccer Business, or CSB, obtained approximately \$8.2 million in sponsorships of all kinds. I say that with the caveat that Mr. Cochrane can expand on that. As I said earlier, as part of our partnership agreement with CSB, some of that money is to be returned to us and some of it is to be used to fund a Canadian league. So even if it was 50-50, that would be \$4.1 million of that amount, which is about the revenue we get on an annual basis. So it's very close to reality, in terms of the sponsorship revenue that CSB receives versus the profit that we receive.

I would further add that...

● (1150)

Mr. Peter Julian: Excuse me, but I'm going to interrupt you. What I asked was if you had assessed the total value of those broadcasting rights. I understand that you have not.

[English]

I want to move on to another issue. Who, within the organization of Canada Soccer, is entitled to business class? Is this something that goes only to certain executive members? We've been hearing that our women's and men's teams have travelled in economy.

Finally, is it true that there have been special gifts provided to members of the leadership team?

Mr. Earl Cochrane: I can answer that question, Madam Chair.

The Chair: You are over time, but if you can give me a very quick answer, I'll allow it.

Mr. Earl Cochrane: I can be as succinct as possible.

Gifts provided to the board of directors are somewhere in the range of about \$250 a year, and that is a Christmas gift. Generally speaking, what they receive are gifts related to Nike apparel and Canada Soccer branded apparel.

Business class flights are provided to our national teams who fly overseas. If a domestic flight is provided to our national teams, they fly premium economy. When our women's national teams flew to Australia and Brazil, the entire team flew in business class.

The Chair: Thank you very much, Mr. Cochrane.

That ends our first round. We now go to the second round. It's a five-minute round.

Once again, I would like everyone to please be as concise as possible in your questions and answers.

We begin the second round with the Conservatives and Marilyn Gladu.

Marilyn, you have five minutes, please.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Thank you, Chair, and thank you to the witnesses for being here today.

I'll start with you, Mr. Cochrane.

Have you had any meetings with Minister of Sport St-Onge about safe sport?

Mr. Earl Cochrane: I haven't had any in-person meetings with the minister, but we've had several conversations over the last few months about safe sport, yes.

Ms. Marilyn Gladu: What kinds of concerns did the minister express?

Mr. Earl Cochrane: Initially, the concerns were more about our involvement with the OSIC and the SDRCC, and about the creation of the independent third party. We were open and transparent with the minister and her office about our desire and intent to be a part of that body. We worked over the last several months of 2022 to make sure that was done, and we are now happily part of that group.

Ms. Marilyn Gladu: Thank you.

I'm very happy to hear your words today about how you want to make sure there is pay equity and equal support for women in sport, because the day we had them at committee was the day an announcement came out that there would be movement in that direction. I'm happy to see that.

I'm a bit disturbed. We received a brief that is currently being translated for the rest of the committee members, essentially from whistle-blowers who want name protection. The report is called, "Unequal and Unsafe: The Women's Game Under Canada Soccer". There are a lot of ugly allegations in it.

What I want to focus on, which we've seen in other sports, is sexual abuse that was not managed well. As I'm sure you're aware, there were numerous allegations against a Bob Birarda in 2008. Subsequently, he was charged in 2022, in B.C. He left your organization and went to coach provincially.

I want to understand how it could possibly happen that there were these allegations against this guy, and the board knew it in 2008 and let him go to another provincial organization and continue coaching girls.

● (1155)

Ms. Stephanie Geosits: Madam Chair, I can respond to the member's question.

That is referencing the case around Bob Birarda. As you described, there were failures and gaps at Canada Soccer at that time that allowed him to continue to coach.

Quite recently, within the last two years, Canada Soccer commissioned the McLaren report, an independent study to identify the gaps around this incident for Canada Soccer. Going forward, measures will be taken to ensure not only that this type of situation doesn't happen again, but also that Canada Soccer is better prepared to educate everyone within the soccer system and improve its safe sport practices. Those recommendations have been actioned by both the board—when it came to policy—and the operations teams. It has resulted in the creation of a safe sport roster and work with Allison Forsyth and ITP Sport.

Mr. Cochrane can correct me, but I believe there is an update, due to be released today, on how Canada Soccer has fared in complying with all those recommended steps.

Ms. Marilyn Gladu: That's very good. I have one other question for Mr. Cochrane.

You mentioned the deal with CSB is a bad deal because, obviously, they get to make all the money from all of the franchised team paraphernalia.

How are you going to get out of this deal?

Mr. Earl Cochrane: To clarify, I didn't say it was a bad deal. I said it was a deal that required some modernization.

Quite frankly, when I took over the position I am in now, the Canadian Premier League and the CSB had just hired a new CEO at the same time. The moment he arrived, the two of us began having discussions about how we could modernize this agreement to further deliver some of the things they've been delivering for the previous four or five years—modernize it in such a way that it would be a benefit.

The Chair: Thank you very much, Mr. Cochrane.

We'll now go to the Liberals and Lisa Hepfner.

Lisa, you have five minutes.

Ms. Lisa Hepfner (Hamilton Mountain, Lib.): Thank you, Madam Chair. I'll pick up with Mr. Cochrane again, if I may.

Mr. Cochrane, I noticed that you professed a lot of respect and admiration for the members of the women's team during your opening statement. However, when they testified before us here, a couple of weeks ago, we heard that they don't feel respected by Canada Soccer and that they don't have confidence in Canada Soccer or faith that it's there to support them.

I'll read you a particular quote that stood out to me. Christine Sinclair said:

On a personal note, I have never been more insulted than I was by Canada Soccer's own president, Nick Bontis, when we met with him last year to discuss our concerns. I was tasked with outlining our compensation ask on behalf of the women's national team. The president of Canada Soccer listened to what I had to say. He then, later in the meeting, referred back to it as, "What was it Christine was bitching about?"

Would you respond to that comment? I don't know whether you were there. How do you react to hearing how she was treated during that meeting?

Mr. Earl Cochrane: Of course, if any of my colleagues would like to chime in.... However, I'm more than willing to start.

Christine Sinclair is a legend in our sport. She represents the best of what we are and the best of women's sport on the global stage. On behalf of Canada Soccer, I can assure the committee—and all Canadians, at the same time—that what was said and commented on does not represent how we view Christine Sinclair or the esteem in which we hold her.

I'm not sure whether Stephanie or Paul-Claude wants to add to that.

• (1200)

Ms. Stephanie Geosits: Yes.

As a board member, I can say that comment was unequivocally out of line and contrary to our values, which include respect. It was devastating to hear that comment directed at Christine or anyone else. The Canadian soccer community has values we are to live every day. The treatment of anyone in that manner is not okay or acceptable, and it flies in the face of what we stand for.

I was not party to the conversation referenced, but I was certainly taken aback and agree with Mr. Cochrane that Christine and her teammates are not only phenomenal, globally recognized soccer players but also role models. They need to be treated with the respect accorded to them.

To go back to my—

Ms. Lisa Hepfner: Thank you for that answer.

Moving on, Mr. Cochrane, you mentioned also that both teams will be paid the same regardless of their gender identity, but what we heard from the women's team players as well is that it isn't just about their own pay, but about equity in the way their teams are able to develop and the way young people in the sport are able to develop. They were talking about things like having enough staff, enough training and enough medical personnel, and having a professional league they can aspire to play in. Can you respond to those complaints?

Mr. Earl Cochrane: I can respond by saying that we have provided and will continue to provide our national teams with all the resources available to us to be successful. As I mentioned in our opening comments, we haven't been perfect, and we understand and recognize that we have made mistakes. When we make them, we try as quickly as possible to rectify them, and we did so after the meeting in Orlando to recognize some of the issues and some of the gaps that were existing that we needed to close. Immediately following that meeting, we held a board meeting to make sure the board was aware of the incremental spend that was going to be required to get the national team to a state where they were comfortable and felt like they were going to be successful.

What I will say, too, with regard to the professional league comment, is that about a year ago today, we engaged and hired a head of women's professional soccer to help drive this conversation forward. As this committee knows, Project 8, which is led by one of our former alumni, Diana Matheson, is looking to launch a league in 2025. We have met weekly with that group to ensure they are prepared to meet the criteria for membership but also the criteria to be able to run a league and sustain it in our country. We'll continue to work with them to make sure that's a reality.

The Chair: Thank you very much.

We go to Monsieur Lemire now.

Sébastien, you have two and a half minutes, please.

[Translation]

Mr. Sébastien Lemire: Thank you, Chair.

How can you claim to have successfully developed women's soccer when you are about to leave them in the same boat, in the end? We are still seeing pay inequity and a lack of resources for preparation and the training centre. Moreover, the proposal for a collective agreement for the national teams was made on the very morning that representatives of the women's team were here to testify, before this very committee, as they so courageously did. I say to you in all sincerity, what you did is akin to a tackle and deserves a yellow card.

Now, have the amounts owed been paid in accordance with the timelines set forth in the agreement with Canadian Soccer Business? Have there been any defaults on payments?

Would it be possible to provide us with all the reports? We would like those to be sent here, to the Committee.

[English]

Mr. Earl Cochrane: If I could respond through you, Madam Chair, the commitment that we made to pay both of our national teams equally was started in January 2022, when we first met with the women's national team. In June 2022, the offer we put in place before the two national teams was all about pay equity, and it meant real equal pay, not percentages.

What it also committed to was finding an opportunity to equalize the high-performance environments they live and breathe in. That was the goal and the design. For the better part of eight to nine months, we had been negotiating in good faith and hadn't made, sometimes to the detriment of our association, any public comments—

• (1205)

[Translation]

Mr. Sébastien Lemire: The question I asked was whether you had received reports from Canadian Soccer Business and whether you had indeed received the amounts. Can you report back to us on that?

[English]

Mr. Earl Cochrane: If I can get the exact things you're ultimately looking for, I'll be happy to provide them.

[Translation]

Mr. Sébastien Lemire: Thank you.

Can you also send us the assessment of your agreement that confirms your status as an amateur sport association recognized by the Government of Canada? Do you have a legal opinion confirming that everything is in order?

[English]

Mr. Earl Cochrane: Yes, we have all of those opinions about our status and our tax status as a registered amateur sport organization, and we're happy to provide them to the clerk and to the committee when available.

[Translation]

Mr. Sébastien Lemire: Thank you.

[English]

The Chair: Thank you very much.

Now I will go to Mr. Julian.

Peter, you have two and a half minutes, please.

[Translation]

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

On a sadder or more tragic note, I would say that Canada Soccer also deserves a red card when it comes to the protection of both male and female players across the country. Just look at the case of Bob Birarda, a sexual predator. For years, he was not prevented from being involved with Canada Soccer at various levels of the organization.

What lessons has Canada Soccer learned from that case?

[English]

My question is very simple. These egregious cases of sexual abuse are something that Canada Soccer needs to take seriously. How many complaints are currently being investigated by Canada Soccer, and how are those complaints being investigated?

Mr. Earl Cochrane: The incident and the investigation that took place in regard to Bob Birarda, which I believe the member is referencing, is the only case we have had as a national body.

I believe we have done a very good job over the last couple of years, and after the recommendations that were made by the McLaren report, we'll go even further than required within the document itself. We will make this the safest sport possible.

There was a reference made to how Mr. Birarda was able to continue coaching. Again, I'll make it very clear that this was a 2008 incident that we investigated just last year and that made the McLaren more final, but there is a general misinterpretation of what a licence is and the control that Canada Soccer had at that time over the ability to control coaches. People generally equate a coaching licence with a driver's licence, for example, which is—

Mr. Peter Julian: Sorry. I hate to interrupt, but I have only a few seconds left.

I've asked how many cases are being investigated and how they are being investigated. That is my question.

I find it stretches credibility to say that there are no cases to be investigated, given the size and scope of Canada Soccer across the country. How many cases are being investigated, either at the provincial level or nationally, and how are they being investigated?

The Chair: You have 15 seconds, Mr. Cochrane.

Mr. Earl Cochrane: There are zero cases currently being investigated nationally.

As of March 1, 2023, we are now a part of the independent third party investigative body, so the question would have to be asked of them.

Provincially, I don't know the answer, but I can certainly get it for you.

The Chair: Thank you very much.

Now we go to the Conservatives, and we have Mr. Shields.

You have five minutes, Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Thank you, Madam Chair, and thank you to the witnesses for being here today.

That's why we also need a past president to be here for some of the answers.

Words matter, Mr. Cochrane. When you said that you got the board together to see how you were going to make the women's team more successful or to make it successful, that is a negative thing, because they are successful and have been for many years, so be careful with what you say with your words. They matter.

You also said that they're paid per match. I've been involved in sports a long time. Those organizations that are responsible for organizing matches can really make a difference. Some teams get to play a lot of matches, and some teams don't.

How are you going to take it upon yourself to make sure the women's team get paid equally because they play as many games?

• (1210)

Mr. Earl Cochrane: Again, I don't think I ever made the reference that I am going to make or we're going to start to make the women's national team successful. We acknowledge that they have been successful and have been successful for decades.

Mr. Martin Shields: You just did a minute ago.

Mr. Earl Cochrane: Well, if I did, it was a mistake. I certainly didn't mean that, and I know that the women's team would know that I don't think that at all.

Second, to your question, generally speaking—with the exception, perhaps, of 2021 and 2022, when the World Cup qualifying campaign for the men was prolonged due to some cancellations in 2020 following the COVID-19 pandemic—our women play around the same time. We don't have the ability to dictate when our men and women play.

We operate within FIFA-mandated international windows, and there are, generally speaking, five to six of those windows available in any given year. Those windows are about 10 to 12 days long,

which would mean that over the course of a calendar year, our men and women are with us, Canada Soccer, for anywhere between 15 and 60 to 70 days.

The other days, so the 80%, they participate with their professional clubs.

Mr. Martin Shields: Yes. Thank you, sir.

How many players are there in Canada's minor soccer system? How many players do you collect the \$9 from?

Mr. Earl Cochrane: That number is anywhere between 750,000 to about 800,000.

Mr. Martin Shields: That means you get \$9 for each one of those.

Mr. Earl Cochrane: That is correct.

Mr. Martin Shields: Thank you.

Now, when we talk about the contract that says.... There's no clause in it, the original agreement, to allocate for a growth element. Is this part of the contract that you don't call bad, but that needs to be modernized, where there's no growth contract in it?

Mr. Earl Cochrane: As I identified in the opening statement, and I believe as I said at some point during this meeting, that is one of the elements that we need to discuss with Canadian Soccer Business to modernize.

There are two elements of the existing deal that we would like to see adjusted, and those are, one, the ability for us to reap the rewards of the success of our national teams and the organization, and to benefit from incremental revenue. The second is to address—in some way, shape or form—the term.

Mr. Martin Shields: If CSB and CPL are two legal entities, if for some reason CPL folded next year for financial reasons, would CSA have to continue honouring the CSB representative agreement, and where would the money go?

Mr. Earl Cochrane: Sorry, Madam Chair, there was a brief delay. I didn't hear the question.

Could you repeat the question, please?

Mr. Martin Shields: You have the CSB and you have the CPL. If the CPL doesn't function, if it dissolves, where does the money go?

Mr. Earl Cochrane: Madam Chair, the CPL is a member league of Canada Soccer, and Canadian Soccer Business, CSB, is the agency that delivers the marketing and broadcast assets of the association.

If, for some reason, the CPL were not in existence, the relationship and the contract would still exist with Canadian Soccer Business.

Mr. Martin Shields: They would still be paying it?

Mr. Earl Cochrane: That's my understanding, but I would have to look at the contract in detail to understand how the dissolution would occur.

Mr. Martin Shields: It's very interesting. The last point I'll make is that now you're going to be, shortly, having a meeting with the players and going through all the information. That was something they brought up with us, so that's happening now.

Is that a consequence of their meeting with the parliamentary committee?

Mr. Earl Cochrane: It is not. We have had several sessions with both the men's and the women's national teams. This was a previously arranged and scheduled session that we had. We're having it later this afternoon.

In July 2022, we also had a session with Canadian Soccer Business and our women's national team, to walk through the agreement itself. That session was approximately an hour and a half, where the women and their counsel, and their representatives, had the opportunity to ask questions about that agreement.

• (1215)

Mr. Martin Shields: Thank you, Madam Chair.

The Chair: Thank you very much, Mr. Shields.

Now I go to the Liberals, with Anthony Housefather.

Anthony, you have five minutes, please.

Mr. Anthony Housefather: Thank you very much, Madam Chair.

I'm just going to start by reminding everybody where we were.

Motion M-37, adopted at the meeting of November 30, 2018, makes very clear that the March 2018 preliminary agreement by the board to sign the document is no longer valid because the board reconsidered multiple times during the year. On November 30, they specifically asked the negotiating committee to come back to them, and said that they would then need to decide whether to approve it.

I think you have a significant governance issue if you're relying on a March 2018 date, and I suggest your board look at that.

You have asked us not to deal with the substance of the agreement at this meeting. You've asked for us to do that only in a private meeting, but you, yourselves, have offered terms of the agreement, unilaterally, at this meeting.

For example, Mr. Cochrane, you spoke of broadcasting rights, and you said that you are now receiving an annual amount for broadcasting rights.

What you didn't say, sir, is that it's an annual advance that can be recouped on broadcasting rights—in section 9.5 of the agreement.

Is it not true that the amount you spoke of is actually an amount that's an advance that can be recouped if CSB doesn't reach that amount for broadcasting?

Mr. Earl Cochrane: If I'm understanding your question correctly, you're talking about international broadcast rights. Is that correct?

Mr. Anthony Housefather: You said you were getting an annual amount for broadcasting rights and that it is an amount that can be recouped. It's an advance that CSB can recoup if the broadcasting rights don't reach that amount. Is that correct?

Mr. Earl Cochrane: I believe what is being referenced is the international broadcast rights and the amount of \$250,000 per year—or \$500,000. I can't remember the exact number.

Mr. Anthony Housefather: You mean under that section of the agreement, if you don't reach it.

Also, what you didn't say is that you've signed away to CSB national broadcast rights, and you get no monies for that. Is that correct?

Mr. Earl Cochrane: The amount that we receive for national broadcast rights, or have ever received for national broadcast rights, has been nil. We have never received any funding to help our game—

Mr. Anthony Housefather: Yes, that's correct, but if CSB sells national broadcast rights, it gets all the monies for it. Is that correct?

Mr. Earl Cochrane: That is correct.

Mr. Anthony Housefather: Okay. Let me ask you a question. Has CSB ever been in material breach of the agreement? My colleague asked you that, and you didn't answer. Has it ever failed to make payment?

Mr. Earl Cochrane: We had one situation in 2020, where there was a disagreement between the two parties, but we are managing that disagreement through the clauses within the existing contract. We are having discussions about that situation.

Mr. Anthony Housefather: However, theoretically, at one point they were in material breach of the agreement, and you could have terminated the agreement had you wanted to.

Why did you sign an agreement that included sponsorship and broadcasting rights for the women's team with an organization that was providing money to the Canadian Premier League but not to any corresponding women's league?

Mr. Earl Cochrane: Just to confirm.... I did not sign the agreement. I was not a part of the negotiations of that agreement, but I am living with—

Mr. Anthony Housefather: I don't mean you, personally, Mr. Cochrane. Canada Soccer signed the agreement. Mr. Reed signed the agreement. The agreement, again, was with an organization that funds a men's league but doesn't fund a women's league. However, the women's team was a core asset that you included in the agreement. Why did you do that? Why didn't you save the women's team for somebody who would fund the women's league?

Mr. Earl Cochrane: Madam Chair, the agreement we signed with Canadian Soccer Business was for it to sell the assets of our association, as well as the assets of the Canadian Premier League. While it was not included in the agreement for a women's league to be developed, it was my understanding that it was always in the mind of Canadian Soccer Business to ultimately create a women's league.

Now that there is a women's league on the horizon, the focus for us now is to help that organization to not only meet membership but set the criteria for them to be able to be sanctioned and to be successful and sustainable when they kick a ball in 2025.

Mr. Anthony Housefather: That's a good thing.

Let me come back to the agreement. Why did Canada Soccer agree to a term of the agreement that could be renewed for 10 years only unilaterally by CSB? Why would you have allowed CSB to unilaterally determine, after 10 years, whether or not the agreement would be extended? That's a very unusual clause. Why would you have agreed to that?

• (1220)

Mr. Earl Cochrane: As someone who wasn't a part of those discussions, I would probably prefer to have my colleague from the board, Monsieur Bérubé, answer.

The Chair: Please be brief, Mr. Bérubé.

[*Translation*]

Mr. Paul-Claude Bérubé: Yes, Madam Chair.

The agreement spanned a number of years. From our perspective, this provided financial security for all the years covered by the agreement. So it was clearly in our best interest to sign a long-term agreement immediately.

For its part, Canadian Soccer Business was accepting a financial commitment and risk, and did not know whether that financial risk would increase or decrease over the years. Therefore, the agreement included a clause allowing Canadian Soccer Business to withdraw from the agreement after 10 years. Originally, Canadian Soccer Business was primarily investing the funds we needed to develop a Canadian league.

[*English*]

The Chair: Thank you, Mr. Bérubé. The time is over.

Now we're going to a third round. I'm going to cut the third round down so that there will be four minutes for the people who are given a big round and two minutes for the Bloc and the NDP.

I'll begin with the Conservatives for four minutes, please.

[*Translation*]

Mr. Sébastien Lemire: Chair, it is 12:21. Why are you curtailing the members' speaking time?

[*English*]

The Chair: It's because everyone goes over time, so I'm adding that because we need to stop at about 47 minutes before so that we can do our 15-minute meeting. I am factoring in the fact that, in every question and answer, people have gone over time.

Thank you.

Now four minutes go to the Conservatives. Go ahead, Kevin, for four minutes.

Mr. Kevin Waugh: Thank you, Madam Chair.

You know, this deal with Canadian Soccer Business has absolutely handcuffed the Canadian Soccer Association. I think if you look at the deal that you supposedly signed, although we don't see any indication of that, you've extended it maybe even to 2037, and that's why the women were upset when they came here and talked about it. Canadian Soccer Business right now controls Canadian soccer, from the agreement that apparently was made, and people are seeing this.

Mr. Bérubé, you were there. Was there ever a vote on this? Was there ever a vote taken on the agreement with Canadian Soccer Business?

[*Translation*]

Mr. Paul-Claude Bérubé: Yes, absolutely.

To begin with, I should mention that for 2018, when the agreement was reached, we had \$1.4 million from various sponsors. We then had the opportunity to receive a minimum of \$3 million per year from CSB. So, at that time, the deal was good for us, if only in terms of numbers.

Now, I've mentioned this before and I'll say it again with great pleasure: Yes, we authorized this agreement on March 27, 2018 through a resolution passed unanimously by the Board members. In addition, we requested that certain changes be made...

[*English*]

Mr. Kevin Waugh: Mr. Bérubé, I'm running short of time here. I would ask you to table the deal in confidence with us, the committee members, if you could....

You already have. Okay.

The other question I have is about the \$9 registration fee and \$7 million coming in annually to the Canadian Soccer Association. Where does the money go? Do you have a slush fund, like hockey did? If so, how many slush funds?

You know, Mr. Cochrane, we sat here last June, surprised to find these slush funds. Your numbers are 750,000 to 800,000 registrations. Given your \$9 registration fee, are there any slush funds associated with Canadian soccer?

• (1225)

Mr. Earl Cochrane: There is absolutely no slush fund that Canada Soccer has that in any way, shape or form is anything like you just described. Where does the money go? Canada Soccer and all the revenue we generate goes into delivering the game in this country, delivering a forward-looking sport. It goes to our national team programs, our youth national team programs, our coaching development, referee development and safe sport. All the aspects that come with governing a sport, and a global sport, in this country—those are where all the money and resources go.

Mr. Kevin Waugh: Okay. I have maybe a minute left.

There's talk that FIFA will give us another game in 2026. How much money will Canada Soccer get from the games in Vancouver and Toronto in 2026, and the talk of an extra game in this country, if that's what's been approved? Do you get any money whatsoever from hosting the two or maybe three games in 2026, or does it all go elsewhere?

Mr. Earl Cochrane: It is unknown what Canada Soccer will receive from those games. Just to correct the record and the member, we're not talking about one or two games. We're talking about 10, 12 or maybe 15 games over the course of the 104-game World Cup.

The Chair: Thank you very much.

Now we will go to Anthony Housefather.

You have four minutes, Anthony.

Mr. Anthony Housefather: Thank you, Madam Chair.

Coming back to the agreement, gentlemen, I keep hearing about this March 2018 approval date. A March 2018 approval date doesn't hold water when your November board minutes show that the board was waiting on approval, and obviously that approval is no longer valid.

Let me just go to this question. Normally, in an agreement of the type of the CSB deal, you wouldn't have just a fixed amount. You'd certainly have a guaranteed amount that you would have negotiated, a minimum guaranteed amount, but then you would make provision for escalation in the event that, for example, the women's team won the Olympics, or in the event that the men's team qualified for the World Cup. That's not part of this agreement, though, and it has confused a lot of people.

Can you explain why you didn't provide for escalations in the event of better performance by the national teams, and can you do so in a very brief way, please?

Mr. Earl Cochrane: I'll let Paul-Claude answer the board-directed question.

From my perspective, what I said in the opening and numerous times throughout the questioning of this committee is that our goal is to have those discussions about how we can share in some of the upside and success of our national teams.

Mr. Anthony Housefather: You didn't provide for it in the agreement. Who did the shoddy negotiation of the agreement? Who is the person we should call to ask questions about this agreement from the Canada Soccer perspective?

Is it Mr. Bontis? Is it Mr. Reed? Who is it?

Mr. Earl Cochrane: I will have to refer that question to a member of the board who was there at the time.

[*Translation*]

Mr. Anthony Housefather: Mr. Bérubé, do you know who on the Board was responsible for negotiating the contract?

Mr. Paul-Claude Bérubé: A select committee was established to proceed with negotiating the terms of the contract. Board members were informed of the outcome of these negotiations and gave their approval...

Mr. Anthony Housefather: Mr. Bérubé, who was on that team? What are their names?

Mr. Paul-Claude Bérubé: Are you asking me to name the people who sat on the select committee?

Mr. Anthony Housefather: Yes.

Mr. Paul-Claude Bérubé: I can give you a few names that come to mind, but we could—

Mr. Anthony Housefather: If you don't have the names right now, please provide them to the Committee.

[*English*]

What is Canada Soccer's position on the appointment of Brazilian Victoria's Secret model Adriana Lima as FIFA's fan ambassador in the lead-up to the women's World Cup?

Would Canada Soccer believe that a men's Calvin Klein underwear model would be a good fan ambassador for a men's World Cup?

She's never played soccer. Why would she be chosen as a fan ambassador for the women's World Cup? Isn't that demeaning to the women players that Canada and other teams put on the field?

Mr. Cochrane, does Canada Soccer have a position on that?

Mr. Earl Cochrane: It's actually the first time I'm hearing this reference. As it is described, I believe that those days of presenting the women's game in the way that you just described should have been long gone.

Mr. Anthony Housefather: Thank you. I appreciate that.

FIFA has announced that. It has gotten some extensive press. I hope Canada Soccer's board will take a position on that.

What is Canada Soccer's position on bringing in Visit Saudi as a key sponsor of the women's World Cup, despite Saudi Arabia's appalling record on women's human rights?

• (1230)

Mr. Earl Cochrane: Through you, Madam Chair, I believe that Visit Saudi is no longer in consideration for a sponsorship. My understanding was that despite the fact that they were looking to invest significant amounts of money into that tournament, it was recognized, and the voices of the women players made sure that didn't happen.

Mr. Anthony Housefather: I have one last question.

When Mr. Bontis was president of Soccer Canada, he also became a vice-president of Concacaf, which led to an estimated payment of over \$125,000.

Did he declare a conflict of interest at the board meetings? Did the board ever ask him to recuse himself on matters related to Concacaf?

The Chair: It has to be a very quick answer, Mr. Cochrane.

Mr. Earl Cochrane: Yes, Madam Chair, thank you.

I don't know whether the discussion was disclosed at the board meetings, but there was no correlation between his appointment with Concacaf and his position as the president of Canada Soccer. Those are two separate—

The Chair: Thank you very much. The time is up.

I'm now going to move to Mr. Lemire.

You have two minutes, please.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Chair.

Can you provide us with details of the expenditures and revenues? I'm talking about the money that came in and how the money was spent on the Own the Podium program, particularly on the women's teams, which were funded, and the public funding that you received from Sport Canada.

Has Bob Birarda now been suspended for life because of sexual offenses committed within your organization?

[*English*]

Mr. Earl Cochrane: Yes, Bob Birarda has been suspended post his conviction.

[*Translation*]

Mr. Sébastien Lemire: In your 2018 to present financial statements, which by the way are very difficult to find on your website, Note 8 mentions a lawsuit filed by an athlete from Alberta.

Are you facing any lawsuits from athletes for abuse, mistreatment or any other reason?

Have you fulfilled your fiduciary obligations towards soccer in Canada and informed Sport Canada of this situation? If so, on what date and in what manner did you proceed?

[*English*]

Mr. Earl Cochrane: I had a very difficult time understanding the beginning. It was a reference to a case in Alberta, if I'm not mistaken.

[*Translation*]

Mr. Sébastien Lemire: In your financial statements from 2018 to present, there is a Note 8, which refers to a lawsuit from an athlete in Alberta.

Are you facing any lawsuits from athletes for cases of abuse? I'm asking because you said earlier that you were not.

[*English*]

Mr. Earl Cochrane: I have no understanding or recollection of the case that is being referenced. I can certainly look into it and provide information to the committee on whatever I find.

The Chair: Please do that, Mr. Cochrane. Please send it to the clerk.

You have 30 seconds, Sébastien.

[*Translation*]

Mr. Sébastien Lemire: This is my last question.

We often hear about Canadian Soccer Business, which has a voice on your Board of Directors.

How independent is the Canada Soccer organization from Canadian Soccer Business? Does a member of Canada Soccer sit on the Canadian Soccer Business Board of Directors? Have you declared any conflicts of interest?

[*English*]

The Chair: Please be very precise with your answer, Mr. Cochrane.

Mr. Earl Cochrane: I believe that Monsieur Bérubé is trying to answer, but he's on mute.

The Chair: I'm sorry, Mr. Bérubé, but we have now gone 12 minutes over. Please give a very short answer.

[*Translation*]

Mr. Paul-Claude Bérubé: I apologize. I will respond quickly.

There are no Canadian Soccer Business board members serving on our Board of Directors, nor are any members of our Board of Directors serving on the Canadian Soccer Business Board of Directors.

[*English*]

The Chair: Thank you very much. I will now go to Mr. Julian.

Peter, you have two minutes.

Mr. Peter Julian: Thank you, Madam Chair.

We're getting information in as we speak, as we question you, that contradicts some of the testimony we've heard. I asked earlier about gifts to the board of directors. The response was no.

Can you confirm that over \$11,000 was provided in bespoke suits to members of the board of directors, as reported by Rick Westhead on October 21, 2022?

• (1235)

Mr. Earl Cochrane: Yes, the member is correct. In 2021, suits were provided to the members of the board of directors to replace suits that had been provided to them 10 years prior. For 10 years they had worn the same suit.

Mr. Peter Julian: Thank you for that. I have to move on.

We also talked about Canada Soccer's financial reports. Jay Fitzsimmons tweeted, "As a...soliciting non-profit corp, Canada Soccer must file financial reports, posted online via Corporations Canada. But the reports ain't there."

Hockey Canada had a similar situation. Like Canada Soccer, Hockey Canada is a soliciting non-profit corporation. Like Canada Soccer, its financial reports weren't posted on Corporations Canada until Hockey Canada came under scrutiny, and suddenly nine years of financial reports were uploaded at once, in October 2022.

As a committee, we would like to hear from Canada Soccer as to when it is going to post its obligatory financial reports. We would also like to hear from Canada Soccer about any other responses that have been provided but that have not been fulsome.

The reality is that Canada Soccer has a responsibility to be transparent. What I would suggest is that some of the contradictory answers and some of the stonewalling that we've heard today is not appropriate for Canada Soccer and for the hundreds of thousands of people who are involved in soccer.

You are accountable for transparency.

I hope that the next time representatives of Canada Soccer or people who have been involved with that organization testify before our committee, they will provide answers that are true, accurate and complete.

The Chair: Thank you very much, Peter.

We go to the Conservatives for four minutes.

Is anyone taking this?

Mr. Martin Shields: Thank you, and thank you to the witnesses who are here. I appreciate it.

To follow up, in the sense that it has been questioned whether you approved this particular agreement, it has been stated numerous times that the March agreement wasn't an official agreement but that it was later in November. Do you have any documentation that can support your position versus the one that we have asked about here?

[*Translation*]

Mr. Paul-Claude Bérubé: I will gladly answer the question.

The agreement was unanimously approved by Board members on March 27, 2018, through a duly passed resolution. Furthermore, we requested amendments to the agreement, so it was conditional. At the end of it all, which was in December 2018, the Board members spoke informally, over the phone, and we were assured that the various requests that were made had been met. The agreement was signed on January 1, 2019.

In short, yes, the agreement was approved.

[*English*]

Mr. Martin Shields: Are there no formal minutes of a vote to approve it with the amendments you agreed to?

[*Translation*]

Mr. Paul-Claude Bérubé: The vote took place on March 27, 2018. To my knowledge, there were no subsequent votes.

[*English*]

Mr. Martin Shields: You said that there had been a phone call agreeing to the amendments in December, but there are no recorded minutes of that vote, or there was no vote in December, just an agreement to those amendments. There were no minutes of a final vote on the amendments that had been agreed to.

[*Translation*]

Mr. Paul-Claude Bérubé: There was no final vote on the agreement. The agreement had already been approved, and the changes that had been requested were secondary. As far as all the important conditions were concerned, everything had already been agreed upon. In December 2018, during the conference call, Board members were not required to formally vote. It was simply a matter of ac-

knowledging that the agreement could be signed, which was done on January 1, 2019.

● (1240)

[*English*]

Ms. Marilyn Gladu: I have one final comment. We've heard many words here today about how the organization wants to move ahead. The McLaren report had huge actions that you say you've actioned, but the whistle-blower briefs that we've received say there are still serious issues at Canada Soccer.

This committee will be looking into this further, and we can expect to come back to see that things actually do change there.

The Chair: Thank you, Ms. Gladu.

We're going to go to Mr. Housefather. for four minutes, please.

Mr. Anthony Housefather: Thank you very much, Madam Chair.

One of the questions I had for you related to the reopening of nominations for the post of president. There have been a number of comments about the fact that Mr. Bontis resigned at a time when it made it almost impossible for anybody to come forward to seek the position of president other than Ms. Crooks.

Has the timing for nominations been reopened?

Ms. Stephanie Geosits: According to our bylaws, the vice-president shall take on the role of acting president until the annual members meeting. In our case, that will be in early May.

The nominations committee has posted a call for nominations for both the officer positions, vice-president and president, as laid out in our bylaws. That call for nominations has gone out, and the nominations committee is accepting nominations for those two positions, which will be voted on at the AMM in May.

Mr. Anthony Housefather: One of the areas that seems to be lacking in Canada Soccer is the fact that the national teams don't have representatives on the board. In other sports, there are athletes' councils that represent athletes. I don't see that in Canada Soccer.

Are you considering changing your bylaws, or recommending, in terms of the nominations committee, that somebody representing the national teams comes on to the board?

Ms. Stephanie Geosits: Actually, that is not the case.

In our bylaws, we have mandated that a former member of a national team be on our board. We have Brittany Timko Baxter, who was elected two years ago. She is an independent director, and that provision is now entrenched in our bylaws.

Mr. Anthony Housefather: I understand, but I didn't say a former member of a national team, I said a current member. Alternatively, would you consider setting up an athletes' council, through which the current athletes would feel they have some representation, as we now have, for example, at Swimming Canada.

Ms. Stephanie Geosits: That is an excellent point. As I referenced, our need to improve our stakeholder engagement is something that we are exploring. We are working with the athletes on the national teams to have better lines of communication.

It's a yes to that.

Mr. Anthony Housefather: Thank you.

One of the things that also came forward was the lack of disclosure of the CSB agreement to the national teams. Will you commit to disclosing in full—not through a briefing—the terms of the agreement to the national team?

It would be in confidence, I assume, but it's already been leaked everywhere anyway.

Mr. Earl Cochrane: That is absolutely the case.

We will not just do what we did in July 2022 for the women's national team, which we've offered to do for the men's national team. We will continue to engage our national teams as we go through the discussions about what the new agreement may or may not look like, and involve them in deep discussions around what the ramifications of that are.

Mr. Anthony Housefather: Lastly, this is a question that didn't come up today, but I think it's been puzzling everybody.

Last year, a lot of money was spent on the men's team because of the World Cup and qualifications. I understand that. You spent a disproportionate amount on the men's team last year. You can't expect in World Cup years that it's going to be equal.

However, it seems like you borrowed from resources to fund the men's team. This year, you find yourself short on funds and unable to spend a commensurate amount of money on the women's team.

How did that happen?

Mr. Earl Cochrane: The member is correct. We invested significantly in our men's national team and our women's national team in 2022. With the resources available to us in 2023, we have put forward a program and a plan to make sure that our women are successful in Australia and New Zealand. That discussion with the women's national team staff and support staff has put them in a position in which they feel they can be successful, given the changes we've made.

• (1245)

The Chair: Thank you, Mr. Cochrane.

That brings an end to the witness testimony today, and the questions and answers.

I want to thank the witnesses for coming and answering the questions.

I would like to suspend for about a minute, so that the witnesses can log off and we can continue with our meeting for the next 15 minutes.

Thank you.

• (1245)

(Pause)

• (1245)

The Chair: I call the meeting back to order. We are ready to continue the business meeting now, for 15 minutes.

Ms. Thomas, you have the floor.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you, Madam Chair.

I realize that the business meeting has been called in order to discuss motions that have been presented to this committee. I was hoping to move a motion at this time, of which notice has been given.

The Chair: Thank you.

Go ahead, Ms. Thomas, please.

Mrs. Rachael Thomas: Thank you.

The motion that I was hoping we could pass—of course, my hope is that we can do it quite quickly—is this:

That, pursuant to the order of reference from the House dated Wednesday, February 15, 2023, the committee invite the Minister of Canadian Heritage to appear for no fewer than two hours regarding the Main Estimates 2023-24, and that this meeting take place as soon as possible, and no later than May 31, 2023.

Given that this is a customary practice, I present this motion to the committee for consideration.

The Chair: Thank you.

The committee has heard the motion.

Is there anyone who is opposed to the motion who wishes to speak?

Mr. Peter Julian: I think it passes unanimously, Madam Chair.

(Motion agreed to)

The Chair: Thank you very much, Peter.

The motion passes unanimously.

Now we will move on. I think there is another motion on the floor.

Thank you very much, Ms. Thomas.

Mrs. Rachael Thomas: Thank you, Chair.

The second motion that I wish to move is this:

That, pursuant to Standing Order 108(2), the committee invite the Minister of Canadian Heritage to appear for no fewer than two hours regarding the subject matter of the Supplementary Estimates (C) 2022-23, and that this meeting take place as soon as possible, and no later than April 30, 2023.

Again, this is customary practice.

The Chair: Thank you, Ms. Thomas.

I'm going to ask the question again.

Is there anyone opposing this motion?

Yes, go ahead, Peter.

Mr. Peter Julian: It's a question for Madam Thomas.

Would the idea be to have two separate appearances, or to combine the two appearances into one?

Mrs. Rachael Thomas: Thank you, Mr. Julian. I appreciate the question.

It would be customary that we would hear from the minister on each of these, so I am putting it forward as two separate motions and therefore two separate appearances.

The Chair: Thank you.

Is there anyone opposing this motion? If so....

If there's no one on the floor, Clerk, I think the motion passes unanimously.

The Clerk: Monsieur Lemire has his hand up.

The Chair: I'm sorry about that, Monsieur Lemire. Please go ahead.

[*Translation*]

Mr. Sébastien Lemire: I just want to ask if the Committee prefers holding two separate meetings, or if there is an opportunity to address both topics in a single two-hour meeting. I'm simply asking the question. I'm not a permanent member of the Committee, but in my opinion, one two-hour meeting might be sufficient to address both topics.

[*English*]

The Chair: Are you therefore moving an amendment, Mr. Lemire?

[*Translation*]

Mr. Sébastien Lemire: Yes.

[*English*]

The Chair: Because the motion on the floor is for four hours—two hours each—are you moving that we then go to two hours in total, with one hour each, Mr. Lemire?

• (1250)

[*Translation*]

Mr. Sébastien Lemire: Yes.

[*English*]

The Chair: All right. Is there anyone opposing that? If there's no opposition, I will call the question.

Mrs. Rachael Thomas: I'm sorry, Chair. On a point of order, I would seek clarification from the clerk. One motion has already passed, so I'm curious, then, if this motion were to be amended.... The other one still passed, so then you would have—

The Chair: Now we're speaking to an amendment to your second motion.

Thank you.

Mrs. Rachael Thomas: Right. Okay. You still have the first motion, and you have the second motion amended, is my understanding.

The Chair: I don't know if it's been amended. I don't know if everyone is unanimously supportive of the amendment or not.

Can I please get an indication? I see no hands up, so obviously....

The Clerk: Madam Chair, maybe I can clarify.

I believe there's a motion to amend the second motion in such a manner that it would be included as part of the motion that was already adopted—

The Chair: Yes, as part of the first motion.

The Clerk: —so that both of these would happen on the same day.

Ms. Gladu has her hand up.

The Chair: Go ahead, Ms. Gladu.

Ms. Marilyn Gladu: If this amended motion should pass, my concern is this. Whenever we ask the ministers, they always say that they're going to come for two hours and then, at the last minute, they say, no, you're going to get an hour with the minister and an hour with department officials. Let's just be clear that we really need to have the minister for two hours if we're going to combine these things.

The Chair: Thank you, Ms. Gladu.

Is there any further discussion?

If not, I will call the question on the amendment and on the motion as amended. It looks like this is unanimous.

(Amendment agreed to)

(Motion as amended agreed to [*See Minutes of Proceedings*])

The Chair: All right. This motion passes as amended....

Yes, Mr. Housefather. Please go ahead.

Mr. Anthony Housefather: Thank you.

The motion has passed and I'm going to another motion now, Madam Chair, if that's okay.

The Chair: Yes, thank you. Let me just finish saying that the motion has passed unanimously.

Thank you. It's for the record.

Go ahead, Mr. Housefather.

Mr. Anthony Housefather: Thank you so much.

Madam Chair, I want to put forward the motion. It's a very long motion, so I'm not going to read the entire thing. It's the motion I gave notice of yesterday and that the clerk has circulated.

[*Translation*]

In the French version, second bullet, the words “*et ont reçu l'ordre de comparaître devant le Comité*” should be deleted. I have already spoken to the Clerk about it. The rest is correct.

[English]

Basically, Madam Chair, we all saw what happened last week when Ms. Geremia was here. I don't think any of us were satisfied with the answers she gave, although I very much appreciate that Google has now agreed to send its two top American executives to us.

This motion is similar to what my colleague, Mr. Bittle, put forward. It's a motion about international ways that large companies are seeking to subvert parliamentary accountability. We're going to look at current and ongoing use of intimidation not only in Canada but around the world. We're going to learn from what happens around the world.

One meeting would be with Meta, and we would summon Mark Zuckerberg, Nick Clegg and Chris Saniga.

We would ask Meta to provide the documents that Google was asked to provide earlier, as set out in (i) and (ii), but we will not ask for third party documents. Parts of what were in Mr. Bittle's motion, (iii) and (iv), are gone. I've revised part two of his motion because Google has accepted to appear, so there's no need to order them to appear again. We're simply recognizing that Mr. Walker and Mr. Gingras will appear here for two hours at a publicly televised meeting and that it will be incorporated into the study.

We would hear from government officials, civil society and experts from other jurisdictions, like the European Union, Australia and also the United States, that have experienced tactics that are similar to what has happened in Canada. We note that the Department of Justice in the United States is taking antitrust actions against Google.

One meeting would be allocated to the study of tech giants' abuse of power around the world. We'd hear from domestic and international antitrust and competition experts.

Basically, this is a motion that I think would enable us to delve deeper into the international field. This is not only about Bill C-18. I think we can agree or disagree with Bill C-18 and still support this motion, because this motion speaks to larger issues of how very large companies use anti-competitive monopolistic tactics to seek to influence parliaments to meet their desires. This is not whether Bill C-18 is the right approach or the wrong approach. It's about how tech companies are tackling it and other similar laws around the world.

I hope we can find unanimous support for that motion.

I'm happy to listen to my colleagues.

• (1255)

The Chair: Thank you, Mr. Housefather.

We have Ms. Gladu, then Mrs. Thomas and then Mr. Lemire.

Ms. Marilyn Gladu: Thank you, Chair.

I have a couple of concerns about this motion.

First, we're asking for a huge number of these internal documents, memos, etc., to be delivered to the committee no later than March 31. About 90 days ago, I submitted an Order Paper question

to the government, trying to get a breakdown of the safe sport calls by organization. If they can't do that in 90 days, I don't know how these people are supposed to get the documents in this time frame. I think we asked for documents from Google previously and the same thing happened. They didn't deliver them. I don't know if that timeline is realistic.

That would be my first objection.

The Chair: Thank you, Ms. Gladu.

I will now go to Mrs. Thomas.

Mrs. Rachael Thomas: Thank you.

I want to acknowledge the fact that Mr. Bittle put forward a motion and it's now been replaced by this motion from Mr. Housefather. This motion is much more appropriate, so I appreciate that, but I still have some concerns. No doubt about it, Meta and Google certainly are throwing around their weight, and that is concerning. I think the Canadian public is somewhat concerned, and I think Parliament is concerned.

I also have a concern, though, with regard to this motion and the precedent it sets. Under (I)(b)(i), it is compelling that:

Meta Platforms Inc., and its subsidiaries, be ordered to provide: (i) All internal and external communications (including but not limited to emails, texts or other forms of messages) related to actions it planned to take or options it considered or is considering in relation to all Canadian regulation since January 1, 2020, including that under Bill C-18, including but not limited to, restricting the sharing of news content on its platforms in Canada.

This reaches beyond the scope of looking at Meta and its decisions with regard to Bill C-18. This is looking at its response to any government regulation or legislation.

I'd be curious as to Mr. Housefather's motivation behind that. I would also be curious with regard to the date, January 1, 2020. Normally, a date following an election would be chosen, or a date when the legislation, Bill C-18, was brought forward, which was April 2022. This date of January 1, 2020.... I'm curious as to why that one has been chosen.

Thirdly, if we're asking for "all internal and external communications", Meta could have been contacted, let's say, by a content creator or by a news outlet with regard to how Meta is going to respond to the government legislation. That correspondence, to my understanding, is scoped into this, so I am very concerned with regard to the implications this has for privacy and freedom of speech issues.

Furthermore, this will have an incredibly chilling effect, not only on the Canadian public, knowing that their words could be summoned, but also on businesses in Canada. Businesses need to be able to have conversations with regard to how they're going to respond to government legislation, and they should know that they're able to have those conversations internally without government surveillance. As soon as we start sending the message that it's okay for government to surveil or demand these types of communications, I think it puts a huge chilling effect on investment in this country, and I am very concerned about the precedent that sets for our nation going forward.

The Chair: Thank you, Ms. Thomas.

Mr. Housefather, would you like to respond? She's asking a question based on your motion, so can you clarify?

Mr. Anthony Housefather: Absolutely. I'm happy to try to answer these questions.

The first thing, with respect to you, Ms. Gladu, and the documents, in terms of delivery date, I'm flexible if somebody wants to put a later date in terms of delivery of the documents. I think it would be useful to get them during the course of the study. I think an Order Paper question is different from at committees, where we have asked the government to deliver documents, and when the government delivers, it has to be translated, which usually causes the delays. Here, we're not asking them to translate. They would just provide us whatever they have, and we would have to translate it. I don't think March 31 is out of range, but I'm happy if you feel you want to propose an alternative date, like April 15 or April...I don't mind.

On Mrs. Thomas's points, it's understandable. The first one relates to the scope of what we're asking for. I think this is equivalent to what we asked of Google, and we all unanimously approved the Google motion. If there's something in there that is beyond Google...

The reason I put January 1, 2020 as a date was that the Google motion had no date, it just said anything going back. I thought that you shouldn't have to go further back than that, and I arbitrarily put January 1, 2020, which I think was the first year we started talking about a bill like Bill C-18. Again, if there's an alternative date somebody wants to propose, I don't have a major issue with an alternative date. If it's January 1, 2021, versus January 1, 2020, I don't think I have a major issue with that.

Finally, in terms of the chilling effect, I think parliamentary committees frequently summon documents like this. Look at what was summoned from the WE Charity; look at what has been summoned from McKinsey at the OGGO committee; look at what we've summoned from sports federations, although they're a bit different. I don't think this is chilling, because again, number one, if there was a litigation—for example, the United States is taking antitrust action against Google—all these would have to be produced in the context of the litigation. Parliamentary committees in other countries, such as the United States, would summon documents like these relatively frequently, so I would again acknowledge there may be solicitor-client privilege and attorney-client privilege and litigation privilege that might attach, and if Google or Facebook

have those issues, they'll identify them, and I think the committee will be flexible in addressing them.

Since this was the language largely approved for Google, hopefully that's okay. I didn't want to go further and I didn't want to go less, but again, I'm open to talking to you about wording and being flexible.

• (1300)

The Chair: Thank you.

Ms. Thomas, your hand is up.

Mrs. Rachael Thomas: Thank you, Chair.

My return comment—and I understand what you explained and I appreciate that—is that, again, there are individual Canadians who will get scoped into this, and I do not believe that is the road we want to go down. Correspondence with any individual who may have contacted Meta with regard to Bill C-18 or any other government legislation—because it says “internal and external”—must be made known to this committee. I think that's a very dangerous precedent.

I would perhaps recommend, then, that we exclude communications that were with individuals or individual entities outside of Meta. I don't know why we would need to include that.

The other amendment I would move is that we would change the date from January 1, 2020, which seems arbitrary, and actually pick one that makes more sense: April 5, 2022, which is when Bill C-18 was tabled in the House of Commons.

The Chair: Thank you, Ms. Thomas.

Is that an official amendment, Ms. Thomas? Are you amending this motion?

Mrs. Rachael Thomas: Yes. To be clear, I would offer those as amendments: that private communications from individuals would not be scoped in, and also that the date would be April 5, 2022, which is when Bill C-18 was tabled in the House of Commons.

The Chair: Thank you.

Mr. Anthony Housefather: Madam Chair, on a point of order, can I make a friendly suggestion to my colleague?

I think what she wants to do is strike the words “and external”. I think the way it was worded would be very confusing. I think what she's proposing—and I'm not saying I agree, but I'm going to think about it—is to strike the two words. It would be “all internal communications” and strike the words “and external” and then change the date. I think that's what she's seeking.

The Chair: Yes. I think that's what she's seeking.

Is there any further discussion on the amendment that is proposed, which is changing the date and also removing the word “external”?”

The Clerk: We have Mr. Lemire and then Madam Gladu.

The Chair: Mr. Lemire, go ahead.

[*Translation*]

Mr. Sébastien Lemire: It's really the motion in general that I wanted to address. So we can finish the current debate and I will speak afterwards.

[*English*]

The Chair: Thank you.

Ms. Gladu, go ahead.

• (1305)

Ms. Marilyn Gladu: Mrs. Thomas actually suggested the amendment I was going to make. The only other one I was thinking about was amending when the documents are due, but let's just leave it where it is. They'll comply as soon as they can, basically.

The Chair: Thank you very much.

Now I'd like to see if there's anything new to discuss. We have an amendment on the floor.

Mr. Bittle, go ahead.

Mr. Chris Bittle (St. Catharines, Lib.): Thank you so much.

There's a lot of misinformation and disinformation coming from the tech giants through their intermediaries. We're addressing that here.

Who are we looking to protect here? We've already heard from one witness who acknowledged being an unregistered lobbyist, and that's what we're looking to protect. We're not looking at people who have engaged in friendly disagreements with the government. We're looking at people who have engaged in potential violations of the Lobbying Act, and that's what Mrs. Thomas's amendment is looking to protect.

This entire study is based on shady practices by Google and Facebook around the world. We're going to say, well, let's not look beyond the four walls of Google headquarters, where they've entered into communications potentially—maybe they haven't—with other individuals. That's the nature of it, and that's what we're looking for.

The Chair: Thank you.

Ms. Thomas, your hand is up.

Mrs. Rachael Thomas: I would clarify that Mr. Housefather is correct that what I would be looking to do is to simply make sure that individuals are not scoped into this legislation and that the charter rights of individual Canadians are respected. This means it is not up to the government to surveil what they have said.

In terms of Meta and Google, looking at their internal emails and anything of that nature, if that's what Mr. Bittle, Mr. Housefather and other members wish to do, I suppose that's their prerogative. However, at the end of the day, I would plead with the committee to please not put individual Canadians in a place where their commu-

nications, which were believed to be private, will now be subject to government surveillance.

The Chair: Thank you, Ms. Thomas.

Unless there is a new argument coming up, I would like to call the vote. Is there anybody opposed to calling the vote with regard to the amendment?

Yes, go ahead on the amendment, Mr. Housefather.

Mr. Anthony Housefather: Madam Chair, I have just one thing. I finally found the motion with Google, and it does speak to any and all internal or external communications, including but not limited to emails, texts or other forms of messages, and we did adopt that unanimously as a committee.

Again, I understand what Ms. Thomas is saying, and in order to get at unanimity...but I don't think that's what this means.

We removed all the third party stuff that was requested. This would be that “all internal and external communications” would mean communications related to actions it planned to take or considered taking on Canadian regulations. It's a back-and-forth with perhaps their publicist and others. Is she basically saying that she only wants to exempt individuals, or that she wants to exempt any communication with anybody?

Maybe we want to say “all internal and external communications, save and except direct communications with individual Canadians back and forth”, if that's what she wants to say, but we keep corporations and their external communications with corporations. Maybe that's a way to do it.

The Chair: Yes, go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Mr. Housefather, I still see a bit of danger in that, but if that is the amendment that the committee would receive, then I will accept that.

The Chair: Thank you.

Now the amendment is still on the floor, albeit a little changed. Is there anybody on the floor who is speaking against the amendment that Ms. Thomas has put on the floor?

(Amendment agreed to)

The Chair: Ms. Thomas's amendment as clarified is passed.

The vote is on the amended motion.

Is there anyone opposed to the amended motion?

Go ahead, Mr. Lemire.

• (1310)

[*Translation*]

Mr. Sébastien Lemire: I wanted to remind you earlier that the whole world is watching how we respond to such a scare tactic. We saw what happened in Australia and the precedent that was set. So I applaud my colleagues' leadership and their willingness to find common ground at this time. I congratulate them.

[*English*]

The Chair: Thank you very much, Mr. Lemire.

Based on no hands going up, as far as I can see, to speak against the amended motion, then I—

The Clerk: Madam Chair, we have a request for a recorded division.

The Chair: All right. Let's have a recorded division, please. Call the vote, Clerk.

(Motion as amended agreed to: yeas 7; nays 0)

The Chair: Thank you very much.

I would like to thank everybody for working so well together. I would like it moved that this meeting be adjourned.

An hon. member: Motion to adjourn.

The Chair: The meeting is adjourned.

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