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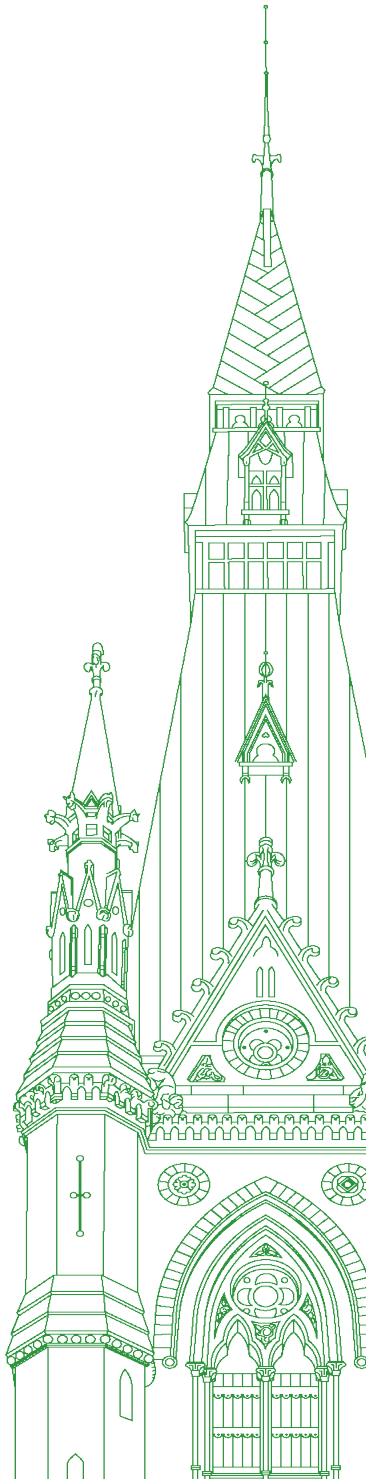

Chair: John Brassard

Standing Committee on Access to Information, Privacy and Ethics

Thursday, April 23, 2026

● (1530)

[*Translation*]

The Vice-Chair (Linda Lapointe (Rivière-des-Mille-Îles, Lib.)): I call the meeting to order.

Good afternoon, everyone. Welcome to meeting number 38 of the Standing Committee on Access to Information, Privacy and Ethics.

Today, pursuant to the order of reference, the committee is resuming the statutory review of the Lobbying Act. It is a pleasure for me to chair today's meeting, in that I am replacing my colleague Mr. Brassard.

I would first like to thank the witnesses for joining us today and for their contribution to the committee's work. Their attendance today will allow us to reflect fully on the legislative framework around lobbying in Canada, on how effective and transparent it is, and on any improvements that might be considered in this parliamentary review.

For the first hour of the meeting, we welcome the Hon. Joe Jordan, as an individual, and Mr. Dan Hurley, board director and treasurer of the Public Affairs Association of Canada.

The witnesses for the second hour of the meeting will be announced in due course.

[*English*]

I would like to thank all witnesses for appearing before the committee today. Their perspective and expertise will be valuable as members continue their statutory review of the Lobbying Act.

[*Translation*]

In the first hour of this meeting, the witnesses and the members of the committee are here in person. At the moment, no one is participating virtually.

A reminder that all comments must be directed through the chair.

Without further delay, we will start by hearing from the witnesses, each of whom has five minutes.

[*English*]

We have Mr. Jordan, then Mr. Hurley.

Hon. Joe Jordan (As an Individual): Thank you, Madam Chair and committee, for the opportunity to participate in this review.

I was talking to the committee clerk beforehand. This is the third time over the last 20 years that I've appeared here on the act. I'm one of those strange individuals who take an inordinate amount of interest in it. I certainly don't claim to be particularly unique, but as a former member of Parliament, a former exempt minister-office staffer and, currently, a registered consultant lobbyist—albeit in the twilight of that career—I feel I'm in a unique position to provide the committee with experiential feedback, from multiple perspectives, on the overall effectiveness of the Lobbying Act in terms of meeting its public policy objectives. I can also, perhaps, highlight a few unintended consequences.

For the record, I have been—and remain—a strong, consistent and vocal supporter of the act since its inception, and of the personnel who administer and enforce it. Evolving from a prior system that simply registered lobbyists to one that regulates lobbyist activities was not only necessary but also long overdue. The implementation of that was always going to be challenging. We attempted to place a usable framework over an intersection of human interactions, self-interest, advocacy, charter rights, parliamentary privileges, ethics rules, procurement processes, conflict of interest laws and post-employment obligations.

For context, I think it's important to recognize that the system we have in place is not only working but also working well. Canada is consistently ranked in the top tier of lobbying rules, globally. In the OECD's 2026 integrity report, Canada's regime was scored at twice the average among the 62 countries studied.

In the spirit of making a good bill better, I've structured my comments around the recommendations the commissioner made in her submission. I think that provides a very useful focus for the review.

I'll start with recommendation two, which clarifies “who qualifies as in-house lobbyists”.

This amendment would ensure that board directors are treated as employees under the act. I think there's general support for this. It's a very interesting recommendation because it illustrates the point I made about the complexity of trying to implement this regime. When the original bill was drafted, the focus was on persons who were paid to lobby and their contacts with decision-makers of influence. Boards weren't on the radar or captured in the statute. When the decision was made to attempt to regulate board member actions, it came down to whether they were paid or not, net of direct expenses. Organizations would look at their board and decide if they were being paid over and above expenses—which meant they had to register as consultant lobbyists—or simply paid expenses as volunteers. There was no requirement to register. It wasn't an ideal situation. This particular recommendation would fix part of that. I'm not sure how it would address the paid versus not paid part.

It makes me a bit nervous for a separate reason. In the wake of Enron and the move we're seeing in corporate governance towards independence, you want to be careful with a deeming provision that uses the term "employee". If you're going that route, I suggest that you make sure the amendment very clearly states that it would apply only to this act and would not create an employment relationship for any other purpose. This is so you won't have conflicts with other acts wherein "employee" is a legal term with a legal definition.

Recommendation 10 is on the "Status of staff who work for Ministers and Leaders of the Opposition". Essentially, this is trying to extend the designated public office holder, DPOH, classification to additional political staff. I'll just say my part. Given that the average career span of a political staffer is about four years, I feel the current five-year lobby ban is unnecessary. In fact, I think it's punitive. Post-employment restrictions should align directly with ethics and conflict of interest rules so you won't have two sets of rules. A ban on lobbying activities should be removed entirely if the governing party changes. As somebody who practices on the ground, I think that's a perfectly reasonable approach. These are people we know. We're trying to get people interested in politics. I can tell you that the five-year ban has a very real impact on what people do when they leave a minister's office, which is a bit of a revolving door at the best of times. I don't think we should be expanding that category without first adjusting its scope and intent.

Recommendation 11 is on the "Inclusion of director general-level positions in the definition of 'designated public office holder'".

● (1535)

I would need to be convinced that throwing a wider net contributes to a better outcome. The current threshold captures about 30 deputy ministers, about 300 ADMs, senior management in Crowns, certain military leaders and a few diplomatic personnel.

[*Translation*]

The Vice-Chair (Linda Lapointe): Could you….

[*English*]

Hon. Joe Jordan: I don't think throwing another 900 on that pile makes a lot of sense. It's an administrative burden without any kind of proven benefit.

The final one is recommendation number 12, which I think is an important one for members of Parliament.

In 2010, the Lobbying Act extended DPOH status to parliamentarians. It was done through order in council; it wasn't done through debate, and it wasn't done through discussion.

I volunteer as somebody who works with defeated MPs. The following election saw the largest turnover of MPs in Canadian history, and when I spoke to these MPs, the majority of them from all parties had no idea that change was made or what the implications were.

This particular recommendation—

[*Translation*]

The Vice-Chair (Linda Lapointe): Thank you very much. I am sorry, but the five minutes are up. You can continue when you are answering the questions that the committee will ask you.

[*English*]

Mr. Hurley, I invite you to go ahead for five minutes for your opening statement.

Thank you.

[*Translation*]

Dan Hurley (Board Director and Treasurer, Public Affairs Association of Canada): Thank you, Madam Chair.

My thanks to the members of the committee.

[*English*]

I appreciate this opportunity.

My name is Dan Hurley, and I am appearing today on behalf of the Public Affairs Association of Canada, PAAC. We are the national association representing public affairs, government relations and advocacy professionals across Canada. We have chapters in British Columbia, Alberta, Saskatchewan and Ontario.

● (1540)

[*Translation*]

The Public Affairs Association of Canada welcomes this statutory review of the Lobbying Act. Our members strongly support its core objective: promoting transparency, ethical conduct and public confidence in federal decision-making.

[*English*]

Our message today is straightforward: Transparency is best served when the act is clear, proportionate, modern and predictable in its application.

PAAC represents consultant lobbyists and in-house practitioners working in the public and private sectors with non-profits, unions, and professional and industry associations. Many of our members engage with federal and provincial lobbying acts regularly and are committed to full compliance.

To inform our decision, PAAC conducted a confidential survey of members with direct experience under the federal Lobbying Act and other acts. While not statistically representative, it provides practical insight into how the act operates day to day.

[*Translation*]

Several themes emerged. First, there is strong support for transparency. Respondents consistently agreed that disclosure of lobbying activity is essential to maintaining trust in federal institutions.

[*English*]

At the same time, respondents highlighted ongoing ambiguity in key statutory concepts, including “significant part of the duties”, “arranged communication” and “grass-roots” lobbying, which can lead to inconsistent interpretation and compliance risk.

Respondents also raised concerns about proportionality. Certain reporting requirements, including monthly communication reports, can be administratively burdensome without always delivering the commensurate transparency benefits, particularly for smaller and non-profit organizations.

Some members also warned of a potential chilling effect where uncertainty or expanded obligations may discourage engagement with government or deter volunteer participation in governance roles.

[*Translation*]

Finally, respondents pointed to a disconnect between the act and modern practice, given the routine use of virtual meetings and digital communications.

[*English*]

Based on this feedback, PAAC recommends clarifying key definitions, modernizing the act to reflect current communication practices, reassessing proportionality and emphasizing substantive transparency over technical errors, aligning statute and guidance, and focusing enforcement on unregistered or bad-faith lobbying.

In closing, PAAC thanks the committee for its leadership. We believe the Lobbying Act can be strengthened in a way that enhances transparency while supporting responsible and inclusive participation in Canada's democratic process.

Thank you.

[*Translation*]

I look forward to your questions.

The Vice-Chair (Linda Lapointe): Thank you very much.

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

[*English*]

Michael Cooper (St. Albert—Sturgeon River, CPC): Thank you, Madam Chair.

I want to thank the witnesses, but given what is happening right now in the House in the face of an unprecedented motion in which this Liberal government is abusing its power to gut committees and keep them from doing their job to hold this government to account, I want to speak to that.

[*Translation*]

The Vice-Chair (Linda Lapointe): Mr. Cooper, we are conducting a study at the moment. I feel that you are not on the same topic. We have witnesses with us. We are here to discuss the Lobbying Act.

[*English*]

Michael Cooper: Madam Chair, it's my time.

Let me just say that never before have we had a Prime Minister, as part of a strategy, seek to secure an illegitimate majority government, one he didn't earn at the ballot box, through undemocratic floor crossings. That has happened. It's happened—

Juanita Nathan (Pickering—Brooklin, Lib.): I have a point of order.

[*Translation*]

The Vice-Chair (Linda Lapointe): Ms. Nathan, the floor is yours.

[*English*]

Juanita Nathan: This is out of the scope of what we are doing here today, so I want to get back to questioning the witnesses, please.

Michael Cooper: Actually, it falls perfectly within the scope of this committee because, at the end of the day, this committee is an oversight committee. That is the primary responsibility of this committee. What we are seeing right now play out in the House is a motion the Liberal government has put forward that would gut the ability of this committee—

[*Translation*]

The Vice-Chair (Linda Lapointe): Mr. Cooper, could I ask you to return to the topic we are studying?

● (1545)

[*English*]

Michael Cooper: —to do its job.

[*Translation*]

The Vice-Chair (Linda Lapointe): There was a point of order.

I would ask you to return to the topic we are studying. We have two witnesses with us at the moment and we are studying the Lobbying Act.

If you do not, I will give the floor to someone else.

[*English*]

Michael Cooper: Madam Chair, this committee has an oversight responsibility. It's a very important responsibility. There are serious questions about a potential conflict of interest involving the finance minister over his role in directing billions of tax dollars to the Alto—

[*Translation*]

Abdelhaq Sari (Bourassa, Lib.): Madam Chair, I have a point of order.

The Vice-Chair (Linda Lapointe): Go ahead, Mr. Sari.

Abdelhaq Sari: I would like some time to explain the point of order. I will explain it in detail to my colleague across the table.

Before us, we have witnesses with considerable expertise, of which we would really like to take advantage. We have one hour only. They took the time to come and join us. Out of respect for them, let's ask them questions. That's why my colleague, Madam Chair, called Mr. Cooper to order. It was a point of order. Let's ask the witnesses our questions, just out of respect for them here with us.

We are calling Mr. Cooper to order for the umpteenth time. We are asking him to ask questions on the topic, on the matter we are studying, and definitely not to run around telling us about what goes on in the House. If we want to see what is going on in the House, we just have to log on. We are in committee now and we are in the process of studying a very specific topic.

Thank you, Madam Chair.

The Vice-Chair (Linda Lapointe): Thank you.

Mr. Cooper, we would be very grateful if you could ask questions of the witnesses.

Mr. Garon, do you have a point of order too?

Jean-Denis Garon (Mirabel, BQ): Thank you, Madam Chair.

First, my thanks to you for your welcome. We are neighbours and now we are working together on a committee for the first time.

Personally, I am uncomfortable. I have been here for almost five years. I would not like to say that your approach is authoritarian, but the member who has the floor has five minutes. He's not taking the whole hour.

The Vice-Chair (Linda Lapointe): He has six minutes.

Jean-Denis Garon: He has six minutes. Please forgive my lack of precision, but it doesn't change anything to do with the issue.

I understand when you call a member back to order. It happens to us all, because a preamble can take a while sometimes. We know that the member can come back on topic.

It is true that we are studying the Lobbying Act. It is true that this committee is usually chaired by the official opposition. It is true that our committee has special status. I feel that it is appropriate to question an institutional change that could affect our ability to review this act just when we are doing so. It's just as appropriate for my colleague to use a preamble before asking the witnesses an appropriate question.

I would not say that your comment was premature. But I feel that he deserves a chance, after speaking only for a few seconds. I know him, I have worked with him and, in my experience, he rarely loses his sense of direction. I feel that he deserves a chance.

The Vice-Chair (Linda Lapointe): Thank you for your comments, Mr. Garon.

I would like to ask Mr. Cooper to continue and to ask the witnesses a question.

[*English*]

Michael Cooper: Thank you, Madam Chair.

As I was saying before, Liberal members, as they always do, run interference to cover for the Prime Minister and the finance minister in questions around his potential conflict of interest.

In addition to there being issues around a potential conflict involving the finance minister, we know that there are serious questions about the most conflicted Prime Minister in Canadian history.

There is an ethics screen that is supposedly in place, but we don't know how often it is triggered. We don't know who the Prime Minister is meeting with. We know that the Ethics Commissioner told the Prime Minister to stay away from Brookfield, yet since the Ethics Commissioner provided him with that direction, the Prime Minister has repeatedly done exactly the opposite, meeting with Brookfield on multiple occasions.

Two days after the election, the Prime Minister met with a Brookfield company that was captured by the screen. On May 6, the Prime Minister met with the CEO of Brookfield Infrastructure in Washington, D.C. The Prime Minister—

[*Translation*]

Abdelhaq Sari: A point of order, Madam Chair.

I am sorry to cut off Mr. Cooper when he is practising his sound bites again. I am giving him a chance. I agree fully with my colleague Mr. Garon when he says that Mr. Cooper has some expertise, but I would really like us to get back on topic. We have been going in all directions at once, except in the direction of today's topic.

[*English*]

Michael Cooper: We're talking about the Lobbying Act, and here we're talking about lobbying the Prime Minister, including by individuals representing companies that were captured by the ethics screen.

All of this is to say that it provides some context for the important role that this committee has in providing oversight and holding the Prime Minister and upper officials in this government accountable in the face of what we have going on right now in the House, which is a government that is abusing its illegitimate majority to stack committees to shut down accountability, including oversight committees.

We know the important role that oversight committees have played in getting answers and uncovering conflicts, corruption and mismanagement with this Liberal government, whether that be the WE Charity scandal, the green slush fund scandal, foreign interference, Winnipeg labs, arrive scam and the list goes on.

● (1550)

[*Translation*]

Abdelhaq Sari: A point of order, Madam Chair.

We are on the ground floor here, are we not? If Mr. Cooper goes up two floors, he can make his way to the chamber and there he can debate the government's motion and his remarks will be most appropriate. I hope that's useful information for him because I feel that he has come to the wrong room today. We are not in the Commons chamber.

The Vice-Chair (Linda Lapointe): Another member is asking to speak, but I cannot read his name.

Yes, Mr.….

[*English*]

Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): I'm Mr. Shipley.

[*Translation*]

The Vice-Chair (Linda Lapointe): Mr. Shipley, I am sorry. I can't see the letters in your name from here.

[*English*]

Doug Shipley: That's okay.

The Vice-Chair (Linda Lapointe): I couldn't see. I think this is the first time that we've been on the same committee.

Doug Shipley: I am here filling in today. I thought I was going to be just a body in a chair, but I can't sit here and let this go on without having my say. Hopefully the clock is stopped, because my good colleague here gets six minutes, which he rightly deserves. He's knocked on a lot of doors. He's respected in his community, and he's earned the chance to sit here and speak for six minutes.

I can't believe what's going on in here. I haven't been on this committee before, but everybody here is trying to shut my colleague down. He's worked hard, and his constituents are here to listen to him.

For some reason, all the members on the other side have an issue with what he's saying. Perhaps just sit back and listen. Maybe you can learn something. You're being awfully rude. Let the man speak. He has six minutes to speak. It's his right to speak, and he should be allowed to speak.

[*Translation*]

The Vice-Chair (Linda Lapointe): Thank you, Mr. Shipley.

We have one minute and forty-one seconds left.

Mr. Hardy, the floor is yours.

Gabriel Hardy (Montmorency—Charlevoix, CPC): I will say this in French.

What is happening is exactly what we want to avoid. The government does not want to hear what the opposition has to say. It does not want to hear the opposition's opinion in a preamble. Mr. Cooper has all the right in the world to take his six minutes and to make his preamble. My colleagues have to stop cutting him off when he says things they do not want to hear. They just have to listen.

They will have their time, but he has to have his. That's called democracy.

The Vice-Chair (Linda Lapointe): Mr. Garon, you have the floor.

Jean-Denis Garon: I am sorry, I did not think that I would be in the middle of this when I came to the committee for the first time today. There's a lack of parliamentary courtesy here.

My colleague Mr. Sari knows that I hold him in regard. I am sure that the regard is mutual. But we are not behind closed doors. The debates are public. The debates are televised. It's part of what people in Quebec and across the country have the right to see.

When one of our colleagues says things that we may not like, but that are directly—

The Vice-Chair (Linda Lapointe): Let me remind you that I would like points of order to be shorter.

Jean-Denis Garon: For example, we can't accuse someone of practising sound bites. That's not a reason to cut them off.

Second, we all belong here. My colleague Mr. Cooper has a place on this committee. My colleague Mr. Sari may say that he is on the wrong floor and that he should leave, but you should be rapping knuckles for that kind of comment, Madam Chair. We all have our place on this committee.

The Vice-Chair (Linda Lapointe): Thank you.

Mr. Cooper, if you want to continue, you have one minute and forty-one seconds.

[*English*]

Michael Cooper: Thank you, Madam Chair.

I guess we're going to see a lot of this movie playing itself out in the coming months as the Liberals continue to abuse their power by shutting down debate and shutting down scrutiny. That's exactly what the purpose of the motion now before the House is. It is why I wish to put on notice the following motion:

> That, given that this committee is mandated to provide oversight of the Liberal government, the committee reject the government House leader's plan to impose a Liberal majority on this committee, which Canadians did not elect, in order to obstruct the committee from carrying out its duty to hold the government to account; and that the committee report this matter to the House.

Thank you, Madam Chair.

● (1555)

[*Translation*]

The Vice-Chair (Linda Lapointe): There's no debate on a notice of motion. Could you send the text of your motion to the clerk? Thank you.

You still have 35 seconds left. Are you going to ask a question? No?

Mr. Sari, you have the floor for six minutes.

Abdelhaq Sari: Thank you, Madam Chair.

I would like to welcome the two witnesses. My thanks to Mr. Hurley and the Hon. Joe Jordan for joining us

Mr. Jordan, earlier, you had five minutes for your presentation. You mentioned recommendation number 12. I would like to describe its context. The recommendation is to expand the monthly communication reports to include all communications with designated public office holders. This must also include written communications and those not arranged in advance. Each party to the communication must be identified.

I would like to take advantage of your experience today to hear, in practical terms, what form those changes would take on a daily basis, assuming they really happen. How feasible and practical are they without discouraging legitimate participation?

[*English*]

Hon. Joe Jordan: Madam Chair, through you, I want to thank the honourable member for the question.

I think this gets to the heart of your job as members of Parliament, because what that change does on the heels of classifying you as DPOHs and bringing you under the act, which is underwritten by the Criminal Code, no small thing, is.... It used to be that the lobbyist initiated the contact. This changes it so that, if you initiate the contact, then it could be registerable.

Let's say you decide that there's an issue in your riding. You want to go and consult with a local company that may or may not be having a problem. The person in the room might be registered to lobby, and you start talking about something the government may or may not do. This is part of your job.

You may very well find that on a website, because that person has to disclose it, even though you initiated the contact. I think members of Parliament need to give that some thought. Are you going to hand away that chunk of your parliamentary privilege, and for what reason? It doesn't seem to make a lot of sense to me. I would just caution members that, if you're going to go down that particular road, leave the initiation to the lobbyist. They're the ones who come under the act. They're the ones who are going to pay the price if they get it wrong.

By changing that one stipulation, you are essentially opening a back door to what you as MPs do, which has historically been private activities in the wake of doing your job and your constitutional right to do your job without interference or hindrance as a core parliamentary privilege principle. I think that it bumps up against it, and it certainly needs more discussion than we can give it here today.

[*Translation*]

Abdelhaq Sari: Thank you.

Mr. Hurley, one of the commissioner's other recommendations is to eliminate the “significant part of duties” threshold. It's her first recommendation. It would introduce registration by default for employed lobbyists. Exceptions would be very limited.

In the opinion of your group and especially of your members, how would that change daily practice in any way, if it were to happen? Could you also add exemption criteria that would actually be achievable and practical?I would really like to know about that.

[*English*]

Dan Hurley: As mentioned in my remarks and in the brief, we consulted our membership on this review and asked them a series of questions. One of the specific questions was the impact around day-to-day work.

We had about 24 respondents. We have a membership of about 400, and the membership is a mix of individuals and organizations. About half of the respondents indicated that they are currently not registered federally, because they don't meet the current threshold of that number of hours. Many of our members lobby provincially, but they're not registered federally, because they may not be engaging members of Parliament or government departments or they are below that threshold. Changing that threshold would have a significant impact on those organizations that would now have to register.

It would be a significant impact, particularly for those smaller organizations and particularly for those who might only incidentally invite you to come to an event or want to have a meeting and so forth. It would have an impact.

● (1600)

[*Translation*]

Abdelhaq Sari: I would like to ask both of you a very simple question. Please answer in 30 seconds each.

We have one of the best managed systems in the world. What needs to be improved?

[*English*]

Hon. Joe Jordan: I'll start.

I put a lot of thought into that when I did my brief. We need to move away from “lobbyists are evil and politicians are naive”. To me, that's at the foundation of this legislation.

Another thing contributes to a lot of the problems, and there's no easy fix. I refer to it as this one-sided compliance. We file our meetings. Originally, when the act was put together, there was talk about the designated public office holders also filing their meetings. At the end of the month, you would reconcile them, and the office could then concentrate on when there's a mismatch.

[*Translation*]

The Vice-Chair (Linda Lapointe): Thank you very much. We'll have to wait for the continuation.

Mr. Garon, the floor is yours.

Jean-Denis Garon: Good afternoon, gentlemen.

Mr. Jordan, I will start with you. In your opening remarks, you alluded to the notion of an employee. For example, you spoke about the possibility of defining board members as employees for the purposes of the act. You say that it must be well defined and that it must be stated that it applies only to this act. I understand that. However, the concept of employee status is defined in provincial legislation in about 90% of the cases, not by federal legislation.

So should we not simply use another term, if only to avoid having 10 different definitions of employee status?

[*English*]

Hon. Joe Jordan: Absolutely, I think that would probably be helpful.

I think what the commissioner is rightly trying to do is eliminate the problem of corporate directors having to register as independent consultants. There's a whole legal framework that gets dragged into that.

Essentially, what you want to say is that they get treated the same way, under the rules, as employees. Deeming terminology may carry.... I'm not a lawyer. It just jumped out at me that perhaps it could cause problems. In an abundance of caution, I think you've probably hit on something. Maybe come up with another word.

[*Translation*]

Jean-Denis Garon: So I gather that we can probably achieve the objective by using another term.

You mentioned the five-year prohibition and you also said that it could be eliminated when there is a change of government. In my work here, I have had occasion to wonder whether the five-year ban is useful. For example, when I was on the Standing Committee on Industry and Technology in the last Parliament, I saw a former minister of industry become a senior manager in a telecom firm without registering himself as a lobbyist. People talk; words get around.

To what extent can we prevent someone from lobbying—perhaps with some ethical shortcomings—if that person really wants to?

[*English*]

Hon. Joe Jordan: We're targeting the wrong people. I've been a political staffer. Knowing what the minister takes in his coffee is not a marketable skill when I go out to try to lobby.

There's a misconception. This industry, when I first got into it, was a Rolodex industry. It was who you knew. It's much more than that now. When I look at people who have worked very hard in ministers' offices, regardless of what party they're with, and all of a sudden find, when they.... It's never a career. It's a career for very few. Five years...and they can't use those skills to make a living. That really takes me back.

In terms of what you're talking about, the commissioner has been very aggressive at trying to get that back. People say, “Oh, I'm under the 20% rule,” or, “I'm not lobbying. I'm just giving advice.” There is a series of advisory opinions that try to flush out exactly what you're talking about. However, I would argue it doesn't belong in an advisory opinion. It belongs in the legislation itself. That's something you may want to look at.

● (1605)

[*Translation*]

Jean-Denis Garon: Mr. Hurley, in a world with all these possible ambiguities, elected officials discuss matters with lobbyists. No one in this room has not met with a lobbyist once in a while, maybe even daily. They tell us about the goings-on and the issues that are important for our constituencies and they help us in our work. We need them, but within limits.

Sometimes, someone will come to our office to talk about something but we may have questions about something else that interests us. We discuss a number of things. I understand that the recommendations seek to broaden the controls so that certain topics are disclosed when they are discussed. But how do we do that? Can we force people to tell the truth?

What happens when a member asks a lobbyist a question and the lobbyist just happens to have something to sell?

[*English*]

Hon. Joe Jordan: Therein lies the challenge.

I want to point out one thing, Madam Chair. My recommendation dealt with political staff. Keep the five-year ban on ministers. They tend to take care of themselves. I was just focusing on that level.

I guess it comes down to whether rigour equates to better. If we collect targeted information, that's good. If we collect 10 times that information, is that good?

In the example you gave, back to my point, if you're the one who set that meeting up, right now you can have whatever conversations you want. You can ask them whatever questions you want. You can lay out the government's plan and get their feedback, and whatever relationship you have with this person, that's fine.

Under that change, that's no longer the case. The person you're having that conversation with, who you may or may not think is incompetent, may legally have to go on a website and record what happened and, in very general terms, what you talked about.

[*Translation*]

Jean-Denis Garon: But you know Parliament. You know how it is. Sometimes, we may already have worked on something and, because we know everyone, we can come here and meet everyone we wanted to meet. It's not on purpose; we have no specific plan to do so.

How can we control that?

[*English*]

Hon. Joe Jordan: This bill came in under Prime Minister Harper. This is good legislation. It really was a step forward.

These debates happened, and what they arrived at was oral communication that's pre-arranged. If I send a letter in, that doesn't count; if I meet you in the bathroom, that's not pre-arranged. If it takes place, it has to be recorded, and it's initiated by the lobbyist. That's what's being changed here.

[*Translation*]

The Vice-Chair (Linda Lapointe): Mr. Barrett, the floor is yours.

[*English*]

Michael Barrett (Leeds—Grenville—Thousand Islands—Rideau Lakes, CPC): Thank you, through the chair, to both the witnesses for being here.

To our honourable former colleague Mr. Jordan, with whom I share the distinct privilege of having represented the greatest constituency in our beautiful country, Leeds—Grenville, now known as Leeds—Grenville—Thousand Islands—Rideau Lakes, I'll quickly express my appreciation for his continued support of United Way Leeds and Grenville, specifically through the golf tournament that bears the name of my predecessor, Gord Brown, who, like Mr. Jordan, did a great deal to support causes in our community. I really appreciate that ongoing awareness and what it does for the people in great need in our community.

Through the chair to Mr. Jordan, thank you very much, sir.

I'll ask my first question of Mr. Jordan.

With respect to shortening the ban for former designated public office holders—I perhaps inferred that from your comments, if you didn't say it directly—how would you balance that with the need to maintain confidence against the perception of a revolving door?

There is a pejorative connotation to the term “lobbyist,” though there is advocacy that is done for organizations like the United Way, which I mentioned, as an example.

Is someone advocating on behalf of the United Way akin to someone lobbying or advocating on behalf of a petrol company or a pharmaceutical company? Is it one-for-one the same?

● (1610)

Hon. Joe Jordan: Through you, Madam Chair, thank you to the honourable member.

We could probably have this conversation at The Keystorm. I'm sure Dan Thompson would love it.

You've hit on another important issue: the idea that the United Way is going to have the lobbying capacity equal to that of a multinational corporation. In fact, it's funny you mentioned the United Way, because that was the example that was always used when the bill was put together.

How do we strike that balance so that we're not overprofessionalizing the industry? I think we're dangerously close to doing that.

We're putting in place so much of a compliance burden that only people who do this as a living are going to be able to navigate the rules. Talk to anybody in the non-profit sector and they'll tell you that there are grants on which they spend more money filling out the application than the grant is worth, and this is going to put another layer on it.

I don't know what the answer is, Mr. Barrett, but I think it's useful that the committee is cognizant of that. Don't make a bill aimed at the top; make a bill aimed across the spectrum of the kinds of people who may or may not want to talk to government about a specific issue.

Each one of these recommendations is a step towards professionalizing this so that the United Way has to hire somebody like me.

Michael Barrett: Having talked about the secondary issue in my question, we can go to the primary issue of balancing the need for public confidence. You would suggest that there should be a dynamic application of the length of time for the prohibition on lobbying in post-employment.

Hon. Joe Jordan: The thing that Canadians need to understand is that under the Conflict of Interest Act, there are very strict post-employment rules for people who are in a minister's office. You can't change sides.

They will look at someone's situation. You get a letter saying that you can't talk to people you had significant dealings with in that position for a period of one or two years. They also say there is a lifetime prohibition on you using information that you obtained in that position to better yourself.

Those rules already exist. Throwing another set on top and making it a five-year ban may.... People may sleep better at night, but you haven't altered the situation at all.

Bringing those two pieces together, and making sure there is the appropriate authority, is more than enough, really.

Michael Barrett: Thank you.

[*Translation*]

The Vice-Chair (Linda Lapointe): Mr. Saini, the floor is yours.

[*English*]

Gurbux Saini (Fleetwood—Port Kells, Lib.): Thank you, Mr. Jordan and Mr. Hurley.

Mr. Jordan, in your opening statement, you were talking about recommendation number 11, but then due to the shortage of time, you had to let it go. I would like to hear your viewpoint on that.

Hon. Joe Jordan: I apologize to the committee. If you put a former politician and a former teacher in a room with a microphone, they're going to go over their time. I actually cut a bunch out.

Thank you for the question.

Essentially, this recommendation would expand the number of people who fall under the DPOH category. Right now, it's essentially ADMs and above. If you're meeting underneath that decision-making level within the civil service, then you have to be registered to engage in that activity, but you don't have to file monthly communications reports. The original legislation made that distinction.

They know they can't collect everything, so they target senior decision-makers. Over time, there's been a sense of trying to broaden that net and catch more people in there.

I would have to be convinced that having potentially 900 more communication reports filed every month into that office is going to provide more transparency for Canadians. It might just be a fog of data that nobody can interpret.

This goes back to my other point. They're only reconciling one side of the equation, and I'm not suggesting that should change, but all the information that goes into that system is provided by lobbyists. We're the ones who provide it.

The lobbying commissioner's investigative capacities are very limited. They check the newspaper to see if somebody is at an event, and then they may follow up. They can ask you to provide your meeting records—incidentally, you don't have to give them, but they can ask you for them—to see if they can reconcile, do a spot audit.

It's not a very good system for how you catch the bad actors. I think that's one of the things Mr. Hurley was talking about in his remarks.

● (1615)

Gurbux Saini: In the commissioner's recommendation number five, they would like to change the registration to a 10-day period, compared to the current two months. Do you have views on that issue? Do you think it's effective?

Hon. Joe Jordan: Whatever it is, I'll follow it. I don't have a problem with changing the timeline.

I provide a compliance function within one of the firms I contract with. I tell them, "If you have a meeting, file the comms report the next day. Don't wait until the 15th of the next month."

In terms of filing deadlines, I assume the commissioner has a rationale for that. My experience with the lobby community is that they think, "If you make the rules, we'll follow the rules, as long as they're clear."

I have no issue with changing those deadlines at all.

Gurbux Saini: Mr. Hurley, the commissioner has recommended clarifying that board members, partners and sole proprietors count as employees of their organizations for registration purposes. Does your association see this as a helpful clarification? Are there other areas of uncertainty that should be cleaned up at the same time?

Dan Hurley: We're basing our position here on the feedback we received from the members who completed the survey. It did come up in a couple of instances. In a couple of cases, I had contradictory views with respect to board directors.

I would lean toward what Mr. Jordan has said with respect to providing that clarification for board directors so they don't have to file two separate filings. The concern comes up when you are dealing with, again, smaller organizations and non-profits. United Way is an excellent example of that.

There's a balance between transparency and the burden that it places not only on the sometimes very limited staff capacity you have with non-profits but also when attracting board members. Some board directors may not feel comfortable being part of that. The principle is right. It's the right one, but it's about ensuring that you have the right balance when you are going to communicate that.

To your other point with respect to time frames and so forth, usually that's an issue when an organization or a consultant lobbyist is initiating an undertaking or beginning their lobbying. In terms of education and ensuring that you have compliance and awareness, it's important that you allow enough time for these organizations, which may not have ever had to file before, to ensure they come into compliance in a timely manner.

[*Translation*]

The Vice-Chair (Linda Lapointe): Thank you very much.

Mr. Garon, you have the floor for two and a half minutes.

Jean-Denis Garon: Mr. Jordan, I am a little confused. When my colleague Mr. Sari finished his turn just now, he said that we have one of the best systems in the world and asked you how it could be improved. Then you told us that we have a system that—as you said in English—is not very good at catching the bad actors in the system. As a member of the Bloc, I would use an equivalent term in French.

Are we the best or not?

[*English*]

Hon. Joe Jordan: We're in the top tier, but it can always be improved.

[*Translation*]

Jean-Denis Garon: Can you define "best"? Are we in the two best, the three best, the twenty best, the hundred best? Are we with Zimbabwe or the European Union?

[*English*]

Hon. Joe Jordan: "Top tier" is the phrase that the OECD used in their report. I have the link to the report; I can provide it. I don't have their absolute definition, but they listed.... It's very detailed.

They're evaluating the framework, and the framework is very good. What I'm trying to say is that, in practice, sometimes things fall through the cracks.

[*Translation*]

Jean-Denis Garon: I would like to ask you another question. Time is quite a rare commodity when you are in the second opposition party.

You said it: It takes resources. Right now, there's a whole floor in the Prime Minister's building that does nothing but manage his conflicts of interest. It's not an accusation, it's normal. He is someone who, because of his past life in the business world, knows so many people that there is a presumption of lobbying wherever he goes. So it's important to handle it correctly. We assume he does it, but there's not really any evidence.

Do you feel that the weight of the checking done by the office of the Prime Minister is such that the Commisioner of Lobbying might lack resources for his other tasks?

● (1620)

[*English*]

Hon. Joe Jordan: If you're going to bring DGs into the tent, they won't have enough resources, for sure. There probably are ways to target compliance. I talked about dual reporting. Maybe you could have dual reporting in certain offices if you think.... Clearly, as you go up the pyramid, you would assume that the decision-making going on at that level is closer to the decision, and if you're going to focus limited resources, that might be a way to do it.

I rarely agree with Duff Conacher, but the idea of taking another look at the dual reporting system.... At certain ministries—you know them as well as I do—that are closer to the action than others, like Finance and certainly Public Works and Procurement, you could implement limited dual reporting—

[*Translation*]

The Vice-Chair (Linda Lapointe): Thank you.

Mr. Hardy, the floor is yours for five minutes.

Gabriel Hardy: Thank you very much.

My thanks to the witnesses for joining us today.

We are hearing a lot of interesting things here. The first thing, on which we are in agreement, is that lobbying is actually very important. Often, the people representing their interests know much more about them than the lawmakers, whether members of Parliament or not. So it is important for us to be in contact with those with a deep knowledge of their industries and their interests.

Mr. Jordan, I am going to go back to what you said about the OECD. Their representatives were here just last week. They told us that we were in the best group and that everything was wonderful. However, we asked them the clearest of questions: We check all the theoretical boxes, but are we that good in practice? They said that it was something they could not evaluate. So we are super in theory, but clearly, there are limits and some things happen.

You said earlier that legislation is in place and that, for example, someone who gained knowledge of an industry before taking up a position of influence, or even after, would not be supposed to use it. However, we see quite interesting things happening. One might say that there is a lot of potential conflict of interest.

When I see what is happening now, I question myself. I want to be very clear: What would be the most effective way, involving less paperwork, to monitor real lobbying? By that I mean efforts to influence decision-makers to take taxpayers' money and put it towards very specific interests. I do not mean fully explaining one's knowledge of an industry, shall we say, so that the decision-makers can make the best possible decisions for the public.

[*English*]

Hon. Joe Jordan: That's a big question.

I'm going to default to my testimony from 2014. Actually, I'll go back to 2008. I said that one problem I saw with this bill was the definition of lobbying. You could side-swipe a semi-truck through some of the loopholes there.

A better definition might be “people who communicate with decision-makers to affect outcomes”. If that's the definition of what lobbying is, a lot of this trying to get at it indirectly, which is a lot of what we're seeing.... I'm not faulting the commissioner, as the commissioner is working with the tools that are in her tool box, but if we could introduce clarity to what the rules are, we'd have a better chance of finding out whether or not somebody is on the wrong side of them.

[*Translation*]

Gabriel Hardy: Lobbying is on one side and we know that ethics is somewhere on the other side. To establish a balance, should we not require lobbies to be very clear as to their intentions and to provide for quite severe penalties for those who lobby inappropriately?

In the Maritimes, a wind farm project linked with family members of former Liberal lawmakers and ministers received subsidies whereas a private project did not. Was the problem with the lobbying or the ethics?

So we should certainly have much stronger legislation on ethics and somewhat broader legislation on lobbying, which would allow people to at least explain to the government how best to spend taxpayers' money.

● (1625)

[*English*]

Hon. Joe Jordan: They shouldn't be at odds. I don't want to be part of a profession that, somehow, ethics are outside of. I've long advocated that the Commissioner of Lobbying and the Ethics Commissioner should be the same person, but barring that, I think that at least there should be some kind of harmonization in what the rules are, because that's a little confusing.

Since this act became law in 2008, there have been four people convicted under it. Among the reasons that that's a low number is that the rules are so complicated. There is the act, and there are advisory opinions. I'm sure that in the briefs, you'd find people complaining about the 32 hours going to eight hours. That's a significant change. It wasn't made through an advisory opinion. It wasn't made through this committee. It wasn't made through the legislature. It wasn't made through Parliament. However, she has no other option. The complex nature of it, I think, hurts its enforcement, and adding more layers to that doesn't help.

[*Translation*]

The Vice-Chair (Linda Lapointe): Ms. Nathan, the floor is yours for five minutes.

[*English*]

Juanita Nathan: Thank you, Madam Chair.

Thank you to both of our witnesses today.

A lot of my questions have been answered, but I have a question on recommendation three, which is about making communications about government contracts registerable for in-house lobbyists, with exclusions for established procurement processes. Can this be done in a way that improves transparency without creating an unworkable burden, particularly for smaller organizations?

Perhaps Mr. Jordan could answer this question, and then Mr. Hurley can afterward.

Hon. Joe Jordan: That wasn't one I highlighted, but I'll say this. One of the things I struggle with when we talk about in-house organizations and their interactions with government is that government is one of the biggest consumers in the country. I don't know what you spend on goods and services every year. Is it $30 billion?

I would like to understand the difference between sales and lobbying, because if I have a company that makes widgets, and I want to convince the government that they should buy the “incredible Jordan widget”, is that lobbying or is that me, as an entrepreneur, trying to put food on my family's table?

It's about the lack of definition, which is joined at the hip with a lack of clear objectives, when you go down these roads. I've been in this business for over 20 years, and I still have a hard time understanding it.

Dan Hurley: I'll just add to that. It goes back to what we were talking about around clarity, especially for organizations in the nonprofit social sector that depend on funding from government. In part of the role, you have the formal process, whether for RFPs or through, say, the Canada Council of the Arts. There's a formal process there, but every organization has the challenge of building awareness of the mission and purpose of their organization. They meet with all of you and with your colleagues to make you and them aware of what they do. Maybe that's not the intent of the meeting or that first engagement, but it might be later on when they make a case for funding.

Clarity around that is really important, especially if you are looking to engage more organizations that will be required to lobby. Providing more clarity to that, with as clear a process as possible of how they are to comply with their reporting in those instances, is really key as the act moves forward.

Juanita Nathan: How do you see the other levels of government asking for things from the government, like infrastructure and things they need? How does that fit into lobbying?

Hon. Joe Jordan: The provincial governments are exempt from the act, as are indigenous communities. They thought of that when they put it together. You're right that there's a tremendous amount of activity that isn't captured, but clearly they've decided that it's not in the public interest to capture and report on it.

The act has a very narrow list of entities that are completely exempt from the act, so they don't have to go through all those steps. Having said that, a lot of the provinces are mirroring the federal legislation.

This is not to pump their tires, but I'll tell you something about our Commissioner of Lobbying's office. One, their computer system works, and I don't say that lightly and I don't say that to joke. Their computer system works, and it works well. Two, the provinces have copied a lot of what they do so that there's a lot of similarity. If I register at a province or federally, it's making my life easier to do that. They also focus on compliance and not prosecution. When they get involved, their objective is to make sure you understand the rules so they can get you into compliance. They don't come in swinging and trying to cause people grief. They take a nicer approach, and I think it's a better approach.

● (1630)

[*Translation*]

The Vice-Chair (Linda Lapointe): You have 20 seconds left.

[*English*]

Juanita Nathan: I was going to ask for your top three recommendations that could make this act better, but I don't think you can do that in 20 seconds. Maybe if you're going to do a submission, you could make some recommendations for us.

Thank you so much for your time.

[*Translation*]

The Vice-Chair (Linda Lapointe): On behalf of the members, I thank you for joining us and for your presentations.

I am now going to suspend the session.

● (1630)

_____(Pause)_____

● (1645)

[*English*]

The Chair (John Brassard (Barrie South—Innisfil, CPC)): I'd like to welcome everybody to the second hour, including, from Lobbyisme Québec, Jean-François Routhier, the Commissioner of Lobbying, and, from the Office of the Integrity Commissioner of Ontario, Cathryn Motherwell, who is the Integrity Commissioner of Ontario.

Welcome back to the committee, Ms. Motherwell. It wasn't that long ago that you were here.

[*Translation*]

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

Jean-François Routhier (Commissioner of Lobbying, Lobbyisme Québec): Mr. Chair, ladies and gentlemen of the committee, thank you for your invitation.

As Commissioner of Lobbying in Quebec, it is a pleasure for me to speak to you today to inform your thoughts on reforming the federal Lobbying Act.

I will speak in French, but I can take questions in both official languages.

I would first like to emphasize the importance of the work you are doing. Revising an act on lobbying is a demanding exercise. It is not always a popular one, but it is critical, given the current state of the world, which shows us how essential the role of institutions that watch over public integrity really is. I encourage you to carry out your work with the aim of finding the outcome that best provides the citizens we all serve with the transparency to which they have the right.

I would also like to acknowledge the determination of the federal commissioner in developing her legislation. Modernizing a legislative framework is a delicate exercise where a balance must be found between the requirement for transparency and the need to provide the public with adequate information.

Unfortunately, I will not have the time to comment on each of the commissioner's recommendations. So my remarks will be limited to expressing support for some of her structural approaches that we see as essential to make any modern framework for lobbying effective.

The first issue is about the compliance threshold, particularly the notion of “significant part”, which the commissioner wished to replace with registration by default.

In Quebec, the notion of “significant part” has been criticized for a number of years, particularly by the commissioner of lobbying. In its recent report, the Gallant Commission defined it as a critical issue in terms of transparency and public integrity. It was actually the key point in its recommendation number 25, which calls for the reform of Quebec's lobbying program. On February 17, 2026, the recommendation led to a motion in the National Assembly that was passed unanimously, recognizing the need for an in-depth review of Quebec's legislation, and specifically for the need to eliminate the minimum activity threshold it contains.

For us, the situation is clear: Any threshold in applying the legislation that is based on time, on intensity, or on the frequency of communications is almost impossible to apply, to verify and to ensure compliance. It creates a permanent grey area that distracts from the transparency desired and unduly complicates the way in which the legislation is enforced.

The requirement for transparency, in our opinion, should be determined by the appropriateness of communications designed to influence. The people to whom they are made and the subjects broached are better indicators than an arbitrary measure of how intense the communications are.

As a result, in our judgment, it would be a major mistake to enshrine the concept of accumulated hours in the legislation. In our view, Canadians and Quebeckers deserve honest deliberation and a considered solution to this genuine problem of applying the act.

The second issue I would like to raise is about the lack of control over lobbying done by companies seeking contracts with the federal government, particularly contracts awarded with no competition.

Experience shows that lobbying activities frequently go on prior to and parallel with public contracting processes. They have a significant impact in contracts being awarded with no competition.

Currently, those influencing communications completely escape the federal legislation. Although the federal system is sometimes presented as one of the best in the world, there is too often no mention of this clear shortcoming. It prevents the public from seeing any transparency in the influence used in these activities, at a time when the awarding of public contracts certainly costs several billions of dollars every year. This lack of process is a major issue in our view and it must be corrected.

I will emphasize one last aspect of the federal commissioner's proposals. This is to strengthen the range of powers and penalties at her disposal. Our experience shows, as the OECD confirmed when they were here, that a system that relies almost exclusively on investigations and criminal penalties is not only ineffective and somewhat of a disincentive, it is also cumbersome and expensive. Proportional administrative powers that can be nimbly applied are essential in ensuring consistency and correcting deficiencies quickly. This credible and authoritative oversight is an approach we hold to firmly.

It is therefore essential to provide the commissioner with genuine powers to investigate and to impose penalties. But they will be effective only if they are accompanied by a change in the responsibility to be assumed by the companies and organizations for whom lobbying is done. In that spirit, we feel that it is essential that obligations and penalties must fall to the entities and not to the individuals acting on their behalf.

● (1650)

In summary, as the OECD's 2022 report on Quebec's legislation stated, our position is that effective reform should first eliminate arbitrary thresholds, increase responsibility for organizations and provide regulators with a wide range of powers specifically designed to foster transparency and compliance. We have provided you with a number of recommendations and conclusions in that light.

These recommendations go far beyond the context of Quebec and I hope they will also be useful to you in your deliberations.

Thank you for your attention; I look forward to your questions.

The Chair: Thank you, Mr. Routhier.

[*English*]

Commissioner Motherwell, we're going to you next. You have five minutes to address the committee. Please start.

Cathryn Motherwell (Integrity Commissioner of Ontario, Office of the Integrity Commissioner of Ontario): Good afternoon. Thank you for inviting me to appear before you today.

I am pleased to appear with my colleague from Quebec, Commissioner Routhier. My remarks today will parallel his in that I'm going to be speaking to Ontario's legislation and the experience with the Lobbyists Registration Act. I will also be speaking to some of the recommendations that Commissioner Bélanger has made regarding the Lobbying Act in order to highlight the similarities between the Ontario and federal systems.

In the interest of time, I'll make brief remarks on the following topics: the registration threshold for the in-house lobbyist category, the need to ensure conduct rules apply to all types of lobbyists, and additional compliance measures or penalties.

The Ontario legislation appoints the Integrity Commissioner as the lobbyist registrar. I am independent and non-partisan. My office maintains a public record of lobbyists who are lobbying the Ontario government. The registry currently has more than 4,000 registrations. These reflect the work of 3,800 lobbyists and approximately 2,500 businesses and organizations.

As with the federal legislation, registration is required for consultant lobbyists, who represent clients, and for in-house lobbyists, who work for for-profit and not-for-profit entities that engage in lobbying. Ontario does not require monthly communication reports, and the act provides me with investigative powers. If I find a contravention, I can impose a limited number of penalties.

Commissioner Bélanger's first submission to this committee addresses the registration threshold for in-house lobbyists. In Ontario, there is a 50-hour registration threshold.

It works like this. The senior officer of a business or organization is required to register when the combined number of hours that employees or paid directors and officers spend lobbying Ontario public office holders reaches 50 hours in a 12-month period. The 50-hour threshold came into effect following legislative amendments in 2016 in Ontario. Before that, the threshold mirrored the current federal legislation—significant part of duties. When Ontario switched to the 50-hour threshold, it resulted in a steady increase in the number of in-house registrations. There are now 50% more in-house registrations than we saw in 2016.

I am of the view that having more registrations means more transparency on who is lobbying government and about what. As you know, this is a cornerstone of lobbying regulation. In fact, in 2021, my predecessor, J. David Wake, called for a further reduction in the registration threshold in Ontario.

As you will appreciate, with 50 hours, it's anything below that level. A lot of lobbying can take place in 49 hours. Forty-nine hours of lobbying, without any requirement to register, runs counter to the goal of transparency. By way of comparison, consultant lobbyists are required to register when they make even one phone call, email or request for a meeting. That's why I echo Commissioner Wake's recommendation to reduce the threshold further in Ontario.

I also support Commissioner Bélanger's recommendation to eliminate the “significant part of duties” registration threshold federally. She also recommended that the federal code of conduct apply to all lobbyists and senior officers. Ontario does not have a lobbyists' code of conduct, but we do have an important conduct requirement in the act that prohibits any consultant or in-house lobbyist from placing a public officer holder in a real or potential conflict of interest.

If lobbying regulation includes rules of conduct, like a conflict of interest rule or a gift offering rule, it should apply consistently to all individuals who are lobbying or who are directing the lobbying activity. My office has also recommended amendments to the Ontario legislation to strengthen and make consistent the provisions related to the conduct of lobbyists.

Finally, Commissioner Bélanger also recommended amendments to allow for a range of additional compliance measures, including mandatory training, administrative monetary penalties and temporary prohibitions on lobbying.

In Ontario, if I find that someone has breached the act, there are two penalties I can impose. I can name them publicly or prohibit them from lobbying for up to two years, or I can do both. It's worth noting that in the almost 10 years of investigations, the Ontario registrar has issued one prohibition on lobbying and named 11 lobbyists for contraventions of the act.

● (1655)

In closing, I thank you for this opportunity to appear before you today. I would be pleased, like my colleague from Quebec, to answer any questions you may have.

The Chair: Thank you, Commissioner Motherwell.

[*Translation*]

We will now start the first round of questions.

Mr. Hardy, from the Conservative Party, you can start. You have the floor for six minutes.

Gabriel Hardy: Thank you very much, Mr. Chair.

My thanks to the witnesses for joining us today.

I have a lot of questions because I see this as a highly important topic.

We know that lobbying is necessary. As members of Parliament, we do not know everything about every industry. So there must be a balance. In one respect, we have the people who represent the industry well and come to explain that industry's specific needs. In another respect, it's basically a job needing great professional skill to be able to understand the structure and the documentation. This means that they have to deal with a very intricate process if they eventually want to be able to access public money.

I have a question that is likely for you, Mr. Routhier. In Quebec, 99% of companies are small and medium. In Canada, it's 98%. In a way, do you find that the legislation has become so complex that SMEs simply give up the idea of talking to the government, because it is way too complicated for them? That means that just 1% of very rich companies derive any benefit from lobbying.

Do you find that the paperwork has become just too heavy?

Jean-François Routhier: I don't think so, because different things can be done.

The first thing we did, a few years ago, was to replace the lobbyists' registry with a new platform that is much more effective, much easier. Once you are registered, it takes less than 15 minutes to write a mandate, which can also be done by phone through the minister's office. It uses technology, but it's practical.

Currently, in Quebec, we have 1,500 companies or organizations with active mandates. There are more than 5,000 mandates, meaning 5,000 lobbying activities registered each day. Fifteen hundred companies have that kind of mandate and there are 5,600 in-house corporate lobbyists. But we still have a lot of SMEs registered and conducting their lobbying activities.

However, I feel that we can simplify the legislation. I understand your point of view. The acts should be simplified in certain ways. I feel that we must focus on the real activities that are relevant to the public.

So my position is that the idea of “significant part” in no way recognizes the appropriateness of the information for the public. As my colleague Ms. Motherwell mentioned, it does not account for the preceding 49 hours. It does not account for the most relevant activities or those that are targeted at the main public office holders. It just accounts for the total. That's the challenge with the idea of “significant part”.

● (1700)

Gabriel Hardy: Earlier, you said something that I feel is very important. You said that, if you are lobbying to get a grant, it's covered by the act, but if you are lobbying for a direct contract, it is not covered by the act.

Do you think that is logical, given that, when all is said and done, public money, the taxpayers' money, will be spent?

If I am lobbying the federal government for a sole source contract, I am not required to comply with the Lobbying Act and declare it. Does that seem logical to you?

Jean-François Routhier: It makes no sense to me. Contracts are contracts in Quebec and they are all covered, no matter whether a consultant lobbyist or a company is conducting the lobbying activities. They are all in-house lobbyists.

However, in Quebec, 14% of the mandates are about contracts. This is important in terms of the figures and in terms of the money. The concept of entering into a contract with the state is as important with contracts as it is with grants or funding.

In my view, this hole that currently exists in the federal act is a problem. There is no transparency in contracting when the companies are doing the activities.

Gabriel Hardy: If I were to compare the work of the Commissioner of Lobbying with the work of the Conflict of Interest and Ethics Commissioner, I would say that both should have the ability to impose penalties. A report on ethics has just been produced and it deals with proportional penalties.

Is it your impression that the Commissioner of Lobbying and the Conflict of Interest and Ethics Commissioner should have the ability to impose penalties when dubious practices are identified? By that I mean penalties severe enough to discourage practices that are all but illegal.

Do you believe that more penalties of that kind should be imposed?

Jean-François Routhier: Absolutely. In Quebec, we have an additional power, which is to impose disciplinary penalties by suspending the activities of any lobbyist who may allegedly have broken the law. Otherwise, legally, we are in much the same situation as those at federal level. However, at least we have the power to conduct complete investigations.

I understand that the federal commissioner has to submit her investigations to the RCMP, which clearly involves costs and delays. I feel that it is very appropriate to have a full range of powers.

The Chair: Thank you, Mr. Hardy and Mr. Routhier.

Ms. Lapointe, from the Liberal Party, you have the floor for six minutes.

Linda Lapointe: Thank you very much, Mr. Chair.

First, I would like to say that we had a press conference earlier today, with you and Mr. Hardy. I have to apologize. I mentioned some things that were best left unsaid. There, that's done.

Commissioners, thank you for joining us today.

Does the legislation you both work under deal with grassroots lobbying? If so, can you tell me more about it?

[*English*]

Cathryn Motherwell: Yes, we do have grassroots in our legislation, but it's a form of communication and you have to identify it if it's going to be part of the way in which you're proposing to communicate with a public office holder. We actually have a checkbox that asks if you are going to be communicating via letter or in a meeting or by embarking on grassroots lobbying.

As you know, grassroots can use any means, including ads, websites and social media. It is essentially to encourage members of the public to communicate with public office holders directly through any means, including letters, email, social media, etc.

In Ontario, merely managing grassroots communication is considered lobbying. Examples of this type of lobbying are directing a campaign, making decisions about the message of a campaign and making decisions about the techniques that would be used as part of that campaign, which, as I said, is to get members of the public to write to or communicate with a public office holder.

Administrative work and research to support a campaign are not considered part of lobbying activity in Ontario, but if a client pays a lobbyist to manage that grassroots communication, then they must register as a consultant lobbyist.

Finally, in another example, if an in-house lobbyist manages grassroots communications for their employer, the senior officer may need to register that lobbying if the 50-hour threshold is met.

That's a summary of what exists in our legislation.

● (1705)

[*Translation*]

Linda Lapointe: Thank you very much.

Mr. Routhier, can you answer the question?

Jean-François Routhier: Grassroots lobbying does not exist in the sense that Quebec does not require the disclosure of that kind of lobbying. It's one of the things we would like to change. But we have introduced the concept of voluntary disclosure through the lobbyists' registry, in cases when an appeal to the public is used in a lobbying campaign.

Linda Lapointe: Thank you very much.

How does your legislation define legal entities and organizations? Does the definition correspond to the way in which federal legislation defines them?

You can answer first, Mr. Routhier. Then you can answer afterwards, Ms. Motherwell.

Jean-François Routhier: Actually, only a few not-for-profit organizations are covered by our legislation. The concept of corporation or organization is relatively limited because those included are individuals. So we register lobbyists, not entities. That's actually one of the major changes we are proposing.

I think that you have met with officials from the Organisation for Economic Co-operation and Development. That's one of the changes we are asking for in Quebec's legislation and it's also a change that the federal commissioner is asking for. Thoughts are not very clear on companies and organizations, except when it comes to excluding some not-for-profits.

Linda Lapointe: Thank you.

Ms. Motherwell, would you like to answer the question?

[*English*]

Cathryn Motherwell: Just so I'm clear on the question, are you asking to compare what the Ontario legislation says about not-for-profits versus other entities?

[*Translation*]

Linda Lapointe: I am asking whether the definition of legal entities and organizations in Ontario corresponds to the way in which federal legislation defines them.

[*English*]

Cathryn Motherwell: Thank you.

They're all in-house organizations or in-house for-profits and not-for-profits. It is the same. The requirements are identical. Again, they're captured under the 50-hour threshold, after which registration is required in the name of the senior officer. The registration must then list all those who have contributed to the 50 hours as being active lobbyists on behalf of the organization, whether it's for-profit or not-for-profit.

[*Translation*]

Linda Lapointe: Does the 50-hour threshold apply to telephone communications as well as communications by email, by letter and in person?

Did I understand correctly?

[*English*]

Cathryn Motherwell: It's everything that meets the definition of lobbying—which is communication with an intent to influence—provided it is part of that individual's job and they're paid for it.

[*Translation*]

The Chair: Thank you, Ms. Lapointe.

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

Jean-Denis Garon: Thank you, Mr. Chair.

My thanks to both commissioners for joining us today.

We have discussed the hole in the federal legislation in terms of lobbying in connection with the awarding of public contracts, lobbying done by companies who want to develop a contractual relationship with the government.

At the moment, there is no framework for that. We are studying the Lobbying Act today. It does not mean that the act will automatically be amended, because it's a process of consultation.

In Quebec, we have often identified major flaws in the legislation on lobbying, or in the observance of the legislation when major infrastructure projects are involved. I don't want to rehash our recent history, but we did have the Charbonneau commission and the scandals in the construction industry when it came to building roads and interchanges, and so forth.

Today, there's a gaping hole in the federal legislation, just as projects with record-breaking costs are starting up: pipelines, rail networks, high-speed trains, military procurement, military bases, fighter aircraft and so on.

It's one heck of a hole—pardon my language. Commissioner Routhier, is it not urgent to plug it before we start all that procurement and all those big infrastructure projects?

● (1710)

Jean-François Routhier: I am really not here to pass judgment on federal government projects. I am not going to comment on those matters.

Jean-Denis Garon: I am asking about the vulnerability of the major infrastructure projects in terms of the shortcoming in the act.

Jean-François Routhier: If you read the recent report from the Gallant commission, you will see that it is precisely one of the points that was raised. We saw that no private lobbying mandate was on record in connection with the contracts awarded for the SAAQclic megaproject. There, the public, even public office holders, was never aware that lobbying activities connected to that megaproject even took place.

As I said by way of introduction, that aspect of federal legislation has to be improved, as in any legislation that has to do with lobbying. A lot of influence comes into play when contracts are awarded. I feel that we need a smart framework, one that eliminates things past a certain threshold. The public accepts a threshold it sees as appropriate. So it would be preferable to have lobbying activities more closely regulated, and therefore appropriate, for contracts above a certain value.

Once again, for us, the rules for lobbying should be based on the relevance of the information for the public, so that they are aware of what is going on and so that they can make informed choices. The idea of relevance is not in the hands of those doing the lobbying.

Jean-Denis Garon: I'd like to ask a related question. At the moment, there is no threshold. Anything would be an improvement. That's a significant part of the problem.

Should we include the types of lobbying conducted by Crown corporations and their affiliates? The examples that come to me are Via Rail and Alto.

Are we going that far?

Jean-François Routhier: Once again, that question should perhaps go to the Commissioner of Lobbying. I am not an expert on federal legislation and all the Crown corporations it could encompass.

I can simply confirm that, in Quebec, Crown corporations, departments, agencies and municipal corporations are covered by the legislation. The definition of a lobbying activity therefore applies in all cases.

Jean-Denis Garon: Thank you, Commissioner.

If I understand correctly, you said that you were in favour of the federal commissioner having more powers, such as the power to make a case, to order an investigation or to impose penalties.

Can you tell us more about the types of powers that could be given to a commissioner that would improve the ability to apply the law?

Jean-François Routhier: Absolutely.

To start with, there must be a genuine power to investigate, meaning to conduct investigations and come to the conclusion that an infraction has taken place. Then there must be a variety of powers of penalty.

In our case, we can turn to the Directeur des poursuites criminelles et pénales to start criminal proceedings. That is an extremely lengthy and expensive process. In addition, the evidence has to be beyond reasonable doubt. As I understand it, the federal commissioner has the same situation.

In our case, we also have powers to discipline. This means that we can restrict a lobbyist's activities for a certain period. We are also asking for amendments to give us other powers. For example, we are asking for the power to make recommendations and to impose administrative monetary penalties, financial penalties when, for example, activities have been done outside the timelines or were not registered according to the rules.

A wide range of powers is needed, and they can all be given to a commissioner for lobbying, especially an independent one.

● (1715)

The Chair: Thank you, Mr. Garon.

That completes the first round of questions.

We will start the second round of questions with Mr. Barrett, from for the Conservative Party, for five minutes.

[*English*]

Mr. Barrett, you have the floor. Go ahead.

Michael Barrett: Thank you, Chair.

Commissioner Motherwell, which Ontario enforcement tool has done the most, in your opinion, to improve compliance? Would you view that as a tool that Parliament should adopt for the federal commissioner?

Cathryn Motherwell: I don't have many, so there's not much to choose from, really. Perhaps I could give you an overview of what that looks like, and then you can have a sense of where there is a distinct difference between the powers I have under the Lobbyists Registration Act and those that Commissioner Bélanger has.

I have the power to investigate potential non-compliance with the act. I can open an investigation on my own initiative. I can take complaints from anyone in the community. This means that we can take it all in. The act is very specific, though, about what can be done—the procedures and processes that must be followed in the investigation. These are very helpful.

I can also conduct compliance activities to verify information that is contained in individual registrations. I can tell you that we do compliance investigations in the hundreds, easily—many hundreds, 300 or 400—to validate the information that's provided to us.

My office cannot divulge any information on whether there is an investigation or make an investigative report public. The results of investigations are anonymously summarized in the annual reports. I would like to have some changes made to this aspect, because I can only report once a year. I would like to make that a bit more timely so that whatever reporting is permitted by the legislature, it at least can be in a more timely sense, rather than waiting potentially 11 months and 30 days until the next annual report.

If I do find non-compliance with the act, as I said, I can impose a penalty: making public the name of the lobbyist and publishing a description of the non-compliance. I can also prohibit a person found to be non-compliant from lobbying for up to two years.

These are the only penalties that are available to me. Like Commissioner Bélanger, I would like to see a bit more opportunity, because one thing that was emphasized in, I believe, Mr. Jordan's testimony was that a lot of this is about compliance. We want to help people comply with the legislation. Maybe what they don't need is to have their name published on the website. Maybe what they really need is some training.

It would be really helpful to have that in the tool box as well—to insist or require that someone come in for half a day of training so they really understand the breadth and scope of the law and how it applies to the activities they're undertaking. Then they're fully informed. It would be better for us because it would be a better use of resources—education is a key part of a lot of our work—and it would also be better for the individual because then they would fully understand where their breach lies and how they can fix their activities.

Does that help?

Michael Barrett: It does.

If we look at the potential to expand registration requirements, how do you think we should make sure that the act targets professional lobbying and not legitimate advocacy by charities, non-profits and faith organizations that are acting in the public interest and sometimes would even be volunteer-driven?

Cathryn Motherwell: That doesn't mean they're not trying to influence public policy, and as I said in my opening remarks, the key underpinning of lobbyist registration and lobbyist registries is to ensure that there's transparency about who is lobbying whom in government, and about what.

It's also about protecting government decision-making. Some of the organizations that you outlined are very sophisticated organizations that, as you said, have what you may believe is a valid point on influencing public policy.

We're sort of neutral on lobbying content, if you will. We're not really concerned with what you're lobbying about. While we want to make sure that it's clear to the public what you're lobbying about, it's value-neutral to us. If you're lobbying because you want to get a contract for your company or you're lobbying because there's a very important piece of social policy that you would like the government to act on, we treat those the same. That is a fundamental underpinning of the act that I am charged with ensuring is undertaken appropriately here in Ontario.

● (1720)

The Chair: Thank you, Commissioner.

We will go to Mr. Saini from the Liberal Party for five minutes.

Go ahead, please.

Gurbux Saini: Thank you, Mr. Chair, and thank you to the two commissioners.

One of the recommendations the federal Commissioner of Lobbying is proposing is immunity from civil and criminal proceedings for herself and for her office. I understand that some of the other federal agencies that are reporting to Parliament already have that.

Commissioner Motherwell, could you give us your viewpoint on that, and could you elaborate on how that would affect your office?

Cathryn Motherwell: I have similar immunity under the Members' Integrity Act, but I would suggest that this question be directed to Commissioner Bélanger.

Gurbux Saini: Maybe Commissioner Bélanger could speak to that.

The Chair: Do you want Mr. Routhier to speak to that?

Gurbux Saini: Yes, please.

[*Translation*]

The Chair: Mr. Routhier, can you answer the question?

[*English*]

Jean-François Routhier: Yes. I didn't want to impersonate Ms. Bélanger.

[*Translation*]

Yes, Quebec legislation actually does contain provisions that prevent a person from suing the commissioner for lobbying as the result of an investigation. That is demonstrably essential in order to preserve the independence of the commissioner, as the person who has to set the law into motion. As my colleague has just said, the commissioners' main role is not to penalize but to ensure compliance and transparency.

But there are penalties too. Investigative powers must be exercised. Therefore, it is absolutely essential to maintain the complete independence of commissioners. There must be protection so that the actions taken by commissioners in fulfilling their functions are protected.

[*English*]

Gurbux Saini: Thank you.

The next question is for Commissioner Motherwell.

How does the referral process to the appropriate authority work under your legislation? Can you provide an example of a referral that was recently made by your office?

Cathryn Motherwell: Under the act, I have the power to refer a matter to an appropriate body, such as the OPP. As I mentioned, though, everything we do under the act in an investigative capacity is confidential, so I'm not able to provide any example. I'm sorry.

Gurbux Saini: Can you elaborate on the cooling-off period set out in your respective legislation and on whether any exception exists that would reduce or eliminate that period?

[*Translation*]

Jean-François Routhier: I can start, if you like.

Provisions called post-employment rules are included in the Quebec legislation. In our case, the longest period is two years. For example, members of the cabinet and ministers have a prohibition of two years.

As part of the Lobbying Act review, we would like to slightly increase the period or to have a different scale, but not exceeding three years.

If the five-year period that's currently in the federal act achieves its objectives, that's great. Personally, as a regulator, and having discussed the matter with several other former public office holders, I feel that a period of five years is actually long for someone who has just left a position.

The commissioner for lobbying in Quebec has no power to make exceptions. Therefore, I have no ability to adjust the period or to reduce the requirements described in the act.

● (1725)

The Chair: Thank you, Commissioner.

[*English*]

Thank you, Mr. Saini.

[*Translation*]

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

Jean-Denis Garon: Thank you, Mr. Chair.

Mr. Routhier, as politicians, we are often in a position where we meet business representatives. The same goes for ministers. It's part of our job. I know that there has been a lot of criticism in the past. For example, there has been a lot of media coverage of cocktail-party fundraisers for political parties. Ministers have been present and companies have paid an entrance fee to have access to those ministers.

I would like to know how that is viewed in the Quebec legislation. How does Quebec's legislation on lobbying deal with the kinds of events where people pay a lot of money to get in and to have access to elected officials or ministers?

Do people need to register? Is that lobbying?

Jean-François Routhier: Actually, the idea of paying for access to a minister or a politician is not at all covered in the Lobbying Transparency and Ethics Act. It would more likely be in the purview of my colleague the Ethics Commissioner.

In Quebec, the question is whether the person who attends the cocktail party is going to try to influence a public office holder's decision. If so, it's potentially a lobbying activity. If the criteria are met, there must be an entry in the lobbyists' registry. It's as simple as that.

The circumstances really have no relevance, much like the way of approaching people and the nature of the communications. What is important is the attempt to influence the decision of a public office holder, but the concept of influence does not seem to exist in the federal legislation.

Jean-Denis Garon: Earlier, some colleagues were talking about lobbying as the preserve of organizations, military groups and so forth. Sometimes we wonder whether the federal government should set a lower threshold for those groups because it can be complicated to sign up.

You also mentioned that you have simplified the registration process in Quebec. As you have said, to register oneself, to write a mandate can take 15 or 20 minutes. As I understand it, it makes the work of registration easier for groups, or for those who have fewer resources.

Do you think that simplifying the process would be a kind of preliminary stage prior to asking everyone to register, no matter what the size of the group or the extent of the financial resources?

Jean-François Routhier: That is exactly what we did.

In Quebec, most not-for-profit organizations are not subject to the act. That's not the case federally or for most, if not all, the provinces in Canada. Only some non-profits are subject to it and I know that not-for-profit organizations are very reluctant to register.

Just now, your colleague was talking about legitimate or illegitimate lobbying. My colleague Ms. Motherwell said that it doesn't exist. We do not look at the goals and objectives of the lobbying activities; we are not able to judge whether it is good for the public or not. Whether it's good for the public can be very random anyway.

Nevertheless, I am convinced that a process that sets out to include organizations that may have fewer resources should accommodate them. We have to be able to find ways to target lobbying activities. As my colleague was saying, they are lobbying anyway. You can call it lobbying or representing one's interests. It's the same thing as far as we are concerned.

● (1730)

Jean-Denis Garon: Let me ask you an easy question, an empty net for you to shoot at, if you will. I think I already know the answer.

Having an act is all very nice. As we said just now, it may even be a good act. But commissioners need a lot of resources if they are going to be able to apply it. Sometimes, we tend to add resources after crises.

In your opinion, do the commissioners of lobbying in Canada have enough resources, generally speaking?

Do you think they should be given more funding?

Jean-François Routhier: Of course, I cannot speak for the other commissioners of lobbying. But I can tell you that, for the commissioner of lobbying in Quebec, budgets are annual. I also sense a great deal of respect for the office and for the legislation.

We do not have all the powers we would like to have. In addition, if we succeed in amending our legislation, which I hope will happen very soon, we will not really need a lot of additional resources because of the huge amount of work we did beforehand, especially on the registry of lobbyists.

I can't comment on the funding for the federal commissioner. But I can tell you that, in Quebec, we are seen as important. We get the budget that we want.

The Chair: Thank you, Mr. Garon.

[*English*]

Mr. Barrett, you are next, for five minutes.

Go ahead, please.

Michael Barrett: Thanks, Chair, and I thank the witnesses.

I have a motion that I put on notice. I'm going to move it.

I move:

> That the committee:
>
> (a) require the Privy Council Office (PCO) to provide the committee, on the 15th day of each month, with a report detailing each time an assessment was undertaken relating to the application of the Prime Minister's conflict of interest screen, pursuant to the assessment tool on the application of the Prime Minister's conflict of interest screen, including assessments originating in the PCO or any department, from the previous month; these reports must include (i) a summary of each instance where an assessment was triggered; (ii) the record of the outcome of each analysis; (iii) any records of discussions or considerations that are in the possession of the PCO or any department related to each analysis, including notes and meeting minutes; and (iv) any correspondence related to each analysis, including emails, text messages, instant messages and other records of conversations; and the first report, which shall be provided to the committee by no later than June 15, 2026, shall include the complete set of information for each assessment since the Prime Minister's conflict of interest screen came into effect; and
>
> (b) order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office, the Prime Minister's Office or any federal government department; these should include, but should not be limited to, each meeting the Prime Minister attended and every attendee at these meetings; and these documents are to be provided to the committee in both official languages and without redaction within six weeks of the adoption of this motion.

It has been provided in both official languages to the clerk, with the requisite notice.

The Chair: Thank you, Mr. Barrett.

The motion was put on notice. It is in order. Mr. Barrett had the floor. He moved the motion.

I am going to take this opportunity to thank Commissioner Motherwell. We have limited time.

Commissioner Motherwell, I want to thank you for appearing before the committee today. If there is any other information that you'd like to provide to the committee, please feel free to do that.

[*Translation*]

Thank you for your evidence today, Mr. Routhier.

[*English*]

I'm going to dismiss both the witnesses and go to Mr. Barrett on his motion.

Mr. Barrett, go ahead, please.

Michael Barrett: Thanks, Chair.

It's a comprehensive motion, and it is to furnish the committee with information. These are items that came up during our public hearings on the review of the Conflict of Interest Act, as well as in the fall when we were dealing with conflicts of interest related to the Prime Minister's involvement with Brookfield and his holdings. It comes down to one of the core functions of this committee, which is about accountability. It's about providing transparency for Canadians.

We actually received a reasonable response from the individuals who administered the Prime Minister's conflict of interest screen—his chief of staff and the Clerk of the Privy Council—when they offered some PCO documents with respect to when the screen had been invoked. Regular reporting of that to a standing committee for which the mandate—

● (1735)

Linda Lapointe: Mr. Chair, I have a point of order.

I just want to know how long the committee will take.

[*Translation*]

The Chair: I don't understand the question, Ms. Lapointe.

Linda Lapointe: The meeting was supposed to finish at 5:30 p.m. I just want to know when it will end.

The Chair: We have the room until 5:45 p.m., because the resources are available.

Linda Lapointe: Okay.

The Chair: We're giving the floor to Mr. Barrett now. I know that Mr. Sari also wants to speak about the motion.

Linda Lapointe: Okay.

The Chair: Mr. Barrett, you may continue.

[*English*]

Michael Barrett: Chair, for members of the committee who don't know what time it is, what time the committee started or what time it ended, the option always exists to ask the chair off-mic and not on a point of order. I don't think that would in fact be a point of order.

It is certainly on brand for the member opposite to make non sequitur interruptions solely for the purpose of being disruptive.

The Chair: Speak to the motion, please, Mr. Barrett.

Michael Barrett: It's important when we're in committee for points of order to reflect the Standing Orders. That point of order did not reference the Standing Orders, so it was out of order. I'll take the opportunity to identify that, because it was disruptive to the committee, which is also contrary to the Standing Orders.

To the matter at hand, though, this is important. This is an accountability committee. We have the opportunity to bring accountability to bear, and we've been successful in doing so with accountability committees over the last few years. Many times, we have heard from Liberal members that since there's nothing to see here, we don't need to discuss it, we don't need document production orders and we don't need to have witness testimony.

What did we get when we had fulsome investigations and when committees fulfilled their mandates? We uncovered corruption in government with the Liberal government. We uncovered matters that have led to criminal charges being laid against government contractors when Liberal members said there was nothing to see there.

We've seen ample instances where improvements to the rules and to the laws could be made. This is, of course, very relevant. Several members of the current Liberal government have been found to have broken the very ethics laws that we review when we are discussing the act.

We're looking to bring transparency and accountability forward for Canadians, and we have the opportunity to review the instances where a conflict of interest screen has been invoked or not so that Canadians can have an understanding of that when they see the decisions the Prime Minister is taking and the meetings that he is involved in, which brings us to why travel itineraries are important.

The refrain, often from Liberal members, is, “There's nothing to see here and therefore you don't need this information; don't look over there.” Certainly, I would say that if there's nothing to hide when we're looking at the head of government, then transparency is critical. Sunlight is the best disinfectant.

The same members of the government today are the government members, Liberal members, who were involved in more ethical breaches than any government and any party in Canadian history. It's pretty chilling that when the proposal to reconstitute committees was brought forward in the House, under the auspices of reflecting the number of seats that the government has in the House, they exceeded that percentage. Their rationale was that the percentage of seats they have in their standing on committees should mirror or reflect seats in the House, but they've exceeded that.

The amendment that we put forward was to preserve the accountability of committees, because we're not dealing with legislation. That's not where the issue has been. In fact, if the charge is that there's been a slowdown on the passage of legislation, in the review of subject matter or in dealing with agenda items at this committee, only one party has filibustered, and it's the Liberals.

Chair, you can seek unanimous consent. The last time I suggested that, we had a special guest in Mr. Turnbull, who, before I even got the words out of my mouth, said that the Liberals were intent on filibustering.

I think this would provide transparency. It would provide accountability. Again, sunlight certainly does prove to be the best disinfectant. If history is any indicator, if there's reluctance or a refusal to furnish us with the information, then we can infer from this that there is another cover-up at play.

● (1740)

The Chair: Thank you, Mr. Barrett.

I will advise committee members that if there's some digging in on this, we can go until 10 o'clock tonight. We have resources until that time.

[*Translation*]

Go ahead, Mr. Sari.

Abdelhaq Sari: Thank you very much, Mr. Chair.

It is good that we have the resources until 10:00 p.m., because the topic we are dealing with today is so pertinent and so important that it is best if we all understand what is behind the motion we are discussing.

The motion we are studying, as introduced by Mr. Barrett, my colleague opposite, may be noble in its objectives, as he said so well, but I have doubts as to its relevance. I can describe the motion with a single word: redundant.

I will go over each of its requests one by one.

When I first received this motion, I tried to understand what it was all about. Of course, I understood that it asked for the Privy Council Office to provide us with information on the application of the conflict of interest screen, even though that information has already been provided after Mr. Sabia appeared here, before this very committee.

Let us also recall that the information was communicated to the public during a meeting of this committee, along with the letter we received from the Privy Council Office. The letter explained, word by word, what is requested and the way in which the screen was applied. In addition, what is of interest, certainly to the members of this committee and to the Canadians following our work today, is the way in which the assessment was done. It is important for us to know that this is an authority exercised by the government and by ministers, of course, especially when it comes to the Prime Minister.

The screen is applied according to conditions.

I have seen no witness, I repeat, no witness, appearing before this committee who has questioned the current process of monitoring conflict of interest. If I use the Prime Minister as an example of this monitoring, the Ethics Commissioner himself recognized before this committee that the process of monitoring conflicts of interest established for the Prime Minister—as I said earlier—and which also served to trigger an assessment and to govern the whole process, is effective.

What do we mean by “effective”? This is important because effectiveness means that objectives have been met. I am explaining what the term means because, once again, something here is redundant. For the information of us all, “effective” means that the desired results have been achieved. That's what “effective” means.

The question that I would ask my colleague who is introducing this motion today is this: What is it all about?

If the measures are effective and achieve their objectives, why are we asking to be given every single item?

I am still trying to understand this motion because I feel that it might have been put together at the last minute on the back of a napkin. Once again, I am giving him a chance, because his basic objective is quite a noble one.

● (1745)

Let me return to the notion of effectiveness.

I am saying that the Conflict of Interest and Ethics Commissioner recognized that the current process of monitoring conflicts of interest that was established to trigger, manage and monitor the whole system is effective. It is effective in preventing—notice that I said “preventing”, not just “monitoring”—any case of an appearance of conflict of interest. That is the system we have in place.

Next—and now I am referring to the questions raised in the motion and to several questions we have heard today—it is important to know whether these measures that we have on paper and that everyone considers to be effective are practical. The answer is yes. Not only have the Prime Minister and his team used these screens, known to be effective, but they have also been transparent with us and have told us when, how and in which situations they have been applied.

I will now go through the items one by one because, as I have said, the use of the conflict of interest screen has been evaluated. The information has already been provided to us here. We have already been told how many situations were covered. Clearly, the Prime Minister's conflict of interest screen has been applied.

Let's move on.

We are asking for the information to be available on the 15th day of each month. I understand why the 15th day was chosen. It is because it may allow the information from the previous month to be gathered, plus 15 days in which to prepare and send the reports. Some may see that as bureaucratic and involving more paperwork, but I understand why my colleague proposes the 15th day. I understand this technical detail.

However, what I feel that my colleague and his team do not understand is that our country is presently involved in a tariff war. The tariff war requires our Prime Minister to look for partnerships all over the world to mitigate the situation under which we were a little dependent on the United States.

Look at how the motion is written. I would really like the people listening to us to understand exactly what is being requested. It also asks for every trip that the Prime Minister takes to be listed. But that is information we can already have. Absolutely nothing is being hidden; all the information is already public.

On February 13, 2026, the Privy Council Office committed to doing that, specifically and in writing. We already had that commitment. Last February 13, the Privy Council Office told the members of this very committee that, on a quarterly basis, it would provide the committee with details about the cases and situations in which the Prime Minister's conflict of interest screen has been applied. Moreover, as late as November, towards the end of the year, we received some details. On February 13, 2026, we received the first quarterly report. The commitment the government agreed to was fulfilled, as we can all see.

So once again, I ask my colleague: What is this about?

I go back to the press conference this morning because it is important. I really liked my colleagues speaking about transparency and, above all, the public's trust in institutions. That is important.

● (1750)

However, let us not forget that sometimes when we try to influence perceptions, when we talk about hypotheticals and when we try to get our faces on TV, it can erode the public's trust in our institutions of any kind. I can tell you this because I have experienced it myself. I have worked very hard with young people, trying to encourage them to feel closer to institutions, whether that be the police, the fire service, local councils, cities, or provincial and federal institutions. Sometimes, on social media, you can find posts designed to get the greatest possible number of views. They concentrate on the sensational rather than on the facts, and that can damage the efforts made by elected officials, by our institutions, and by the government to gain the trust of young and old alike.

Introducing this motion today is an attempt to send a message that the government is in the business of hiding things from us or not giving us all the information. That is wrong. What this motion introduced by my colleague Michael Barrett does not say is that the government and the Privy Council Office are doing a lot of work on transparency. That is why I took the floor now to state that I am not in total agreement with the motion.

When Mr. Barrett spoke earlier, he did not mention that last February 13 we received a first report for the period ending on January 31, 2026. So we have a report that brings transparency and clarity to the subject, not only for the committee, but also for the public. We do not want the matter of applying the Prime Minister's conflict of interest filter to be something that confuses Canadians. On the contrary, the Privy Council Office stepped up. It provided all the information and explained in detail how the process is triggered and how things are handled subsequently. It told us about the Prime Minister's response. It told us what happened and what did not happen. I found it crystal clear. The information is complete and transparent and shows an openness for discussion.

Despite that, a motion was introduced that insinuates that we have received nothing and that there's a wall or a black box that prevents people from seeing what is going on. Frankly, that's completely wrong. The opposite is true. Introducing a motion like this is simply an attempt to influence perceptions and to get faces on TV. It's an attempt to send a message that we are hiding something. That's completely wrong. I have the dates, the facts and the items that were asked for.

So that I do not forget, I would like to go back over the items requested in the reports.

First, there was a request for a summary of each instance where an assessment was triggered. We have that already.

Then, there was a request for a record of the outcome of each analysis. That was requested for each monthly report, but not all government files are handled in a month. That's something that those opposite have unfortunately failed to understand.

● (1755)

The motion also asks for any records of discussions or considerations that are in the possession of the Privy Council Office. Once again, not all that information will be accessible in a month. So there may be some redundancy in the very request. The same reports will reappear each time, given that the files may not be finished, simply because the discussions will not have been completed.

We are also asking, not only for the minutes of each analysis, but also for any correspondence related to each analysis, including emails, text messages, instant messages and other records of conversations.

According to the motion, the first report should be in the committee's hands by June 15, 2026.

Let's be serious. How many resources are they going to have to mobilize in order to gather all that information? I repeat that it is redundant, because it has already been provided or will be. The request is for all the details. But too much information sounds the death knell of real information. Too much is as bad as not enough, as they say.

Now let's look at point b) of the motion. I am at a loss for words here, but I am keeping my head when all around are losing theirs. That's important. At least, I hope so.

Point b) of the motion that Mr. Barrett is introducing today asks the committee to "order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office, the Prime Minister's Office or any federal government department". It also asks for a list of every attendee at every meeting he attended.

Do you recall that, when we met with Mr. Sabia and Mr. Marc-André Blanchard in a public meeting in this very room, we asked them a question about this very matter? I seem to remember that only one of the people I see opposite today was at that meeting, namely Mr. Hardy. When we asked the question, their answer was that they could provide that information.

So what he is trying to do here by introducing this motion today is to say that we have no information. I said it before and I am saying it again: That is not true. I can surely be forgiven for having some doubts about the intent of this motion and the motives behind it.

● (1800)

Gabriel Hardy: Mr. Chair, I have a point of order.

The Chair: I am all ears, Mr. Hardy.

Gabriel Hardy: I just want to point out that we are told that it's completely false and then, in the same speech, we are told that Mr. Sabia and Mr. Blanchard said that providing the information is no problem at all. So if what we are doing is false, and if providing the information is no problem at all, then the committee just has to vote and we can finish all this and move on. If we clearly have access to the information, let's just stop talking.

The Chair: Mr. Garon, do you want to raise a point of order?

Jean-Denis Garon: Yes. Mr. Chair.

We understand that people can speak for as long as they like. That's fine because the Standing Orders allow us to do that. We all know the game. However, misleading the committee is like misleading the House. I feel that, at some point, the member has to think about his words before he speaks. When he says things that are demonstrably false when checked, it is the equivalent of a breach of our parliamentary privilege.

The Chair: You are right, Mr. Garon.

[*English*]

Generally, I do expect that members will be forthright and truthful in what they say. I don't have any evidence to suggest otherwise, but I appreciate what you're saying.

[*Translation*]

Mr. Sari, the floor is yours.

Abdelhaq Sari: Let me go back to Mr. Sabia's comments. I would ask you to read the minutes. I am talking to those who were not here at the time, but who are here today. First, welcome. I go back to that point because we asked the question. That's all I am saying. Go and look at the answer and you will see whether it's something that impels us to make this motion or not. That's all I have to say on this point.

I am going back to point b) once more. I have forgotten where I got to.

So the motion asks for documents related to “all international travel that he has taken since he became Prime Minister”. It asks for a list of “each meeting the Prime Minister attended and every attendee at these meetings”. In addition, it requires “that these documents are to be provided to the committee in both official languages and without redaction within six weeks of the adoption of this motion.”

There's one other point about which I find myself once more asking how relevant it is. Our committee previously invited two people who applied the conflict of interest screen to thePrime Minister. They showed up and answered all the questions they were asked.

Another point is that the Prime Minister should not be informed about the screen being applied before a decision is final. That is important. The Prime Minister himself should not be informed about the screen being applied before a decision is final and made public. This avoids all conflict. That is also important. We really have to remember the commissioner's comments. It's not what I am saying, it's what the commissioner is saying.

I now want to bring my comments to a close.

It can be summed up in one word: redundant. This motion is redundant from start to finish.

I am not just bothered by the fact that the motion is redundant; I am bothered by the amount of detail requested. We have already been given a report. Asking for so many details simply makes the information a little less useful. It loses its relevance. That's not helpful for us. I am no expert in travel arrangements or how productive the work is. But I think it could make all the officials' work slower because we are asking them to come up with a rather major effort in their work day.

It's not just redundant, in my view; it makes me question the objective behind the motion. That's important.

First, I do not know why we are tabling this motion at this time, given that we have the reports in our hands. What message do we want to send to the people listening to us, to Mr. and Ms. Canadian-in-the-street?

Second, while I question the motion for being redundant, I also question the amount of detail requested. I question the manner in which the motion was written, because, in my view, the objective is not transparency. The objective is not really to increase transparency and the public trust. That is certainly not going to happen.

I don't know whether it's because you are looking for clips. I feel that you have had your fair share and we have heard a bunch of things in your clips. We even had a press conference today.

I feel that the government is doing its job now. The Prime Minister had the confidence of the public, and not just in the three most recent by-elections. He has the public's confidence overall, in Quebec or elsewhere. In addition, work is being done. But here we are saying that we do not have complete confidence in that work.

● (1805)

As for the facts that Mr. Barrett used to justify the motion, I found them inappropriate. The experts have clearly told us that we have to be very careful when we are introducing motions, proposing regulations or changes to regulations or legislation, or applying filters. We must not make the subject, the problem or the procedure personal. Mr. Barrett's entire introduction is personal. The experts have told us: Be very careful not to personalize matters by referring to one person, one example, one fact or one incident. The long-term scope of this motion really cannot be based on reasoning that applies to one person.

To conclude, I am not comfortable or in agreement with this motion. I am not comfortable because of the objectives behind the motion. This is not why I became involved in politics. This is not why I stepped up, put my face on campaign signs and had them stuck to posts. This is not why. On the contrary, let me say it again: I am very proud and very happy to be a member of this committee because I find that we examine rules, regulations and legislation in order for the government to have ethical ways of doing things. We should be assuring the public that things are transparent and worthy of their trust, not the opposite. What I am seeing here today is the complete opposite of what I really want to do.

I am going to ask Mr. Barrett a lot of questions about the details he is asking for and about the effort that will be required. Unfortunately, he is asking for something that can only slow down the work of our officials. They do excellent work and we should be thanking them for it. I do not see how this motion will help them at all. Instead, it will adversely affect their effectiveness and efficiency. I feel that we must take that into consideration when we draft motions of this kind.

In conclusion, I have some quick questions for Mr. Barrett.

Was he aware of the February report? As I read his motion, it seems as if we received nothing and that nothing happened.

Are the details we have in the letters and the reports not enough in his eyes? Do they not show transparency and good faith on the part of the government?

When we start writing a motion that we want to introduce with some speed, right after the committee has ended the discussion on another motion, it must be urgent. That's what I want to ask Mr. Barrett about. What is the urgency behind this motion? What did he see that made him decide that we need it? What triggered this in an honourable member of Parliament, whom I respect? Why does he find all this mass of detailed information so urgent?

I find it redundant and too detailed; I find that it is asking for too much. I hope that my colleague Mr. Barrett will take the time to reconsider and to frame his motion better. Given the rapport we have established, I feel that as a responsible person and a respectful MP, he should look again at the motion as drafted. Of course, I am asking him, if possible, to withdraw it.

Thank you very much, Mr. Chair.

● (1810)

The Chair: Thank you, Mr. Sari.

I have a list of people who wish to contribute. Mr. Hardy, you are at the top of the list. Please go ahead.

Gabriel Hardy: Thank you very much, Mr. Chair.

Here we go again with another Liberal monologue. We have just got out of 17 hours of Liberal monologue and now we see my colleague with opening remarks that went on for 25 minutes. Other Liberal colleagues joined in, cellphones came out and everyone was ready for the circus to start again and to talk endlessly.

Personally, I listened attentively to my colleague's comments.

Let me quickly tell you why I became involved in politics. I became involved in order to stand up for the public interest. However, when there is no transparency or when we see things like we have seen this morning in committee, my view is that it is not working. The Liberals have announced clearly that they will reject at least 20, if not all 23 recommendations. So those who are not always in agreement with my Liberal colleagues will have to stand up for themselves, and firmly.

We have been talking about effectiveness, because we do all the time. It's all good and it's all effective. Let me reassure you as I quickly go through my notes. We talk about effectiveness, but for whom? When we on our side find that things are not effective, we are told to stop asking questions, that we are not making sense and that we are slowing everything down. But when the Liberals find things effective, everything is effective. It's like saying that the only kind of effectiveness is Liberal effectiveness.

For some time now, the Liberals have been quoting two witnesses, but those witnesses are both direct employees of the Prime Minister. I do not know how that is neutral or fair to the public when the only two witnesses we hear quoted work directly for the Prime Minister.

The motion we have here asks for clarity and transparency. It's now Thursday evening and the committee has just sat for a two-hour session on lobbying. In that session, witnesses came again to tell us that transparency and accountability are vital for our institutions to regain public trust.

We are told to stop being sensationalist. We are told that Mr. Barrett wrote the motion on the back of a napkin. It seems clear to me that my colleagues think that he does not know how things are done. We are told that we need to be factual. What can be more factual than asking for facts? We are asking to have access to information so that we are able to pass it on to people for them to form their own opinions. We are not asking the government to analyze the information we should be receiving. Nor are we asking them to tell us what information might be relevant. We are asking them to give us the information so that those whose job is to criticize the government are able to do so and to ask questions.

Earlier, Mr. Cooper tried to introduce a motion, but he was interrupted six times. Madam Chair—Mr. Brassard was not in the chair this morning—and the Liberal members interrupted him repeatedly. That's the problem, right there. When questions are asked, they are not good questions unless the Liberals ask them

Let me talk about clips now. We have had 17 hours of monologue. The Liberals never get tired of accusing us of wanting clips, but they had a good number themselves in those 17 hours of monologue. They were on camera all the time. I don't really know what they wanted to point out, but they were on camera for 17 hours. So they can't come and tell us that we want clips. They clearly want to be on TV a lot.

Then, I do not know whether I have the right to show it here, but I have a report from Statistics Canada that tells us that 72% of Canadians no longer have trust in our institutions. So when we introduce motions asking for access to information, it's not redundant. Statistics Canada tells us that Canadians no longer have trust in our institutions. So, please, I am asking for transparency and accountability. That's the first thing to do to win back the trust.

I will end there. They ask us what is so urgent. We told them. The urgency is that the Liberals want to control all the committees. The urgency is that, for the first time in history, we have a majority government without a democratic vote by the people. The Liberals want total control of all the committees so that we will no longer be able to ask questions or hold the government responsible for its actions. That's the urgency, right there.

I know that someone asked earlier when we are going to end all this. It will end when we become able to be transparent with Quebeckers and Canadians, and when people feel that the government is responsible for its decisions. That is our role.

● (1815)

Really, that's where I will stop. This is not about the Liberals versus the Conservatives and the Bloc. It's about us having one of the best Parliaments in the world, where we have the opportunity to hold the government to account every day, regardless of the party in power. It is extremely important.

But what we are seeing here, and what we will soon be seeing again—because the Liberals have given us a perfect demonstration of what is coming—is that, when the Liberals have the majority on committees, we are going to be cut off every two seconds when we go to ask questions. The Liberals are not even in the majority yet, but they did it just now when Mr. Cooper wanted to introduce his motion.

This is why it's so urgent.

The Chair: Thank you, Mr. Hardy.

[*English*]

I do have a list that has Ms. Church, Ms. Lapointe, Mr. Saini and Mr. Hogan on it.

I am going to suggest that the parties talk about this over the next couple of days and figure out whether there is something that can be agreed to. If not, it's up to you guys, but I don't want to continue this tonight, and I'm not continuing this tonight.

I will suspend to the call of the chair. I did have resources tomorrow from 9:00 a.m. until midnight, but we will resume this on Monday afternoon at 3:30 p.m. This meeting is suspended until that time to the call of the chair.

[*The meeting was suspended at 6:17 p.m., Thursday, April 23*]

[*The meeting resumed at 3:33 p.m., Monday, April 27*]

The Chair: Good afternoon, everyone. I'm going to call the meeting to order.

[*Translation*]

Welcome to the House of Commons Standing Committee on Access to Information, Privacy and Ethics.

We are resuming meeting number 38 of the committee. It, and the debate, were suspended on Thursday, April 23.

[*English*]

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person, in the room. I don't think we have anybody on Zoom.

When we last left our superheroes, we were on committee business. We are now resuming debate on the motion that was moved by Mr. Barrett on Thursday, April 23, 2026.

I'll remind the committee what the motion says:

> That the committee:
>
> (a) require the Privy Council Office (PCO) to provide the committee, on the fifteenth day of each month, with a report detailing each time an assessment was undertaken relating to the application of the Prime Minister's conflict of interest screen, pursuant to the Assessment Tool on the Application of the Prime Minister's Conflict of Interest Screen, including assessments originating in the PCO or any department, from the previous month; these reports must include: (i) a summary of each instance where an assessment was triggered; (ii) the record of the outcome of each analysis; (iii) any records of discussions or considerations that are in the possession of the PCO or any department related to each analysis, including notes and meeting minutes; and (iv) any correspondence related to each analysis, including emails, text messages, instant messages, and other records of conversations; and the first report, which shall be provided to the committee by no later than June 15, 2026, shall include the complete set of information for each assessment since the Prime Minister's conflict of interest screen came into effect; and
>
> (b) order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office, the Prime Minister's Office, or any federal government department; these should include, but not be limited to, each meeting the Prime Minister attended and every attendee at these meetings; and these documents are to be provided to the committee in both official languages and without redaction within six weeks of the adoption of this motion.

When we last left the suspended meeting, I had a list that started with Ms. Church, followed by Madame Lapointe, Mr. Saini and Mr. Hogan, who's not here. I am going to start with Ms. Church.

I will advise the committee that I do have resources until 1:45 in the morning to discuss this. I want this finalized.

Ms. Church, go ahead. You have the floor.

Leslie Church (Toronto—St. Paul's, Lib.): Thank you very much, Mr. Chair, for the opportunity to speak for the first time on this motion that was brought forward last week.

I think, like so many Canadians right now, we would share a commitment to accountability. We would share a commitment to ensuring that conflicts of interest, when they arise, are managed prudently and seriously. Over the course of this committee's work in past months in exploring how we might recommend improvements and changes to the Conflict of Interest Act and the Ethics Commissioner's ambit, that's one of the reasons we've approached this issue with the seriousness and good faith that this topic requires.

However, when we're faced with a motion like this—a motion that has brought before this committee an issue that has been a subject of concern for my colleagues across the table for many months now and has been infused into many of our discussions along the way since our committee was first formed—I think it's fair for us to ask about the intentions of the members opposite in bringing forward such a motion. Their intention is, perhaps, to tie up the government by conducting yet another fishing expedition into an area of governance that has been settled.

Mr. Chair, it was months ago that we had the Ethics Commissioner himself, as well as both the Clerk of the Privy Council and the chief of staff to the Prime Minister, before this committee for hours to answer questions about the conflict of interest regime and how it's applied. As a result of the meetings that we dedicated to this pursuit, I think all committee members were afforded a great deal of clarity about how this regime operates in terms of the resources dedicated to the Privy Council and to the Prime Minister and his staff as well. Not only that, I think this committee received at the time a very good-faith commitment—a commitment that has subsequently been delivered on—to continue to apprise this committee on the operation of the conflict of interest screen in particular.

However, what we've seen here is a far more searching effort to go hunting through not only the Privy Council and the Prime Minister's Office, but any department across government for any correspondence and all emails, text messages, instant messages and other records of conversation to provide a level of reporting to this committee that is truly unprecedented and raises the question of why my colleagues opposite choose to bring this motion forward now. I say that with great respect for my colleagues and for this regime, but also with a desire to point them back to some of the testimony this committee heard about the operation of the screen from the witnesses this committee opted to call.

We heard from the commissioner himself about the operation of the conflict of interest screen and how this is a method that's been approved by the Federal Court of Appeal and is a helpful measure in administering the Conflict of Interest Act. We heard from him that this is a useful tool in ensuring that the people responsible for the day-to-day work around the Prime Minister—the people responsible for the documents that would land on his desk—review them to see if they contain anything that would require the Prime Minister to recuse himself.

"It's a preventive measure" is what the commissioner said. Not only has this preventive measure been applied in numerous examples across the government, dating back decades, but it's also one that works.

The designated operators of the conflict of interest screen—in this case, the chief of staff to the Prime Minister and the Clerk of the Privy Council—are precisely the people who are responsible for the documents that come before the Prime Minister on both the public service side and the political side of that office. The commissioner said, "The two of them work with a large team to review every single thing that has to come before the Prime Minister to see if there's a potential conflict of interest." At the time when the commissioner appeared, he said, "Representatives from the Prime Minister's Office have explained to the committee what they do to manage the screen. Based on their testimony, I believe that it's a measure that works well."

Mr. Chair, this is important, because this isn't coming from Liberal benches or Conservative benches. This is coming from an independent agent of Parliament, an agent of Parliament who is hired specifically to be non-partisan, to be able to preside over sensitive personal information of every parliamentarian under the code or the act, and to adjudicate fairly, without the added burden of partisanship that has a tendency—fairly or unfairly—to colour these inquiries when they're raised in a committee such as this or by my colleagues across the way.

We have an independent agent of Parliament who is saying, "Based on their testimony, I believe that it's a measure that works well." He is a commissioner who has the authority to put in place conflict of interest screens wherever they're required, for every parliamentarian. He is entrusted with that responsibility by parliamentarians, by Parliament itself, and is attesting to the fact that this is a set-up that works.

Mr. Chair, I think that this testimony from the commissioner should be given a great deal of weight, because the moment we depart from looking at his advice, his testimony, his commentary on a matter like this, we are chipping away at the integrity and independence of the very office that Parliament struck to deal with these issues.

We heard from experts throughout our study of the Conflict of Interest Act that it is entirely appropriate that we have an independent agent looking at these matters precisely to avoid the potential for abuse, the potential to weaponize concerns about conflicts of interest, at a time when we know, through our own experience as parliamentarians, that in fact this can occur and does occur. We heard that from experts in our study as well.

When the commissioner comes forward and says that what has been set up works and that there is an appropriate system in place for engaging a screen, reporting on a screen and establishing a screen and for all the different phases of the mechanism of setting up a conflict of interest screen and applying it, that should be taken very seriously by all of us. It was Parliament's decision to entrust him with the authority to manage this regime on behalf of all of us because, as we have also heard, you cannot build a regime based on a single person. You have to build a regime that applies fairly, transparently and equally across all parliamentarians.

When I consider how the Ethics Commissioner looked at this and then I look at the motion before us today, it makes me wonder why my friends opposite would rather have a committee dive into this across government, as opposed to taking the Ethics Commissioner at his word as the one who is most entrusted to deal with this matter.

Mr. Chair, I think one of the reasons the Ethics Commissioner would have come to this conclusion in the first place is the quality of the arrangement that is in place, which this committee heard about both from the clerk and from the chief of staff to the Prime Minister. When the clerk was before this committee answering our questions, he reminded us that, "With respect to the Prime Minister's blind trust and the screen, like every other public office holder since 2007, the Prime Minister is subject to requirements under the Conflict of Interest Act."

That is why the Prime Minister, working with the Ethics Commissioner, agreed to and published a public declaration on agreed compliance measures, including a conflict of interest screen and the blind trust. These promote transparency and public confidence in decision-making. When the clerk was here, he said, "In Canada, I think we're all pretty familiar with those screens. They've been in place for many years in public and private institutions and under governments of varying political stripes."

While my colleagues opposite have continued to come back to this issue at every possible occasion over the past 10 months that we've had this committee in operation, I question why they have focused so much on this when all of the testimony that we've heard is that the Prime Minister has gone above and beyond his ethics requirements. He has done so in collaboration with the Ethics Commissioner. He has set up one of the most stringent screens that we've heard of, according to testimony from some of our witnesses, such that the Ethics Commissioner himself believes that this is a measure that works well.

If we're thinking about this, it's important for us to think about how this actually works, to understand fully why this conflict of interest screen is as effective as it is.

Mr. Sabia described this as a "rigorous process" of implementing the screen "that has been fully validated by the Ethics Commissioner." He said:

> As a first step, policy decisions that might trigger the screen are identified and reported to the senior management of departments and agencies as they arise. Then departments and the Privy Council Office conduct a very robust case-by-case due diligence examination. At that point, if there appears to be even a remote possibility that the screen may be needed, it is immediately put in place. Why is that? It's so that we always err on the side of caution.

Then he went on to describe a comprehensive assessment tool that he later, at our request, tabled to this committee to demonstrate just how serious this government and this Prime Minister are about applying the Prime Minister's conflict of interest screen and establishing a serious process to ensure that no conflict arises. That assessment tool broadly covers key areas that warrant specific attention. It covers guidance to public servants on how to conduct an analysis of what could create a conflict. It creates a standardized process to undertake this type of assessment. This might very well be the most comprehensive set of instructions and the first tool put in place by the Privy Council to give effect to a conflict of interest screen.

Conflict of interest screens happen across government. They can happen across cabinet. This is not an unusual circumstance for a member of cabinet to find themselves in. It is not unusual for ministerial offices, for the Prime Minister's Office and even for senior offices in the civil service to have to constantly be alert to, be aware of and deal with conflicts of interest, because they can arise in a wide variety of places from person to person. You may not even have a screen, but you can still find yourself in a conflict of interest because parliamentarians come with families and friends. Even if you don't have a formal screen in place, each one of us has a responsibility to always be alert to the potential for a conflict of interest to arise. That responsibility, that obligation, exists for every member of Parliament.

This assessment tool further institutionalizes and provides further guidance to a much broader group of public servants, in particular, who need to know how and when to apply a conflict of interest lens and how a screen would operate. In that sense, it's very useful. It no doubt will be a useful assessment tool, not only for other ministers but also for the hundreds of other senior public servants who find themselves among the designated public office holders who may be likely to have a conflict of interest screen.

The conflict of interest assessment tool in use now—just to give you a sense of how it works—first sets out whom it's administered by. This follows the same language disclosed on the Ethics Commissioner's website:

> This screen is administered by my Chief of Staff and by the Clerk of the Privy Council to ensure that I am neither made aware of nor participate in any official matters or decision-making processes involving the Companies' interests. I may, however, participate in a discussion or decision on a matter that is of general application or that affects the Companies' interests as a member of a broad class of persons unless those interests are disproportionate to the other members of the class.

The screen is operative to try to meet that objective. The tool then goes into “How to conduct the analysis”:

> To conduct the analysis, contextual information related to the companies that are subject to the screen and the sectors of the Canadian economy that warrant specific attention is set out...followed by a list of questions to guide the analysis as to whether the screen should be applied.

The assessment tool talks about “Matters that must be included in the screen”. It talks about “Matters requiring assessment” and areas where “specific attention” is warranted. Then it offers a questionnaire designed to guide an individual on how to conduct the analysis required, which is then “documented in the template” associated with the tool and “developed [expressly] for this purpose.”

That questionnaire is seven questions long. It involves examples, and it involves a lot of guidance that's available to anyone who is considering whether or not the conflict of interest screen should be invoked. It also goes on to define what is a matter of general application and what is a broad class. I think that's important, Mr. Chair, because I know that's been a source of some discussion here within the committee.

In terms of how the assessment tool works to help answer questions on whether a decision or discussion is one of general application, an individual needs to think about the following:

> If the decision or discussion applies to an undetermined group of people or companies, then the matter is of general application.
>
> If the decision or discussion applies to a regulated activity and to an identifiable group, then the matter is not of general application.
>
> If the decision or discussion applies to a particular entity, person or group of entities or persons, or to a particular situation, then the matter is not of general application.

It sets a pretty clear scope for what constitutes general application.

For a broad class, similarly:

> If the decision or discussion applies to a large number of entities or people, who may have different characteristics, but share at least one important characteristic...then the matter applies to a broad class.
>
> If the decision or discussion applies to a small group, then the matter does not apply to a broad class.

The assessment tool even goes so far as to provide an example:

> The mortgage insurance sector in Canada is comprised of two main players, one of which is subject to the Prime Minister's conflict of interest screen.... As it is not possible to conclude that a matter involving mortgage insurance relates to a broad class of persons, such matters will trigger the Prime Minister's conflict of interest screen, in accordance with the Clerk's decision as administrator of the screen.

Mr. Chair, we have a very thorough.... There are 10 pages of guidance on the assessment tool that Mr. Sabia and PCO tabled for our committee and for all members here to review, to have a look at and to have comfort with the seriousness with which PCO and PMO are looking at this issue—that's 10 pages' worth of guidance. Serious thought has gone into creating this tool.

I believe that Mr. Sabia, when he was here, called this one of the most “robust” conflict of interest screens he's seen throughout the public and private sectors in his long career. I take that advice and that commentary, along with the commissioner's, who said that this is “a measure that works well”.

Again, I come back to my colleague Mr. Barrett's motion. As I read it, Mr. Chair, it continues to be along the lines of the same type of fishing expedition and the same type of soliloquy that we have heard at this committee: trying to find smoke where there is no fire, to make an issue where the independent commissioner of ethics and the non-partisan Clerk of the Privy Council have both stood behind what the Prime Minister's Office, the Ethics Commissioner and the PCO have put in place to manage effectively a situation that has arisen many times in government, facing members of the executive, with a screen in place on how to manage that effectively without compromising the day-to-day work and functioning of the government.

Mr. Chair, my opposition to this motion is rooted not in opposition to a regime that I believe works well and effectively, but in how motions like this one are repetitive and redundant. They are motions that take up the time of committees, the House, the government, the Prime Minister and the hundreds of public servants whose time and energy are used to fulfill motions like the one before us today. Those are precious resources.

At a moment in time when Canadians want us to be focused on them, building this country, making it more resilient, making it more sovereign, ensuring that we are building Canadian prosperity for the future, ensuring that we have a Prime Minister who is focused on the economic turbulence that we've been thrown into as a country, which Canadians across the country are experiencing, we know this is exactly the type of motion that Canadians would see as distracting a government. They would see it as redundant and unnecessary, particularly when they know that, as ethics committee members, we are already in receipt of information on a continuing basis from the Privy Council on the Prime Minister's conflict of interest screen. That was an ask by this committee and committee members, which Mr. Sabia and Mr. Blanchard, without hesitation, agreed to deliver on when they appeared before us last fall—without hesitation.

Here we are, many months later, debating a motion from Mr. Barrett that goes into this level of detail to try to surface every manner of correspondence and digital record, essentially, across the whole of government. I think Canadians would see this for what it is. It is an attempt to derail a government, a Prime Minister and a public service that are working hard right now for Canadians on the issues that matter most to them and that are going to serve our country going forward. These issues require all of us, as parliamentarians, to be as focused as we can be on ensuring that we come out of this current challenge that we have globally, on account of our neighbours to the south. It's a difficult but important time for our country.

I look forward to hearing some of my other colleagues on this motion as well, including my colleagues across the way, to understand why the information we've had to date has been insufficient, why the opinion of our independent and distinguished Ethics Commissioner is, for them, somehow insufficient and why the reporting we receive as committee members is insufficient in their minds. As we hear more, both from my colleagues and from members opposite, I hope we will all take a step back and think carefully about how we are spending our time while we are here representing Canadians, as parliamentarians.

Let's do the best work that we possibly can to ensure that we are building Canada and that we are focused on the issues that are going to make a difference in the day-to-day lives of Canadians, as opposed to treasure hunts and fishing expeditions like this one.

With that, I'd like to turn this to one of my colleagues, but I ask that you please put me at the bottom of the speaking list.

The Chair: Thank you, Ms. Church.

Madame Lapointe, you're up next.

[*Translation*]

Linda Lapointe: Thank you very much, Mr. Chair.

I listened attentively to my colleague. I even learned a new expression: fishing expedition.

[*English*]

An hon. member: Unbelievable.

[*Translation*]

Linda Lapointe: Yes, it's incredible, isn't it?

An hon. member: [*Inaudible—Editor*].

Linda Lapointe: Yes, it should have been translated, but I completely agree.

I want to come back to the motion Mr. Barrett moved on April 21 and to what my colleague said:

> …require the Privy Council Office (PCO) to provide the committee, on the fifteenth day of each month, with a report detailing each time an assessment was undertaken relating to the application of the Prime Minister's conflict of interest screen, pursuant to the Assessment Tool on the Application of the Prime Minister's Conflict of Interest Screen, including assessments originating in the PCO or any department, from the previous month; that these reports include: (i) a summary of each instance where an assessment was triggered—

Some hon. members: [*Inaudible—Editor*]

Linda Lapointe: I'm rereading Mr. Barrett's notice of motion for the benefit of the people listening to us.

I'll continue:

> … (ii) the record of the outcome of each analysis; (iii) any records of discussions or considerations that are in the possession of the PCO or any department related to each analysis, including notes and meeting minutes; and (iv) any correspondence related to each analysis, including emails, text messages, instant messages, and other records of conversations; and that the first report shall be provided to the committee by no later than June 15, 2026, and shall include the complete set of information for each assessment since the Prime Minister's conflict of interest screen came into effect; and
>
> (b) order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office, the Prime Minister's Office, or any federal government department; including, but not be limited to, each meeting the Prime Minister attended and every attendee at these meetings; and that these documents shall be provided to the committee in both official languages and without redaction within six weeks of the adoption of this motion.

It's interesting, but complicated to undertake it all. It's going to slow down the entire government process as well as the process in departments, and even our committee.

I'll go back to what my colleague said earlier when she spoke about the Prime Minister's conflict of interest screen and the assessment grid. Marc-André Blanchard and the Clerk of the Privy Council, the well-known Michael Sabia, explained that to the committee last fall, as my colleague noted.

I'll read what Mr. Michael Sabia said. He was the first of the two to appear before the committee. In his opening remarks, he stated as follows:

> Mr. Chair and members of the committee, I think we all know that democracies around the world are under pressure from lots of different sources—social media disinformation, globalization and a string of health and financial crises. All of them contribute to that pressure.

By the way, that was last fall. At the time, the conflict in the Middle East had not yet broken out. Everything happening between the United States and Iran has made things more complicated. The pressure has not eased.

That said, I'll get back to Mr. Michael Sabia's remarks:

> That said, according to organizations from the OECD to not-for-profit organizations like Freedom House, Canada is doing very well in terms of the quality of our democracy relative to the rest of the world.

That is good news.

> Why is that? I guess there are many reasons, but at least in part, it is the result of a deep-rooted culture of integrity that we are lucky to have here in Canada—the integrity of public office holders and, of course, of the public service. That culture of integrity is the basis on which strong democracies are built. In my view, that's Canada.
>
> While culture is hard to measure, as we all know, we do see proof of the quality of Canadian democracy everywhere. It's in our rules, in our laws and in our processes. For instance, all Canadian public servants are subject to a rigorous values and ethics code.
>
> Most relevant for today's conversation, obviously, is the question of the Conflict of Interest Act, an act that plays an important role in reinforcing that culture of integrity. The work of your committee also plays an important part in that, because fundamentally, this is about Parliament ensuring that the Conflict of Interest Act is effective in upholding the transparency and accountability that contribute to Canadian democracy.
>
> With respect to the Prime Minister's blind trust and the screen, like every other public office holder since 2007, the Prime Minister is subject to requirements under the Conflict of Interest Act. In addition, the Prime Minister and the Ethics Commissioner have agreed to and published a public declaration on agreed compliance measures, which include the screen and the blind trust. As you've heard already from the Ethics Commissioner, the blind trust and the screen are in place to promote transparency and public confidence in decision-making. In Canada, I think we're all pretty familiar with those screens. They've been in place for many years in public and private institutions and under governments of varying political stripes.

He spoke about governments of varying political stripes, but there are not that many, just the Conservatives and the Liberals.

Let me continue with Mr. Sabia's remarks:

> It's also worth remembering that the Conflict of Interest Act and tools like the screen are in place to enable government to attract people with diverse backgrounds, including from the private sector, while ensuring the integrity of decision-making.
>
> How does it work? We've put in place a rigorous process to implement the screen, and that has been fully validated by the Ethics Commissioner.
>
> As a first step, policy decisions that might trigger the screen are identified and reported to the senior management of departments and agencies as they arise. Then departments and the Privy Council Office conduct a very robust case-by-case due diligence examination. At that point, if there appears to be even a remote possibility that the screen may be needed, it is immediately put in place. Why is that? It's so that we always err on the side of caution.
>
> To ensure that those principles underlying the screen are consistently applied, we've developed a comprehensive assessment tool that provides a framework to assist in the analysis.

Mr. Sabia provided us with that rigorous framework, as my colleague explained earlier, to ensure that it is assessed properly.

I'll get back to Mr. Sabia's remarks about the screen and the tool:

> Government officials receive rigorous training across the public service, especially in the most relevant departments. Both the assessment tool and the training materials have been thoroughly reviewed and validated by the Ethics Commissioner.

I have a lot of esteem for all the people who work in Canada's public service. We can say that they do a very thorough job, and I would like to thank the ones that work here with this committee and support and help us to do our work.

I'll get back to Mr. Sabia's remarks:

> Following the work in departments and following work in the Privy Council Office, the deputy secretary for governance at the PCO then makes a recommendation on the screen's application. As an administrator of the screen, I review that recommendation and take a decision.
>
> All the advice, as you know, from the public service on the full range of issues for the Prime Minister comes through the Clerk of the Privy Council. That perspective gives me a broad perspective, and that broad perspective is critical in my role as an administrator. I would like to say that I regard that role as an administrator as a very important duty.
>
> Finally, decisions are shared with the Prime Minister's chief of staff—the second administrator—for concurrence and immediate implementation.

That refers to Marc-André Blanchard.

> Although it is not mandatory under the Conflict of Interest Act to disclose the manner in which the screen is applied, I want to share as much information as possible with committee members and Canadians.

That is what he did.

> We decided to ask whether the screen should be applied to 13 situations. Every single one, without exception, was validated by the Conflict of Interest and Ethics Commissioner.
>
> According to the principles underlying the assessment tool validated by the Ethics Commissioner, the screen did not apply to seven of the situations. Five of those seven cases did not involve any direct interaction with the companies subject to the screen. The other two situations pertained to tax measures on matters of general application.
>
> The screen did apply to the six remaining situations. The Ethics Commissioner was clear: the Prime Minister cannot be informed of the matters before a final decision is made public. Otherwise, it would go against the very purpose of the screen. The Prime Minister is not aware of four of the six matters to which the screen applies. The other two cases are now public information, with a final decision having been made. I'm sure you'll have questions about those cases, so I would be pleased to discuss them.

He did that. He appeared before the committee and answered questions.

Michael Sabia added the following with respect to the Privy Council Office:

> In short, we believe we have established a very rigorous system that is applied with great care and attention. The public service is well aware of its responsibility to always ensure the integrity of the office of Prime Minister.

Michael Sabia spent an hour with us and answered our questions.

Marc-André Blanchard also appeared before the committee once after that and he answered our questions. I'll give you a summary of what he told us. He appeared last fall as well. Obviously, he was happy to appear before our committee. He said:

> Thank you for the opportunity to appear before you today to discuss my responsibilities as chief of staff to the Prime Minister and, more importantly, as the administrator of the verification mechanism agreed to between the Prime Minister and the Office of the Conflict of Interest and Ethics Commissioner.
>
> Last April, Canadians elected Prime Minister Carney in a moment of economic volatility, geopolitical realignment and growing pressure on democratic institutions.

By the way, that appearance took place last fall, as I said earlier. At the time, the developments in the Middle East had not occurred and the impacts that everyone is feeling now had yet to be felt.

I'll continue with his remarks:

> Canadians chose Mark Carney as Prime Minister because of his deep experience in both the public and private sectors. In fact, they did not elect him in spite of his vast global private sector experience but precisely because of it. Canadians understood that if we are to build a stronger, more resilient economy—one worthy of being the strongest in the G7—this experience is not optional. It is essential.

I think Canadians understood that yet again. Today, we had the opportunity to welcome three new members to our caucus. Canadians continue to put their trust in Mark Carney.

> A key condition for this government's success is public trust. At the heart of that trust are the high ethical standards the Prime Minister set for himself and for everyone who works with him in his office and across government. Part of protecting that trust is ensuring that the ethics screen, agreed upon by the Prime Minister and the Ethics Commissioner, is implemented, always erring on the side of caution.

As you all know, Mr. Blanchard is the administrator of the screen.

> An important part of my role as an administrator of the screen is precisely to ensure that the Prime Minister is not put in a situation of conflict of interest.
>
> As you know, the conflict of interest screen is a compliance measure developed under the direction of the Ethics Commissioner, in accordance with the requirements of the Conflict of Interest Act. The fundamental purpose of the screen is to prevent conflicts of interest. It serves as a mechanism to identify, report and redirect issues that fall into the categories established by the Ethics Commissioner. It is an administrative and procedural mechanism based on the principles of transparency and integrity set out in the act.
>
> Conflict of interest screens are frequently used in legal and commercial settings—

The Chair: I'm sorry, Ms. Lapointe, but I have to cut you off.

[*English*]

I want to ask all the MPs around the table, and staffers as well, to make sure their phones are on silent. There's an Outlook sound the interpreters are picking up that's having an impact on their ability to do their work.

[*Translation*]

Go on, Ms. Lapointe.

Linda Lapointe: Thank you, Mr. Chair.

I'll carry on with Mr. Blanchard's remarks about the conflict of interest screen:

> *...the conflict of interest screen is a compliance measure developed under the direction of the Ethics Commissioner, in accordance with the requirements of the Conflict of Interest Act. The fundamental purpose of the screen is to prevent conflicts of interest. It serves as a mechanism to identify, report and redirect issues that fall into the categories established by the Ethics Commissioner. It is an administrative and procedural mechanism based on the principles of transparency and integrity set out in the act.*
>
> *Conflict of interest screens are frequently used in legal and commercial settings, and they are also an effective way to manage potential conflicts for individuals within the government.*
>
> *In recognizing the reasonableness of the application of ethical screens in government, the Federal Court of Appeal confirmed:*
>
> > *This practice of publicly identifying the potential conflicts of interest of each public office holder before any problematic situation has occurred strikes me as an eminently reasonable way to ensure the furtherance of the Act's purpose…*
>
> *The Conflict of Interest and Ethics Commissioner determined that a blind trust combined with a conflict of interest screen is the appropriate measure for Prime Minister Carney. When appearing before you, the Ethics Commissioner confirmed that the Prime Minister divested himself of all his interest in a blind trust.*

Mr. Blanchard noted that the Ethics Commissioner further added as follows:

> *[T]o avoid a situation where he would make a decision knowing that it would increase the value of one of the companies he divested […] we set up this screen.*

Mr. Blanchard went on to say that:

> *It is in this context that the Prime Minister and the commissioner agreed to a screen as a preventive and appropriate measure of compliance. The Clerk of the Privy Council [Michael Sabia] and I [Marc-André Blanchard], as chief of staff to the Prime Minister, are the administrators of the screen.*

Mr. Blanchard reported that the Ethics Commissioner also said:

> *Let's be practical. Anything that goes to the Prime Minister for a decision goes through either one of these men or both. They are in effect the keyholders of what gets on his desk and what he deals with. They are the logical ones to make sure he does not get involved in these things.*

Mr. Blanchard also noted as follows regarding his responsibility with respect to the screen:

> *It is important to underline that my role is first and foremost about ensuring that conflicts are prevented. The administration of the screen is a responsibility I approach with utmost seriousness.*
>
> *In practice, the Privy Council Office and the Prime Minister's Office are in constant communication. Although some meetings or events can be planned without the direct participation of the Privy Council, no official policy or government decision can be adopted without the participation of the public service and the political arm.*

That quote is very important. We need to make sure the Prime Minister makes the right decisions. The Privy Council Office and Marc-André Blanchard ensure that the screen is always applied every time a decision needs to be made to ensure the right decisions are made.

Mr. Blanchard also noted that:

> The screen is administered on a daily basis by the Privy Council Office.

It is administered on a daily basis.

> When a department or agency prepares a note, a policy proposal, an update or any other document for the Prime Minister, that document is first assessed using the assessment tool developed by the Privy Council with the assistance of the Ethics Commissioner. That tool enables us to determine whether the screen may apply.

I'll continue with Mr. Blanchard's statement. My colleague Mrs. Church also described this aspect clearly earlier.

> *Privy Council governance officials then perform due diligence, review the analysis and ensure that all relevant information has been considered. Their recommendation is submitted to the Clerk of the Privy Council for review and approval. Once the clerk has confirmed his position, his office sends it to me for review and agreement. When both administrators agree, the decision is referred to the Privy Council governance officials to continue implementation.*
>
> *Today, all the recommendations from the public service have been jointly confirmed by the Clerk [Michael Sabia] and me [Marc-André Blanchard].*
>
> *For negative determinations, where the screen does not apply, no further action is required by departments or agencies. For positive determinations, departments must clearly identify the material as subject to the screen. These documents are not shown to or discussed with the Prime Minister. The screen is applied on a precautionary basis. As soon as the analysis indicates there may be a triggering factor, access is restricted pending the final determination of the administrators.*

Mr. Blanchard added as follows:

> I would like to point out that the system currently in place to prevent the Prime Minister from being in a conflict of interest is one of the most comprehensive and rigorous I have seen in my career. It is proactive and preventive and, above all, it is extremely rigorous because of the high level of awareness within the government.

That came from Marc-André Blanchard.

We also met with Mr. Konrad von Finckenstein, the Conflict of Interest and Ethics Commissioner, and he noted that:

> The conflict of interest screen is a method that has been approved by the Federal Court of Appeal and that helps in administering the Conflict of Interest Act. It's a preventive measure. We don't want a conflict of interest to arise that would require the Prime Minister, or anyone else, to recuse themselves.
>
> For that reason, the men responsible for his day-to-day work and the documents that land on his desk will review them to see if they contain anything that may cause the Prime Minister to have to recuse himself. If they find something that represents a potential conflict of interest, they'll prevent it from getting to the Prime Minister, and they'll go to another minister. The Prime Minister is only informed about it when the decision takes effect, so he has no chance of changing that decision.
>
> In short, it's a preventive measure that was approved by the Federal Court of Appeal. Mr. Sabia and Mr. Blanchard are the people who are responsible for all the documents that come before the Prime Minister, whether on the bureaucratic side or the political side. The two of them work with a large team to review every single thing that has to come before the Prime Minister to see if there's a potential conflict of interest. If so, the document isn't presented to the Prime Minister.
>
> Representatives from the Prime Minister's Office have explained to the committee what they do to manage the screen. Based on their testimony, I believe that it's a measure that works well.

The commissioner said that, not me.

Back to Mr. Barrett's motion. With regard to point (a), I'd like to say that has already been taken care of, specifically through the conflict of interest screen and blind trusts.

Back to the Privy Council Office. In summary, the Conflict of Interest and Ethics Commissioner acknowledged that the current process to manage conflict of interest put in place for the Prime Minister is an effective measure to prevent the occurrence of conflicts. The Prime Minister and his team have been transparent about that with the committee. We invited them to appear before the committee and they agreed without hesitation.

In the letter to the committee dated February 13, the Privy Council Office made a commitment to provide the committee, on a quarterly basis, with the details of cases where review of the conflict of interest processes is triggered. The commissioner made it clear that the Prime Minister should not be informed that a review has been applied before a decision is finalized and made public in order to prevent potential conflict. Asking for such an amount of details even though a report has already been provided would not serve any useful purpose and would only slow down the work of public servants.

That's it for the first part.

I would like to say that the Standing Committee on Access to Information, Privacy and Ethics, which we sit on, is mandated to review the Lobbying Act, the Conflict of Interest Act, and ethics laws. However, instead of doing that, members are dragging out debate on motions that are a waste of time for everyone.

Most standing committees are mandated to oversee one or more government departments and are charged with the review of the statute law referred to them by the House of Commons, departmental operations and expenditures and the effectiveness of the department's policies and programs.

For our part, this committee is mandated to look into ethics, lobbying and conflicts of interest. Committees are free to initiate any study related to their mandate, and that is what we do.

The House can also refer specific matters to committees through an order of reference. The House almost systematically refers the following matters to standing committees: bills; matters for in-depth study, reports and other documents tabled in the House pursuant to a statute; estimates, including the funds requested for government programs and activities; non-judicial government appointments, such as when new commissioners need to be appointed; and cases where the government failed to respond to petitions and questions on the Order Paper within the required time frame.

We're lucky to have a functioning democracy.

Chapter 3 of the *House of Commons Procedure and Practice*, which focuses on privileges and immunities—it is available online—states that “Parliament has the right to institute inquiries, to require the attendance of witnesses and to order the production of documents.” That is the matter before us now: The production of documents. I will quote section 3.44:

> By virtue of the preamble and section 18 of the Constitution Act, 1867, Parliament has the ability to institute its own inquiries, to require the attendance of witnesses and to order the production of documents, rights which are fundamental to its proper functioning. These rights are as old as Parliament itself. Maingot states:
>
> > The only limitations, which could only be self-imposed, would be that any inquiry should relate to a subject within the legislative competence of Parliament, particularly where witnesses and documents are required and the penal jurisdiction of Parliament is contemplated. This dovetails with the right of each House of Parliament to summon and compel the attendance of all persons within the limits of their jurisdiction.

I would remind the committee that the Clerk of the Privy Council came here without any hesitation. The Prime Minister's chief of staff Marc-André Blanchard also came here. I spoke about that earlier. He spoke about what he knows and how things work.

I'll carry on with my quote:

> These rights are now exercised for the most part by committees [including our committee] pursuant to powers delegated to them by the House in the Standing Orders. Permanent orders of reference allow committees to conduct inquiries into departmental and policy matters.

That is what we are doing.

I will continue:

> In addition, the House may refer additional matters to its committees for study. In the course of its study into a particular matter, a committee may wish to hear testimony from public officials, private individuals or representatives of groups, organizations and associations. In the majority of cases, witnesses invited to appear before a committee do so willingly. If a witness declines an invitation to appear, the committee may issue a summons to the witness by adopting a motion to that effect. If the witness still refuses to appear, the committee may report the matter to the House and the House may order the witness to appear. If the witness disobeys the order, the witness may be declared guilty of contempt and liable to sanctions.

I want you to know that I've served on other committees, including the Standing Committee on Official Languages. I remember we invited the president of Air Canada and he didn't want to appear. However, bearing in mind what I've just read out for you here, he did not have any option but to appear before us and to answer the tough questions that Air Canada was being asked and evidently continues to be asked.

I will now cite section 3.45:

> Committees are not empowered to compel the attendance of the Sovereign, the Governor General, Lieutenant Governors, members, senators, officers of another legislature or persons outside of Canada.

That has come up in the course of our studies in the Standing Committee on Access to Information, Privacy and Ethics: We cannot compel the attendance of people outside of Canada.

I will continue:

> Should a member refuse to testify, the committee may report the matter to the House, and the House will decide what action is necessary. While senators may appear before House committees voluntarily, if a committee wishes to extend a formal invitation to a senator, the House may adopt a motion for a message to be sent to the Senate requesting that it grant leave for a senator to appear before the committee.

I will move on to section 3.46:

> For the purposes of an inquiry, the committee may send for any papers that are relevant to its order of reference.

That is somewhat the issue we're dealing with now. We're talking about the production of documents, even though a conflict of interest screen and a blind trust are already in place.

I will continue;

> Typically, these documents include government reports, statistics, memoranda, agreements and briefs, and they are, with rare exceptions, provided voluntarily. There is no limit on the types of papers that can be requested; the only prerequisite is that the papers exist, regardless of their format, and that they are located in Canada.

Believe you me, some of my colleagues across are very creative.

> As stated in a report of the Standing Committee on Privileges and Elections in 1991:
>
> > The power to send for persons, papers and records has been delegated by the House of Commons to its committees in the Standing Orders. It is well established that Parliament has the right to order any and all documents to be laid before it which it believes are necessary for its information.

We have asked a lot of questions regarding one part, namely, the part that refers to “any and all documents to be laid before it which it believes are necessary.”

A screen and a blind trust, which are well administered, are already in place. Furthermore, the Conflict of Interest and Ethics Commissioner has said all of this is being properly administered. He is an officer of Parliament, as my colleague noted, and this is not a political appointment.

I will get back to the report that was cited:

> The power to call for persons, papers and records is absolute, but it is seldom exercised without consideration of the public interest.

Public interest means the interest of Canadians.

> The House of Commons recognizes that it should not require the production of documents in all cases; considerations of public policy, including national security, foreign relations, and so forth, enter into the decision as to when it is appropriate to order the production of such documents.

I'm still reading from the *House of Commons Procedure and Practice*:

> However, the Speaker stated that the absolute right to order the production of documents does not de facto extend to individual members’ requests for information.
>
> If a committee's request that it be given certain documents is met with resistance or disregarded, the committee may adopt a motion ordering the production of the requested documents.

That is what we have before us now and the subject of our debate.

> If such an order is ignored, the committee has no means to enforce the order on its own. It may report the matter to the House and recommend that appropriate action be taken. It is then a decision of the House whether or not to issue an order for the production of papers. This may be done by adopting a motion or by concurring in the committee’s report.

That is what we're doing now, by way of a motion.

> The House may also invoke its disciplinary powers, and the individuals concerned may be called to the bar of the House, cited for contempt or otherwise punished.

It also states as follows with respect to committee work:

> In November 2009, the Special Committee on the Canadian Mission in Afghanistan reported to the House that its privileges had been breached by the government’s failure to produce documents requested by the committee relating to the detention of Afghan soldiers by Canadian Forces in Afghanistan. The House, in turn, adopted an order requiring the production of the documents; the government refused, citing national security concerns.

This was discussed earlier in the text.

> Members raised questions of privilege based on the House’s absolute right to order documents. The Minister of Justice insisted that, as the government had a duty to protect information that could jeopardize national security, that right was not without limits.

As we can see, national security came up in 2009 and it has come up again.

> In his ruling, Speaker Milliken ruled that it was within the powers of the House to ask for the documents specified in the order, and that it did not transgress the separation of powers between the executive and legislative branches of government. Thus, he concluded that the government’s failure to comply with the order of the House constituted a prima facie breach of privilege. However, he gave the parties two weeks to develop a mechanism that would accommodate the government’s concerns over national security and the House’s right to receive the documents.

> During the Second Session of the 43rd Parliament, the Special Committee on Canada-China Relations studied allegations concerning federal scientists at the government microbiology laboratory in Winnipeg. For its study, the committee repeatedly ordered the production of documents by the Public Health Agency of Canada. The agency refused to produce the documents, so the committee presented a report to the House recommending that it order the production of the documents. Rather than concur in the committee report, the House adopted an opposition motion on the subject on June 2, 2021. The motion ordered the agency to produce the unredacted version of all documents demanded by the committee in accordance with specific conditions. On June 7, 2021, the Speaker tabled a letter from the Law Clerk and Parliamentary Counsel indicating that the documents had not been produced in accordance with the conditions set out in the motion. A question of privilege was raised that same day. In his June 16, 2021, ruling, Speaker Rota explained that the president of the agency was concerned that the order of the House did not offer the appropriate guarantees for protecting information related to national security, adding that the agency was collaborating with the National Security and Intelligence Committee of Parliamentarians on the matter. However, in finding a prima facie question of privilege, Speaker Rota stated that the latter committee is not a committee of Parliament. He added:
>
> > Nothing in the act affects or limits the privileges of the House to order the production of documents, even those with national security implications. It is for the House and not for the government to decide how such documents are to be reviewed…

I will come back to the remarks by the Conflict of Interest and Ethics Commissioner that I cited earlier:

> The conflict of interest screen is a method that has been approved by the Federal Court of Appeal and that helps in administering the Conflict of Interest Act. It's a preventive measure. We don't want a conflict of interest to arise [for] the Prime Minister…

I read regulations and testimony that applies to the first part of Mr. Barrett's motion.

In the second part of his motion, namely, point (b), Mr. Barrett has proposed that the committee "order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office, the Prime Minister's Office, or any federal government department". This refers to international travel.

Mark Carney became the Prime Minister on March 14, 2025. Elections took place. We're going to celebrate our first anniversary tomorrow, April 28. Tomorrow will mark one year since Mark Carney's election. He is the 24th Prime Minister of Canada.

If we want to know where the Prime Minister has visited, that information is quite easy to find. He has made 18 trips and visited 25 countries over the past year, since he was elected as the leader of the Liberal Party. He has visited Australia once, Belgium once, China, Egypt, Germany, India, Japan, Lithuania, Malaysia, Mexico, the Netherlands, Norway, Poland, Qatar, Singapore, South Africa, Switzerland, South Korea, Ukraine, the United Arab Emirates and the Vatican. He travelled to France twice, Great Britain three times and the United States four times.

I hope everyone remembers that everything changed on the geopolitical front with the election of the president of our neighbour south of the border. We have no choice but to work with him and to expand our markets. I'm also privileged to serve on another committee, the Standing Committee on International Trade. I served on a committee for three years during my first term and now, I have the privilege to serve on a different committee. We need to remember that everything has changed since then. We have no choice but to expand international trade and to find ways to reduce our reliance on our neighbour to the south. We need to expand our trading horizons, and our Prime Minister is doing that.

When the Prime Minister went to France not too long ago, he met with Emmanuel Macron and with the prime minister of France. He went to Great Britain and met with King Charles III and his prime minister in London. He has met with Donald Trump in the United States several times. We need to continue working with our allies. We need to continue working with the United States, but we also need to look to other parts of the world. He travelled to Rome, Italy and attended the inaugural mass of His Holiness Pope Leo XIV when he was chosen as the new pope. He travelled to Belgium, and this is very important because he met with Ms. Ursula von der Leyen from the European Commission. That is important. He attended the 2025 summit of the North Atlantic Treaty Organization, NATO, in the Netherlands.

Incidentally, NATO member countries must honour agreements. As you know, we have met our target, which was set by NATO, to increase defence spending by 2%. That has been done. We need to make sure that Canada invests in defence and that the men and women serving in the Canadian Armed Forces have all the resources they need for Canada to maintain its sovereignty. We have a very big country and we must protect it.

Ukraine is a democracy. It's important to visit this country because its people are facing very difficult times. We need to keep up the visits and offer them encouragement and support.

We need to visit Poland, Germany, Lithuania and Mexico. Mexico is a signatory to the Canada—United States—Mexico Agreement, or CUSMA. If Canada is to succeed, we need to keep up meetings with our Mexican counterparts. Mexico, the United States and Canada have close ties. Our supply chains are deeply intertwined. We need to sustain dialogue and find solutions to respond to challenges. We intend to continue our visits to the United States.

We must not forget Egypt. Events in that part of the world are deeply appalling. There is Israel, the Gaza Strip, Lebanon and Iran. The situation in these countries is very difficult.

The Malaysia region, where the Association of Southeast Asian Nations Summit took place, has a large population and is a very promising market. Its people love Canadian products and recognize the value of Canadian know-how.

The same applies to Singapore, which is in southern Asia, along with South Korea, where the Asia-Pacific Economic Cooperation forum took place in November last year. The United Arab Emirates is another country.

We need to maintain ties with all of these countries. We need to form alliances if we want to deliver prosperity for Canada and invest in our infrastructure.

The G20 summit took place in South Africa in November last year, and the Prime Minister was in attendance.

With respect to China, the relationship broke down—

Gabriel Hardy: I have a point of order, Mr. Chair.

Linda Lapointe: I'm still talking about the Prime Minister's travel. It's referenced in the motion.

The Chair: You have the floor, Mr. Hardy.

Gabriel Hardy: I've just come in and just want to make sure that we're not taking a geography class. I'd like to know whether we will deal with the motion, with what we're asking for and what we've required in the motion, instead of talking about the fact that people maintain relations.

The Chair: I've listened to Ms. Lapointe closely and I think she's talking about the motion.

Carry on, Ms. Lapointe.

Linda Lapointe: Mr. Hardy, would you like me to recap what I've said since the beginning? I can start over.

Gabriel Hardy: I know you have no problem going on and on and on.

[*English*]

The Chair: Let's have some order here, please.

We're going to continue with Madame Lapointe.

[*Translation*]

Ms. Lapointe, you have the floor.

Linda Lapointe: Mr. Hardy, for you to understand why I was talking about various countries, I'll read out what Mr. Barrett's motion says, seeing as you've probably forgotten. The motion calls on the committee to "order the production of the Prime Minister's travel itineraries and related records for all international travel he has taken since he became the Prime Minister that are in the possession of the Privy Council Office—

Excuse me, my phone is ringing.

Gabriel Hardy: I have a point of order.

[*English*]

The Chair: Again, as a reminder for everyone, keep your phones on silent. They're distracting the interpreters.

Thank you.

[*Translation*]

Linda Lapointe: I was at line 2 of paragraph (b) of the motion, Mr. Hardy. I just want to make sure I've not lost you.

It continues: "…the Prime Minister's Office, or any federal government department; including, but not be limited to, each meeting the Prime Minister attended…"

When did the Prime Minister take office? As I said earlier, it was on March 14, 2025. For your information, Mr. Hardy, tomorrow will mark one year since the federal general elections took place, and you and I were elected. That was on April 28, 2025. Thus, the motion is asking for details on the international travel the Prime Minister has taken since he became the Prime Minister on March 14, 2025.

It continues: "…and every attendee at these meetings; and that these documents shall be provided to the committee in both official languages and without redaction…"

The Chair: Excuse me, Ms. Lapointe.

[*English*]

I hear a noise. I suspect this one is coming from one of the Surface Pros back there. It's actually interrupting the chair, and it's interrupting the interpreters as well.

Please keep your phones and your laptops, and anything else that makes noise, on silent.

[*Translation*]

Go on, Ms. Lapointe.

Linda Lapointe: I'm sorry for the interpreters. It's really difficult. I too have a hard time focusing when there's a lot of noise. It makes it hard for me to focus on what I want to say.

It continues: "…within six weeks of the adoption of this motion."

I've spoken to all the travel the Prime Minister has taken since he became Prime Minister. He has taken 17 trips to 25 countries. I was talking about China when my colleague asked his question. That trip took place at the beginning of January. The Prime Minister also travelled to Qatar and to Davos, Switzerland. Would you like me to remind you what the Prime Minister said in Davos? He said that if we're not at the table, we're on the menu. That was on the mind of many people. We have to be at the negotiating table to ensure—

[*English*]

Scot Davidson (New Tecumseth—Gwillimbury, CPC): On a point of order, Mr. Chair, did you give the total catering amount? I think I missed it in the translation.

The Chair: That's not a point of order.

[*Translation*]

Linda Lapointe: I spoke about Qatar, but in this case, I was talking about the trip to Davos, Switzerland where the World Economic Forum was taking place.

[*English*]

The Chair: Okay.

Thank you, Mr. Davidson. We're going to continue.

Go ahead, Madame Lapointe.

[*Translation*]

Linda Lapointe: There was also a visit to Australia in March and a visit to Japan. I would remind the committee that Japan is one of the key markets with strong potential for expanding our international trade. The people of Japan love all our agri-food products. Today, one of our colleagues spoke about lobster fishing, which is just starting. There is a strong demand for lobster in Japan. Our entire lobster shipments go to Japan and China.

The Prime Minister also travelled to Norway. We spoke about NATO. We need to sustain efforts on that front and ensure that all members are fully engaged. The Prime Minister travelled to Great Britain again and to Italy and will soon travel to the Dominican Republic for the 10th Summit of the Americas.

That's it for the Prime Minister's travel. I can also share the topics if you'd like, but I think I've covered the motion in detail. That is what the motion is asking for—

Abdelhaq Sari: That's very interesting.

Linda Lapointe: Thank you very much, colleague.

In short, the information on the Prime Minister's travel, the purpose and surrounding events is available. I mentioned the Prime Minister's speech in Davos. Canadians understand that if we're not at the table, we're on the menu. A large number of Canadians walk up to me to tell me that is not acceptable.

Now, we need to expand our international trade. The Standing Committee on International Trade is considering some very interesting motions for studies. You should come and take a look, Mr. Barrett. You might get some inspiration for your next motion. We also need to expand markets in Africa. Big things are happening in Africa. There is also Mercosur, South Africa, South America and all countries in the Indo-Pacific and Europe. We need to reduce our exposure to events south of the border.

Thank you very much. I'm prepared to have another turn.

[*English*]

Mr. Chair, please put my name down again. I will be more than glad to come back.

[*Translation*]

Thank you.

The Chair: Okay.

Thank you, Ms. Lapointe.

[*English*]

Before I go to Mr. Saini, I'm going to suspend for a couple of minutes to allow for a break.

We'll resume at five o'clock.

● (1655)

_____(Pause)_____

● (1705)

The Chair: We have returned from a brief suspension.

Next on the list, on the motion, I have Mr. Saini.

Mr. Saini, in the words of Pat Benatar, “Hit [us] with your best shot”, sir. Go ahead.

Gurbux Saini: Mr. Chair, we've been at the ETHI committee for the last 10 months. It seems to me that my friends on the opposite side only have one agenda, and that is a fishing expedition for something we know is not there.

The other thing is that our country is going through some very difficult times, and it seems to me that the members on the opposite side just want to make sure that they derail the government agenda of building a strong Canada.

In the last eight to 10 months, we have heard constantly that Canadians don't have faith in our government and the Prime Minister. I just wanted to remind everyone that a year ago, we had an election where the people of Canada elected the Prime Minister, which says they have trust and faith in him. They had two choices. One was the Leader of the Opposition, who couldn't hold his own seat. Canadians elected a Prime Minister they believed was the right person at the right time to lead the country in a difficult time.

Scot Davidson: Mr. Chair, I just lost volume.

Did he just say that Canadians elected a minority government? Could he just clarify?

The Chair: I believe that's what he said. Just make sure you have your earpiece in, Mr. Davidson.

Scot Davidson: Okay. They elected a minority government. Thanks very much.

The Chair: Mr. Saini, please go ahead.

Gurbux Saini: We've heard a lot of testimony from a lot of experts who said that the best system in the world to look after ethics is in Canada. This was not only heard from Canadians. We also heard witnesses from overseas who said that Canadian ethics are the best in the world. However, we still continue ignoring those things.

We also heard from Ms. Turnbull, who said that you cannot create ethics laws based on one person. However, it seems to me that my friends opposite have only one person in mind: the Prime Minister of Canada. It's sad that we are working under these circumstances.

I want to find out what we are trying to address here. Regarding the proposal Mr. Barrett put out, most of the information is already there, and it's very effectively done. All the systems are in place and functioning as intended. The Ethics Commissioner has confirmed that the Prime Minister's conflict of interest screen is an effective preventive tool. Its purpose is to stop conflicts before they arise. By all accounts, it is doing what its purpose is. We also heard directly that the Prime Minister, before he became Prime Minister, put everything in a blind trust. Those blind trusts are not something the Prime Minister started. They've been going on for years. Every Prime Minister, whether they were Conservative or Liberal, has used them effectively. Therefore, we already have the required transparency in place.

What is being proposed today is further monthly reporting on external and internal records—broad categories of communication—along with detailed travel information. My colleague Ms. Lapointe went through the places the Prime Minister has gone to, and the purposes for that. His travel has been very successful. If you look, we have the best economy, and it is doing what it is supposed to be doing. We have created more jobs than our friends in the United States are telling us. They lost 6,000 jobs, whereas we gained 80,000 jobs in Canada. That is from the work the Prime Minister is doing, and it's working.

We also heard from the Ethics Commissioner that the essential safeguards are there. This is to ensure that the Prime Minister is not aware of the screening applied until decisions are finalized and made public. The protection exists to preserve the integrity and independence of that process.

There is also a practical side to this. Public servants are already meeting the current reporting requirements. Adding a much more frequent and detailed reporting structure would require a significant amount of time and resources, which quite inevitably means less capacity for other important work that concerns the role of this committee. We have before us important studies and responsibilities, including work related to the Lobbying Act and other reports, that require careful attention.

These are issues that have a direct impact on Canadians and their lives, issues on which our efforts can make a meaningful difference. Transparency is essential, and accountability matters. At the same time, it is worth considering whether increasing the volume and frequency of reporting necessarily leads to better oversight, especially when systems have already been validated and reporting is already under way.

The question becomes this: How do we ensure that we maintain strong accountability while also being mindful of the effectiveness, proportionality and priorities that matter most to Canadians in these times?

I'm going to talk about conflict of interest—

A voice: [*Inaudible—Editor*]

Gurbux Saini: Actually, I have a point of order, Mr. Chair.

If Mr. Davidson has any question, he needs to allow the other people respectful dignity, and I don't see that. Last week, the same thing happened. I would expect that he would let people continue doing what they're doing.

The Chair: Go ahead, Mr. Saini.

Gurbux Saini: Professor Lori Turnbull made a critical distinction between soft and hard approaches to ethics regulation, arguing that the concept of an apparent conflict of interest belongs in a code of conduct, not in legislation. She told the committee:

> Enforcing that into a law is a different thing. I think the appearance of conflict of interest is problematic. It can cause a trust problem with the public. There's a reason to enumerate that in a code. Enumerating it into a law starts to create problems in terms of back and forth around whether there's really an appearance. How do you get into the legalities of that? If you're going to start fining people in terms of administrative monetary penalties, that's messy to me....

This is legislation, not an aspiration, and the consequences of getting it wrong are severe.

Scott Thurlow pointed to the fundamental difficulty of proving the appearance of conflict objectively and warned that including apparent conflicts of interest in the act would “create more problems than it solves.” Michael Wernick, with a decade of experience at the highest level in the public service, cautioned against the concept as well, stating he doesn't think we can describe potential issues of perceived conflicts in the future in a way that can be supported, including in principle, and believes extending the act to include apparent conflicts would make it harder to apply.

On the general application rule and the recommendation of narrowing the exclusion for a decision of general application, particularly as it applies to prime ministers and the parliamentary secretaries, this recommendation, if implemented, could render senior members of the executive unable to govern.

On the blind trust, let's start with the fact that the federal Ethics Commissioner has confirmed that the Prime Minister is in full compliance, with assets in a blind trust, no communication with the trustee and a rigorous conflict of interest screen operating exactly as it should. The two administrators of the screen, who are the most senior civil servants, Michael Sabia and Marc-André Blanchard, are not minor figures. These are two of the most senior and experienced people in Canadian public life. Mr. Blanchard described the system as “one of the most comprehensive and rigorous” he has seen in his entire career. Mr. Sabia said it is “every bit as rigorous as any screen [he has] in the private sector, pretty much ever.”

The commissioner himself confirmed to the committee that the screen is working well, and then there are the provincial commissioners. Ontario's integrity commissioner, Cathryn Motherwell, was unequivocal. She has described the blind trust as an essential tool and told this committee she has not seen evidence, in her experience thus far, that indicate that trusts do not work. We had Quebec's ethics commissioner. She had the same opinion. She has been working in her jurisdiction and suggests that blind trusts do...and noted that additional compliance measures can be added if we need them.

If that isn't enough, the Federal Court of Appeal, the highest court in this land, has confirmed that the conflict of interest screen is a lawful and reasonable exercise of the commissioner's authority. This is a settled law.

Let's be honest about what's happening here. The opposition had before it the federal Ethics Commissioner, two sitting provincial commissioners, the Federal Court of Appeal decision and two of the most respected administrators in the country all pointing to the same thing: The system we have is very rigorous. Our friends on the opposition continue to ignore all of those facts.

Professor Lori Turnbull drew a very clear distinction, saying apparent conflicts of interest belong in a code of conduct, not in legislation. Her words were direct: “Enumerating it into a law starts to create problems in terms of back and forth around whether there's really an appearance.”

Michael Wernick, the former clerk of the Privy Council, cautioned that perceived conflicts cannot be described in legislation “with a lot of clarity.” Scott Thurlow warned that this would “create more problems than it solves.” Perhaps the most telling story came from Guy Giorno, the former chief of staff to former prime minister Stephen Harper, who supported the idea in principle. He conceded that extending the act to an apparent conflict would make it “harder to apply”.

Then there's the practical reality that Professor Andrew Stark put squarely on the table. An ethics commissioner could find themselves compelled to rule on allegations effected by political opponents on social media in a parliamentary system built on adversarial debate. This is not a hypothetical issue. This is a certainty that my friends continue to push for.

We believe this recommendation would put vague and highly subjective legal standards into federal legislation, and the unintended consequences of getting that wrong are serious.

Let's be clear about what the general application exemption actually is. It's not a loophole. It's a foundational feature of ethics legislation that exists in virtually every regime across Canada. The federal Conflict of Interest and Ethics Commissioner's own legal counsel confirmed this to the committee directly. Scott Thurlow pulled apart the practical, consequential penalty when he asked, “if we don't have a general application rule, will parliamentarians ever be able to vote on anything? Where do we draw the line with something in front of Parliament that is important for the country to keep going?” He went further, pointing to trade agreements like CUSMA, the federal budget and the countless other matters on which a parliamentarian's past experience will enlighten and have bearing.

Professor Andrew Stark acknowledged that the Prime Minister, in that way, would simply be unable to govern effectively. Michael Wernick recommended against expanding the concept of private interests in this direction, noting that many policies, including the federal budget, have implications that touch virtually everyone.

What the opposition is proposing is so narrow that this rule, specifically for the most senior decision-makers in the country—the Prime Minister and the cabinet—would not strengthen accountability. It would create an unworkable regime at the exact level of the government where effective decision-making matters the most.

We, with my friends on the opposite side, talked about tax havens. Let's start with what Canada's leading tax law scholar, Professor Allison Christians, told the committee. The chair of law at McGill University was categorical when she said, “A tax haven is not a technical term,” and “Every country could be accused of being a tax haven”. She doesn't recognize that term and she couldn't use it for us.

A lot of Canadian taxes are even lower than those in the U.S., and Canada could be considered a tax haven. Are we telling the world that investing in Canada is wrong because Canada is a tax haven? This is the philosophy my opponents are trying to spread.

Scott Thurlow was very blunt when he said, “I don't like the term ‘tax haven’. I think there is a pejorative aspect to it.” When Andres Knobel of the Tax Justice Network acknowledged that declaring a jurisdiction as a tax haven is often politically driven and inconsistently applied—

[*Translation*]

Gabriel Hardy: I have a point of order.

The Chair: You have the floor, Mr. Hardy.

Gabriel Hardy: I'm reading the motion once more because I want to prepare fully. A lot has happened over the past 20 minutes—I would go as far as to say over the past three hours in total. A lot has been said and I've been taking notes.

I was reading the motion once more and I don't see any reference to tax avoidance. We know that the Prime Minister's company was recognized as the largest tax dodger in the country. We know that.

However, where does the motion say that we're asking to look into his tax avoidance, the Bermudas, and so forth? That's not in here.

The Chair: Thank you, Mr. Hardy.

[*English*]

Mr. Saini, there's nothing in the motion—Mr. Hardy is right—that refers to Brookfield being, in the words of some of our witnesses, the largest tax dodger in Canada, so if you can stick to the words of the motion, I would appreciate it.

Thank you.

Gurbux Saini: Mr. Chair, for the last eight or 10 months, I have heard nothing more from my opponents than talking about tax havens and everything they can justify to muddy the waters and to bring injustice to our honourable Prime Minister. I find it difficult. When other people have opinions, they don't want to listen to those arguments. They have spent the whole last 10 months talking about it.

The Chair: We're talking about the motion that's in front of us, Mr. Saini. Go ahead, please.

Gurbux Saini: Thank you.

The Prime Minister is travelling around the world bringing a lot of strength, a lot of business and a lot of jobs to this country. That is evident. World leaders and world economists are telling us that it is proven that his travel, which you guys wanted to restrict—or wanted to know what was going on—is a very beneficial thing to the government. He continues to serve this country, to make sure that Canadians have jobs, to make sure that Canada continues to be a country that we can be proud of and live in, and that we can continue to be part of an exciting nation.

With that, my friend, I'm going to bring my comments to a close, but I would like to put my name on the list of speakers as we go.

The Chair: Okay. Even before you asked for that, I put your name on the list of speakers, Mr. Saini.

[*Translation*]

Mr. Sari, please speak to the motion.

Abdelhaq Sari: Thank you very much, Mr. Chair.

I spoke on this motion last Friday. I tried to explain why I was objecting to the motion being tabled. I challenged the tabling of the motion by my fellow member Mr. Barrett.

I spoke to a few issues, and that gave me time to reflect over the weekend. I thought about what made the member table his motion, while respecting his initiative and his perspective. Based on his remarks when he presented his motion, he wanted to have transparency.

Once again, I would like to point out something that is of the utmost importance. I'm very proud and very glad to serve on the Standing Committee on Access to Information, Privacy and Ethics. However, the number of people who have no confidence in our institutions in general at the federal, provincial and municipal level is a very important factor. That's a problem. I think the same has been said on the other side of the table.

It's up to us as a committee to see how to bring transparency and instill confidence in Canadians. However, again, there's a way to do that. We should not do it in a manner that creates more doubt by presenting Canadians with hypothetical issues. I don't think that's the right way to restore Canadians' confidence. On the contrary, I think that will erode their trust.

Today, I'd like to start by pointing out something that, in my opinion, is fundamental before I get into the heart of the matter. We were selected as members of this committee to undertake serious work. The role of a parliamentary committee is to examine and inform. It is not to pile on, drown out or grandstand. That is precisely why the motion before us today must be reviewed against that objective.

I'm saying this with all due respect for my fellow member Mr. Barrett. I'm also saying this with all due respect for the work of the opposition in general. Parliamentary oversight is a pillar of our democracy. It's a right. It's a responsibility. It's something that members of the committee on this side of the table take very seriously.

However, parliamentary oversight should not be measured by the number of documents reviewed. It doesn't require obtaining all the documents, all the discussions and all the emails pertaining to that matter. In short, parliamentary oversight should not be measured by the number of documents produced. Instead, it should be measured by the calibre of the work accomplished, the relevance of the questions being asked and by rigorous analysis. As such, it's not a matter of obtaining more documents. As we say in Quebec, “enough, already”.

That's where I have a real issue with this motion. I would like to remind the committee of what we're speaking to here, because I think it's important to do so as precisely as possible. The motion moved by the hon. Mr. Barrett has two parts. I think my colleagues mentioned them in detail. The first part requires the Privy Council Office to provide the committee, on the fifteenth day of each month, with a report detailing each time an assessment was undertaken relating to the Prime Minister's conflict of interest screen.

The motion is not just asking for a summary. Had that been the case, we might have understood, but that is not the case. It's asking for the outcome of each analysis. It's asking for records of internal conversations. It's asking for notes. It's asking for meeting minutes. It's asking for emails, text messages and instant messages. It's also asking for the first report to be provided by June 15, 2026 and that it should cover each assessment since the Prime Minister's conflict of interest screen came into effect.

The second part of the motion is asking for the production of the Prime Minister's travel itineraries for international travel since he became Prime Minister. It's asking for a list of each meeting and every attendee, all without redaction. It's asking for all of that in both official languages, which is very reasonable—I fully agree with that—within six weeks.

I want to speak to the specifics, because I completely disagree with the second part, for a number of reasons, and mainly because we have to strike a balance. I want to speak to the issue of transparency, and the issue of security, obviously. However, before I get to that, I would like to take a moment to put what conflict of interest screens are all about into context. In my opinion, it's clear that the committee would be well advised not to lose sight of the real nature of this mechanism.

All of us here had the opportunity to hear remarkable witnesses speak to this subject. We heard from Mr. Michael Sabia, the clerk of the Privy Council. We heard from Mr. Marc-André Blanchard, the Prime Minister's chief of staff. We also had the privilege to hear testimony from Mr. Konrad von Finckenstein, whose expertise in public law is well established. We learnt a great deal from listening to him and asking him questions. Collectively, what these three individuals told us points to the same important things, and these bear repeating today.

The conflict of interest screen was not invented by this government. It's not something that's being applied for the first time and which we want to be a first. It's not a dubious, opaque mechanism. It's a compliance tool developed under the direction of the Conflict of Interest and Ethics Commissioner in accordance with the requirements of the Conflict of Interest Act. The commissioner himself validated it. I want to underscore that point. I want to stress that this is a compliance tool developed under the direction of the Conflict of Interest and Ethics Commissioner, who is independent, pertaining to how to apply the requirements of the Conflict of Interest Act. The tool was validated by the commissioner. That is important because the commissioner is an independent entity. Furthermore, the Federal Court has confirmed that the screen is a reasonable and appropriate measure.

Mr. Konrad von Finckenstein, whose neutrality and competency cannot reasonably be put into question, also explained that the screen is a proactive preventive measure. The goal is to stop conflicts of interest before they arise. The commissioner is independent and his level of expertise commands respect. He told us that the screen is a preventive measure. That is very important. The goal is to prevent conflicts of interest before they arise. That's the primary goal. To do so, the people responsible for the documents that come before the Prime Minister review them to determine if they present any potential conflict of interest situation. If such a case arises, the document is simply not brought before the Prime Minister. It is redirected, and the Prime Minister is only made aware when decisions are finalized to ensure he does not influence decisions.

I'm reiterating this for the benefit of the people who are listening to us: These determinations and these testimonies are not coming from me. They were made here, within this committee, in response to questions from members.

I've just provided an overview of the structure of the conflict of interest screen. As such, as soon as a conflict is identified, the document is withdrawn and the Prime Minister is only made aware of it once a decision has been made. That is a well-designed, rigorous and consistent institutional structure. That's what Mr. Sabia described with remarkable clarity.

On his part, Mr. Blanchard went into great detail in his testimony and explained that in practical terms, on a day-to-day basis, the Privy Council Office and the Prime Minister's Office are in constant communication. When a department or agency prepares any document for the Prime Minister, that document is first assessed using the tool developed by the Privy Council with the assistance of the Ethics Commissioner.

If this tool determines that the screen may apply, due diligence is performed and a recommendation is submitted to the clerk of the Privy Council directly. The clerk reviews it and then sends it to the chief of staff. Then both administrators make a joint decision on the matter.

Again, this is not done on the fly. It's a proactive preventive approach. It's not something that's done in the dark. It's a structured, clear, documented and validated process that has passed muster with distinguished experts on the structure. Above all, it should be noted that this is an independent process.

I think that the opposition has not understood this independence. We must remember that here, we have a situation where the procedure is fully structured, clear, documented, explicit and above all, independent.

On his part, Mr. Sabia shared a very important aspect. Every time there is even a remote possibility that the screen may be needed—not that it has to be applied, just that there is some possibility that it might be—it is immediately put in place. The rule is to always err on the side of caution.

I think Mr. Barrett was in attendance when Mr. Sabia said that. The goal is to prevent conflict of interest and to err on the side of caution. That's not the rule for a system that wants to avoid accountability, but rather the rule of a system that takes its obligations very seriously.

Mr. Sabia provided tangible data on 13 situations where the issue of applying the conflict of interest screen came up. Every situation was validated by the Conflict of Interest and Ethics Commissioner. Based on principles underlying the assessment tool, the screen did not apply to seven of the situations. It did apply to six situations. The Prime Minister was not aware of four of the six cases. Decisions on the other two cases are now public information. Everybody knows decisions have been made, including the Prime Minister, obviously.

The motion is asking for information. That's why I'm asking questions. I'm wondering where the hon. Michael Barrett is coming from with this motion even though we have all this information and we have answered all the questions.

Despite my limited experience and considering the questions that I asked in committee, I think I can say the system is working well, and that is also what the experts have said. The system, which has been described here in committee, is transparent and it has been documented and validated independently.

Again, I have the following question: Why was this motion tabled?

Aside from the language used in the motion, we need to look at what is behind it, namely, the possible outcome of the motion. The motion seeks to have the committee provided with all kinds of internal assessment processes, discussions, notes and communications each month. It proposes that nothing will be protected, screened or subject to any operational safeguards.

Let me be clear before I go any further: To begin with, I support that all information should be made public. However, at times, some information needs to be protected, but in many cases, that need must be demonstrated. That's not the issue. That is not the same thing as holding people to account.

Holding people to account is one thing. That involves asking questions, and above all, asking specific questions on decisions that have been made. The answers help us assess compliance with the law. We have to ask questions to assess whether obligations have been fulfilled and to verify whether principles have been upheld. That's what the committee does. When we hear from witnesses, we try to see whether existing procedures have been followed, whether directives were actually aligned with the obligations and whether basic principles were actually followed. That is our job.

However, the motion is asking for something else. It has espoused logic that I would never agree with. The logic involves full exposure, without any distinction, prioritization or consideration for institutional repercussions. Speaking of institutional repercussions, we have to ask the following question: Is that really what this committee wants?

The first part of the motion seeks access to internal communications, notes, meeting minutes, emails and text messages, and this is not a trivial matter. It touches on a fundamental part of our system. We have a system of governance with restricted capacity. There is the capacity for public servants to give candid advice. That principle is in place for a good reason. If every preliminary thought, every exploratory discussion and every working note can be taken out of context and made public, this would put significant pressure on the people who are responsible for analyzing complex situations because the people making things public lack context because they were not in attendance. This would make public servants censor themselves or share advice that is less incisive. They are being asked to provide less comprehensive advice. If information is incomplete or unclear, and it is disclosed, then people may be less candid precisely because they know that the opinion may end up in a committee, and then in the media and in the middle of public debate. What will they do when that happens?

Again, we are eroding Canadians' trust. That's a real problem and it's not theoretical. I'm trying to follow the logic of what is being asked for and to set that in motion. It's not theoretical. This could be an issue that is contrary to what this committee is all about.

Now, let us turn to the public servants who work in the Privy Council Office, departments and agencies. Their mandate is to provide the highest level of analysis. Their work hinges on their ability to think and to think freely.

Their work also involves testing assumptions and re-examining preliminary conclusions. If this space for thought is constantly exposed to requests for massive disclosure—and I do mean "massive"—it will shrink. If this space shrinks, the quality of public decisions will suffer. I wasn't the one who said it.

I ask you to go back, to go back to September, since the committee has been sitting. It's very significant. Moreover, I encourage you to listen carefully to what was said by the Information Commissioner. It really pushed me to review the proposed motion. If the space for thought is exposed to requests for massive disclosure, that space shrinks, which means the quality of what's given to the public will really become less interesting.

Once again, what I'm saying here is not based only on the motion but also on the testimonies of the experts who explained these factors to us. These are not assumptions; people who have worked in serious public institutions recognize this reality instantly.

I would also like to raise another point, which is systemic consistency. I disagree with Mr. Barrett, but I respect his work and what he wants to implement. The conflict of interest screen was designed to operate in a certain way. As I said earlier, it's preventive, proactive and allows for upstream action. Its mechanisms are confidential, precisely because confidentiality is a condition of its effectiveness. If the Prime Minister knows that every internal decision on whether to apply the screen will be made public in the coming weeks, including all the discussions that led to it, this will obviously change the very nature of the mechanism, especially for decisions that will take months and months to come to fruition. This is especially the case for any options that our government might be exploring.

I'm not saying that transparency is bad—far from it. Let me repeat: I am in favour of transparency. What I'm saying is that some compliance tools work precisely because they operate within a protected space. It's true in law and it's true in ethics, especially when it comes to ethics in government affairs, and it's true in federal public institutions. Mr. Blanchard explicitly told us that the system currently in place is one of the most comprehensive and rigorous.

Mr. Blanchard has had an extensive career at both the national and international levels. What he is saying is that the current system is one of the most comprehensive and rigorous he has encountered in his career. For his part, he hasn't just had a six-month career; he's had quite a substantial career. He said that he is proactive. Mr. Blanchard adds another aspect: He said he acts preventively and is extremely rigorous due to the high level of awareness within the government. This means that everyone who is either directly or indirectly involved in the procedure I spoke about earlier, which is structured, understands the sensitivity behind the screen that has been put in place. It's very important to remember that.

When I read Mr. Barrett's motion, I wondered if he was telling us that all of this is not enough, that the Ethics Commissioner, who approved this system, also found it insufficient, and that the decision of the Federal Court of Appeal, which recognized it as reasonable, was not enough. That said, maybe I misunderstood what he said.

If that is the reason for Mr. Barrett's opposition, I need a better explanation before proceeding. All weekend, I thought about everything I said here on Friday. We need an explanation, because this requires serious justification.

This is what I'm asking of Mr. Barrett so that we can move forward and gain a better understanding of this motion.

That was the first item of the motion. I will now move on to the second item, which concerns all of the Prime Minister's travel itineraries. It should be noted that, in Mr. Barrett's request, it's even more problematic without redaction. I'll explain why. Let's start with the practical aspect. This refers to all of the Prime Minister's travel since he took office, all meetings, all participants and all related documents in the possession of the Privy Council Office, the Prime Minister's Office or any federal department, in both official languages. Once again, when I say that, I'm not disagreeing. I just want to break down this part of the motion. Particularly with respect to the issue of the two official languages, I'm adamant about it. It also states that it must be sent without redaction and within a period of six weeks. Let's take a moment to gauge what this concretely represents.

Since the Prime Minister took office, the geopolitical situation has been unlike anything we've ever seen before. I think Ms. Lapointe explained it well. We're dealing with instability and with factors, constraints and contexts that are constantly changing. The Prime Minister took office during this time of great international instability. Our country is going through a significant period of geopolitical realignment. Trade relations, security alliances, and multilateral dynamics are all in motion—constant motion, total change—and the Prime Minister has by definition participated in meetings and discussions.

It should also be noted that, when you have this kind of role, meetings can often be exploratory, and other participants in the meeting may not have consented to all the discussions in the meeting potentially becoming public. As I just said, the Prime Minister has by definition participated in discussions that have been unfolding in this context of constant geopolitical change. Some of these meetings may have a delicate diplomatic aspect, some have a national security aspect, and some involve ongoing, progressive negotiations. For this reason, I wonder if it would be a good decision to disclose this information right away, to make it public. Some of these meetings involve partners who have obviously not consented to these discussions becoming public.

Let's go back a little. When we talk about transparency, can we agree that transparency can have legitimate limits? This is not a question of taking an ideological or partisan position; it's a principle recognized in all serious democratic systems. In all self-respecting countries, there are mechanisms that allow for some information to be protected while maintaining an appropriate, respectable and democratic level of parliamentary oversight. I encourage the people on the other side of the room to keep doing it because it's their role. It's the opposition's role. This mechanism exists precisely because we recognize that there can be a tension between two legitimate values.

Linda Lapointe: That's well said. We can have different values. We live in a democracy.

Abdelhaq Sari: Absolutely, we live in a democracy. These mechanisms exist precisely because we recognize that there can be tension and that a balance must be found between two legitimate values: transparency and security; transparency and government efficiency; transparency and diplomatic effectiveness; transparency and the protection of third parties. That's important.

At no point when I read Mr. Barrett's motion do I find that he acknowledges that this kind of tension can occur. At no point do I think he's looking to strike a balance; on the contrary. Excuse me for the terms I'm going to use. It's like an open bar, but we're not at that point. We're at the point of asking questions that need answers, which will help us verify whether the mechanisms in place were followed and whether the procedures were respected. However, the motion does not acknowledge it. It assumes that full disclosure is always the right answer. It's an assumption that I cannot accept 100%, because it's at odds with the reality of the balance we want to strike, not to mention the issue of resources.

I'd like to point out that we do have plenty of time today, which I really appreciate. We have until 1:47 a.m. for me to explain what I have to explain. I think I have enough time, and I have plenty of material to present to you.

We need to talk about resources. The last time I worked until 1:47 a.m. was in the private sector. I can tell you that the income was much higher, but it doesn't matter because, as I said, I'm happy to sit on this committee. It makes me happy because one of my goals is to have more transparency and more public trust.

However, a request of this magnitude requires considerable work from the teams at the Privy Council Office. It requires considerable work from the Prime Minister's Office. Obviously, it will also require work from the offices of the ministers who are affected. There are hundreds, maybe thousands of documents to gather, verify, translate and organize. Entire teams must be mobilized to accomplish these tasks. Meanwhile, these teams are not available to do the work for which they were mandated, namely serving Canadians, advising the government, and implementing public policies. That is important because we shouldn't forget that in Mr. Barrett's motion, it's recurring. It's the 15th day of each month, if I'm not mistaken. That means these documents, these resources, these thousands of hours will be an ongoing matter.

I'm not saying that just to dodge the question of oversight—far from it. I say this because we have a responsibility to Canadian taxpayers who fund these institutions and because it involves using government resources to produce a massive volume of documents, much of which will never be analyzed. Seriously, it's not transparency that I'm talking about here; it's about performance. It's efficiency and effectiveness. It would take hours to prepare all the documents requested in this motion. Moreover, it would take hours for us to read, analyze and really scrutinize them. We're not going to send that off to artificial intelligence, are we? It still requires some upfront work and, afterward, work to go through them in detail. That said, I don't mean to avoid the question of oversight at any time—far from it. Obviously, when it comes to using resources to produce a massive volume of documents, I will never agree with it. I am and always will be for performance, effectiveness and efficiency.

Mr. Chair, I will now broaden my thoughts. I talked, earlier, about the two items of the motion, but I will now broaden the matter.

The fundamental question I want to ask, and that we all need to ask ourselves, is the following: What is the objective of this motion? Mr. Barrett took the time to draft this motion. Knowing Mr. Barrett—I have been sitting on the committee with him since September 27—I found that these questions required thorough analysis. However, this motion is quite long, and I wonder what its objectives are. Are they related to the conflict of interest screen? Did he read the testimonies of Mr. Sabia and Mr. Blanchard? No, I don't think so.

Here is the fundamental question I ask myself: What is the objective of this motion? If it's to ensure that the conflict of interest screen is applied correctly, we already have the answer: the Ethics Commissioner has validated the system. Then what is the objective? Mr. Sabia testified before this committee with exemplary transparency. We had time to ask him all our questions, and he answered each one of them. He didn't dodge any questions. He was there and answered the Bloc Québécois questions that were asked byLuc Thériault. He also answered questions from the Conservatives, of course, as well as questions from the Liberals. He responded to all the parties. Mr. Sabia demonstrated exemplary transparency, Mr. Blanchard answered the questions of all committee members, and the data was provided afterward.

Now, if the objective of Mr. Barrett's motion is to ensure that the Prime Minister is not in a conflict of interest situation, we also have clear, precise and definite answers. The Ethics Commissioner confirmed that the Prime Minister divested himself of all his interests by placing them in a blind trust. The screen is in place and it is working. I repeat: The Prime Minister divested himself of all his interests by placing them in a blind trust. The screen is in place and it is working. The question that may be asked is legitimate, but we have the answer.

What would this motion accomplish that the existing mechanisms—and I've mentioned plenty—do not already do? This is the question I'm asking Mr. Barrett. When a motion is submitted, there may be things that we haven't seen, haven't read, or have ignored. It's very important that I understand exactly what the objective behind this motion is. If the answer is honest, if there's nothing substantially different in substance, then we need to ask what the motion seeks to accomplish on another level. Could it be a political objective? If that's the case, it's not aligned with the objectives I have, personally, on this committee.

I now want to address an aspect that I consider quite important, namely the issue of procedural fairness. The committee on which I serve—I'm proud of it and I can't say it often enough—has significant and real powers, and they must be exercised in a serious manner. We were able to hear from quality witnesses, whether in person or by video conference, and I found the discussions quite interesting. However, at the same time, what was being asked, whether or not in public, was something very serious, and it must always be done within the institutional framework that Ms. Lapointe clearly explained and which is based on principles. One of these principles is that the committee's requests must be proportionate to the legitimate objectives it pursues.

I will repeat it, then I will explain it: One of the principles of the institutional framework is that the committee's requests be proportionate to the legitimate objectives it pursues. The motion proposes that the committee make certain requests, but are they proportionate to the legitimate objectives it pursues?

I have understood the objectives. I wondered if this was related to the conflict of interest screen and its effectiveness. We already have the answers. We are being asked to provide all internal communications related to a compliance process that has been validated by an independent person, as well as all travel itineraries of a head of government, without possible protection. This is not proportionate to the objective of targeted and effective oversight. In my view, this is a motion that encompasses everything, protects nothing and is based on the presumption that something is wrong—which brings us back to the first point I mentioned in my introduction, before delving into my in-depth analysis—without any specific, verifiable facts serving as a basis for this presumption.

Reading the motion, we wonder if Mr. Barrett knows something that we don't. That's the question. This way of working doesn't properly serve Parliament, the House of Commons or the people who elected us, namely, Canadians. When making such a request to a committee like this, we must consider the precedent it is likely to set. This motion calls for full, unfiltered and unprotected disclosure on a recurring basis and within extremely tight timelines. It would establish a standard requiring disclosure of information on the fifteenth day of each month. This standard would need to be applied consistently. If we apply it here, it must be applied elsewhere. Are opposition members prepared to apply this same standard to all past governments? Would it have been applicable? Will it always be applicable in the future?

Now, here is the real question: Is it truly applicable today, in this context of geopolitical uncertainty? That is the question we must ask ourselves. Would my colleagues be comfortable seeing this level of scrutiny applied to their own work as opposition members? Of course, that is what democracy is all about. Perhaps they will return to power one day. I ask this seriously, because I believe integrity demands consistency. If we truly want to talk about integrity, we must be consistent. If the answer is that this type of request would only be acceptable for our government, then we must be honest about what this motion is all about. Does it have a political dimension?

I was very impressed by one point in Mr. Sabia's testimony that deserves to be highlighted. He spoke to us about the culture of integrity and how strong democracies function. He reminded us that all Canadian public servants are subject to a rigorous code of values and ethics. This applies to the government and to all public servants. He then told us that the Conflict of Interest Act plays an important part in reinforcing this culture of integrity. I fully share this view. It is precisely for this reason that I am concerned about a motion that suggests the existing compliance framework is insufficient, flawed, ineffective and questionable, without providing concrete evidence that this framework has been violated, circumvented or disregarded—which is not the case. That is not what we have heard here.

A culture of integrity is not just a set of rules, Mr. Chair. It's also a way of working, of interacting with institutions and of trusting one another on both sides of the room when it comes to our respective roles. As I said earlier, I have great respect for the role of the opposition. Similarly, we must respect the role of the government, which is currently dealing with geopolitical uncertainty. That trust is built or destroyed by the way we, as members of Parliament, treat one another.

Now, I will move on to my personal analysis. That was just an introduction and now I'll get into the substance. I will begin analyzing the elements I want to focus on. My analysis will be a bit more structural because I think we don't talk enough about structural elements.

The motion calls for monthly reports to be provided to the committee from the fifteenth day of each month and that each report include the assessments undertaken the previous month. It also calls for the first report to be provided by June 15, 2026 and for the report to include all assessments since the Prime Minister's conflict of interest screen came into effect. Let's think about what this means in practical terms for the Privy Council Office. If we make this request, what will actually happen?

The process would require assembling all records, starting from the beginning. Then all the related documents, including memos, minutes, emails and messages must be gathered and reviewed, organized and put into context. Then, they must be translated into both official languages, and I fully agree on this point. All of this must be done by June 15. That's about six weeks from today. I'm not saying the Privy Council Office can't do this or that it can't do an excellent job under pressure. Far from it. I have great respect for the work of the Privy Council Office. I have no doubt that it can work under pressure. However, what I'm saying is that putting entire teams under this pressure to produce documents whose necessity we have not established based on specific, concrete facts is misuse, inefficient use of our government's resources.

After that, what will happen? Every month, the same process will start over. It's a permanent, recurring, open-ended, unlimited obligation that will continuously tie up resources. The recurring nature of this means it's not really a project. It's something that will require person-years and will force the government to hire people solely to do this work.

Now, let's talk about the second part of Mr. Barrett's request, which concerns the Prime Minister's travel itineraries, in a bit more detail. The Prime Minister meets with foreign counterparts, heads of international organizations and representatives of governments with which Canada maintains diplomatic, economic and security relations that are sometimes complex. These meetings take place within a diplomatic context and are governed by diplomatic rules, such as conventions and, at times, expectations regarding confidentiality. When a prime minister meets with a counterpart, both parties implicitly, and sometimes explicitly, expect that their discussions will remain confidential until both parties decide to make them public and until the public interest becomes sufficient to justify disclosure.

Mr. Barrett's motion requires all these documents to be provided to the committee without redactions. This means that Canada's partners could see their discussions with the Canadian Prime Minister made public.

Have we considered the consequences of such a requirement? I am asking Mr. Barrett this question. Perhaps he knows more about it.

This is a serious question because I believe that Canada's foreign policy is not a subject that should be handled in a willy-nilly fashion. I can understand that Mr. Barrett wants to know who the Prime Minister has spoken with, and so on. That is legitimate. However, have we also considered Canada's foreign policy? This is not a subject that should be handled in a willy-nilly fashion in the context of a motion proposed in a committee. I have said this before, and I will say it again.

That said, we must be transparent. However, let's find a balance. That is important.

I will now address the overall logic of the entire motion. In certain parliamentary traditions, there is a practice of making broad, sometimes very broad, requests in the hope that something in the documents produced will feed into a political narrative and generate a clip for social media.

I don't believe this practice serves the House of Commons well. The practice does not serve taxpayers well, and it does not strengthen public confidence in our institutions. That is my view. I don't think this practice, if that is indeed Mr. Barrett's objective, is going to really help us.

I'm not imputing motives to my colleague Mr. Barrett, far from it. However, I must say that the wording of this motion, its scope and the timeline imposed for the first report give the impression of a request designed for effect rather than to enhance understanding. That is all. That is my view. I hope Mr. Barrett will take the floor to explain that I am wrong. However, that's my understanding from reading the motion. With the limited knowledge I have and the limited experience I have on this committee, that is what I have understood. That concerns me, because our role here is not for effect. Our role here is to do serious work. Our role here is not to generate sensational stories. Our role is much more important, more serious and, I would say, more interesting.

I'd like to get back to Mr. von Finckenstein's point. His competence, expertise and experience in this area were evident when he appeared before the committee. He raised a point that is central to my current thinking regarding the objective of Mr. Barrett's motion. He reminded us that the Federal Court of Appeal had confirmed that the conflict of interest screen is a reasonable compliance mechanism for public office holders.

The court stated—I am paraphrasing from memory—that the practice of publicly disclosing potential conflicts of interest before any problematic situation has occurred is an eminently reasonable way to ensure the furtherance of the act's purpose. In other words, the preventive logic of the screen—the idea of managing potential conflicts before they arise—has been validated at the highest level of Canadian administrative law below the Supreme Court.

Nevertheless, here is a motion calling for the documentation and public disclosure of every instance in which this mechanism has been applied, including all internal conversations, discussions and communications. In doing so, we risk turning a preventive tool into a tool for retrospective oversight. In my remarks today, I spoke at length about being proactive. However, what we are seeking here is much more of a retroactive mechanism. We are going backwards. What is being asked for is retrospective oversight.

What we know at this point is that experts say we are exercising proactive oversight.

What the motion is asking us to do is to review what has been done on the fifteenth day of each month. Is it better to have a system that sets limits and ensures oversight in a proactive manner, from the outset and which everyone in an independent position deems truly effective, functional, structured and transparent? However, what those of the old school of thought want is for us to have a “rearview mirror” perspective and always keep looking back. That is what has been done. Excuse me for saying so, but I don't subscribe to this model of governance either. I disagree with it.

As I said, we're in the process of changing a preventive oversight tool, which, paradoxically, could make the system less efficient and less effective. If the people responsible for applying the screen know that each of their analyses will be made public in the coming weeks, they might be inclined to document things differently, communicate differently and work differently. This question was raised here in the committee.

It's not because they have anything to hide—far from it—but because public exposure of each step in a compliance process changes the very nature of that process. If we have confidence in the procedures and processes in place, I don't think we will question each of the steps. We're not in an operational workflow or on a production line, but rather within the public system. Responsible officials have demonstrated that this procedure was followed. They asked whether the screen should be applied to 13 situations, and it did not apply to seven of the cases, and we have seen results for six cases.

Allow me now to discuss what the committee could do differently. I'm not claiming the status quo is perfect—far from it. When we asked questions, whether at the international or provincial level, everyone clearly told us we have one of the best systems in the world. That said, is the status quo what we want? Is it perfect? The answer is no. I agree that nothing is perfect. Should we keep things as they are or improve them? The answer is yes. In fact, that is why we're here. I am not claiming that the committee should not be interested in how the conflict of interest screen works—on the contrary.

We agreed that Mr. Sabia and Mr. Blanchard should come to testify before the committee. We all asked them questions. One way to make improvements is by asking questions about the conflict of interest screen. In fact, there were questions that Mr. Sabia was unable to answer, but he sent us a response afterward. There are ways to carry out this work that are both rigorous and respectful of the institutional framework. I have questions that have not yet been addressed. So far, Mr. Barrett has not given me a clear answer regarding the intended objective, the objective behind the motion.

However, he may still have questions to ask. In that case, we could invite the Ethics Commissioner back to provide regular updates on how the system is functioning. For example, he could testify every six or twelve months, or at any other interval deemed appropriate. We could periodically review how the system is functioning.

I repeat: Nothing is perfect, and there is always room for improvement. We could request an anonymous statistical report on the number and nature of the assessments conducted. We have already received a response on this matter; I believe you have received it, Mr. Chair.

We know the number and nature of the assessments conducted. We could ask specific questions about cases that were not assessed and inquire why they were not assessed. We have the right to ask these questions.

However, they are asking that the reports, documents and correspondence be provided to us every month. There is a Quebec expression I love: Enough, already. Mr. Barrett's motion in its current form is not a proposal for targeted oversight of an element we have contested and wish to correct—far from it. Rather, it's a request for mass disclosure.

Requests for mass disclosure are generally triggered by something factual, such as, for example, where someone is found to have failed to comply with procedures. In this case, we are far from that.

The request from Mr. Barrett is indiscriminate and lacks prioritization. His request—and I think I've explained this clearly—also shows no regard for the consequences it may have on the workload of public servants, on transparency, or even on Canadians' trust in institutions.

I'll begin to wrap up my remarks. After presenting my perspective and that of the experts, I'll now conclude my thoughts—not my intervention.

I agree with Mr. Hardy when he says that we live in an era when trust in institutions is fragile. On that point, I agree with him. It's a reality we see in many democracies. I have also observed it among young people. This phenomenon is sometimes self-evident regarding institutions, municipalities, boroughs, police services and tax authorities.

Canadians are increasingly skeptical of many institutions, political parties and sometimes even governments. Part of this skepticism is fuelled by the feeling—and I do mean the feeling, the perception—that the rules of the game are not applied fairly, that institutions serve certain interests and so forth.

Is it up to us to sow the seeds of this kind of thinking, by questioning things without factual evidence, without facts on which to base our arguments? I don't think that's the best idea.

There are two ways of looking at things. Canadians listening to us see it that way too. We have two options and I think that, time and again, Canadians have seen these two options. In fact, the last three by-elections have shown what Canadians prefer.

The first option is to work in earnest to strengthen transparency mechanisms. As I said, even though they are considered excellent by external people and international organizations, they are not perfect. There's no such thing as perfection. We must strengthen existing transparency mechanisms, ensure they work and ensure we have the mechanisms to improve them. There are, of course, gaps. Admittedly, this work may seem thankless and time-consuming, but it produces lasting results.

The second option involves clips, sensationalism and the need to seek the limelight by making multiple demands for mass disclosure as if there were some underlying doubt. It involves creating processes that give the impression of transparency without actual substance. It involves using the work of parliamentary committees as a tool for pressure—political pressure—rather than as a tool for governance.

I strongly believe in the first option—and that is why I stand with the government—even if it may seem thankless, difficult and slow. I strongly believe that the first option serves Canadians. That is why I cannot support the motion in its current form.

I would also like to highlight a paradox that I find striking. This motion has been introduced by colleagues who, at other times and in other contexts, have defended the importance of safeguarding the government's internal decision-making process. They have rightly argued that certain information must remain confidential to protect the integrity of the political process.

However, today, they are calling for full disclosure of internal communications related to an independently validated compliance process. There is a tension here that I find difficult to reconcile. I believe we must all be prepared to apply these principles consistently, regardless of the political stripes of the government in power.

I can see that I've taken a lot of time to make my statement. In fact, I don't know exactly how much time. That said, I want to give the floor to my colleagues so they can continue to respond.

I'm making a point. I took a lot of time, but I had concerns. I spent the entire weekend reflecting. I tried to understand, because I know that Mr. Barrett is, after all, one of the most experienced members in this room and that he is a conscientious person. I asked him questions. In my remarks, I've not claimed to be better than Mr. Barrett. On the contrary, I disagree with Mr. Barrett. I have outlined my concerns. I believe the motion before us warrants I raise these concerns. It demands much more serious consideration, given all its implications regarding efficiency, workload and so on.

I want to be clear about what I'm advocating here. I'm advocating for a system of accountability that is both rigorous and smart. Rigorous because it asks real questions about real issues, and smart because it complies with the mechanisms that have been put in place to safeguard the integrity of the government process.

I'm not advocating for opacity—far from it. I always for advocate transparency. I support transparency, but I appreciate clarity. I want clarity in requests—not massive requests or vague ones. This is not a rejection of oversight, but a rejection of oversight that lacks clarity and will drown us in volume, rather than focusing on what matters.

Deep down, I think Canadians understand this distinction. They are not asking us to accumulate thousands and thousands of pages and documents. They are asking us to ask the right questions. As a wise person once so aptly put it, if you want the right answer, ask the right question. We must ask the right questions to get the right answers.

In closing, for all the reasons I have outlined, the scope of this motion is disproportionate to the request. The risks it poses to the quality of internal advice, its implications for Canadian diplomacy, its impact on institutional resources and its risk of undermining a compliance system that works and has been independently validated make it very difficult for me to support the motion by my colleague Mr. Barrett, even though, I reiterate, he is an experienced, respectful and respected member of Parliament. I'm open to discussion. I'm open to hearing his responses on how we can improve oversight of the conflict of interest screen. I remain open to more targeted, better managed and proportionate proposals that allow the committee to carry out its mandate without creating the risks I have described in my remarks today. However, Mr. Barrett's motion goes too far. It was rushed through. There are no factual justifications to explain it. In other words, the justifications are far from sufficient.

Thank you very much for your attention.

I've asked the opposition a great deal of questions. I also gave my colleagues a short break. I've also asked Mr. Barrett many questions and repeatedly expressed my respect for him.

I'm raising my hand now to indicate that I would like another opportunity to make another statement in which I hope to receive some good answers from a good member of Parliament such as Mr. Barrett.

Thank you very much, Mr. Chair.

[*English*]

The Chair: Thank you, Mr. Sari.

I'm next to a man who needs no introduction because his name has been said 1,000 times in the last hour.

Mr. Barrett, you have the floor. Go ahead, please.

Voices: Oh, oh!

The Chair: I'd like some order in the room, please.

Mr. Barrett, you have the floor. Go ahead.

Michael Barrett: We have less than two hours to go before the Liberals do the thing they have spent the last 20 hours saying that they weren't going to do: obstruct accountability in parliamentary committees. The reason they're talking out the clock is that they'll be able to kill this motion and kill accountability. The thing about fishing—they said that this is a fishing expedition—is that you catch fish. This isn't a fishing expedition. I would point to the record of the official opposition in terms of doing the thing we're supposed to do: bring accountability to bear.

If you follow the government's own logic.... If the Prime Minister needs a conflict screen, Parliament has a responsibility to know when that screen is triggered, when it isn't and why. Canadians shouldn't take the government's word for it. They cannot take a Liberal government's word for it. They can't take this Liberal government's word for it. The committee should see the records, analysis and travel details to verify that the Prime Minister is not participating in decisions or discussions that could benefit companies tied to his private interests.

I'm going to briefly explain why—and virtually any intervention, after the last 20 hours, will be brief. The context is really important because we've heard about what a bang-up job they've been doing for the last year. The results speak for themselves. One in four Canadians is suffering from food insecurity. That's not me saying it. That's from the people in lineups at food banks in my community, in Mr. Sari's community, Mr. Sari's community and Mr. Sari's.... I'm going to try to use his name as many times as he did mine in the last round. We're talking about the relentless suffering of Canadians. That's one of the results.

We heard about job numbers from one of the others in their filibuster—about what a great job they've done on jobs. Canada is down 95,000 jobs this year. That's not great for the people who've lost them. It's not great for the people in my community who've lost their jobs. They want to tell us, "Well, these international bodies say that Canada's doing the best." Do you know what? For the people in my community, those empty words don't fill their empty bellies. They want to see results from the government, and they're not seeing that.

We heard about the wasted time that would come from looking at some of these things. We've had 20 hours of filibusters over two weeks from these Liberals. You cannot take them seriously. It's very much a "let them eat cake" attitude. That's demonstrated by the Prime Minister's in-flight catering. He's taking all these trips. That's great, but he's certainly not packing a lunch. There is an expectation of some belt-tightening done by government when Canadians are tightening their own belts because they're malnourished, suffering and hungry. We're looking at tens of thousands of dollars in in-flight catering costs on single trips. That's shocking.

Why do we need to see this? Why can't we take their word for it? I would look to every other time in the last three years when we've said that a committee should take a look at these things.

Now, Liberal members have said that we can't have opposition motions passed at committee because legislation wouldn't get passed. Well, this motion is not going to take up further committee time. That's number one. Number two, this committee, like the government operations committee and the public accounts committee, is not a committee to which legislation is typically referred. Look at the WE Charity scandal. That would have seen $912 million going to an organization that paid almost half a million dollars to the former prime minister's family members. Look at the $4.6 billion in COVID overpayments that were uncovered through opposition pressure for Auditor General reports and for committee studies, and the $27.4 billion that the Auditor General said should be investigated.

On ArriveCAN, I sat in this very committee room and had Liberal members say across the table that the app was perfect, that it saved tens of thousands of lives, that they got great value for money and that it was a waste of committee time to study it. Well, all of that was demonstrated to be false. The government has failed to demonstrate a single incidence of it saving any lives. We've heard from Canada's frontline border services officers that it made their job more difficult. Also, of $60 million, we saw that, at a minimum, $20 million was just pure grift, just theft from taxpayers. The Liberal members told us that there was nothing to see here. They said, "There's no here, here, so we can't take a look at this."

The same is true for Sustainable Development Technology, for which we know that nearly $60 million went to 10 ineligible projects—fully ineligible projects—but that was at the same time as they said, "You cannot take a look at this." When we referred it to the Ethics Commissioner after the Liberal members said there was nothing to see here, we found that the Liberal-appointed chair had broken the very law that we're talking about today: the Conflict of Interest Act.

We have demonstrated time and time again that there is a benefit to this for Canadians. When we find that there's a problem, when we find that there's been a contravention of the rule under the Liberals—we have seen 10 instances in which this Liberal government has broken Canada's ethics laws—what we can do is change the rules, do better and give Canadians confidence in their democratic institutions and their elected officials.

That's the job of all members who aren't part of the executive. You often hear people say, "Well, I'm part of the government." You may be part of the governing party, but unless the Prime Minister has elevated you to the Privy Council or you're warming the bench as a parliamentary secretary, you're not in government. You're a backbencher, and you need to hold the government accountable. That's the job of all of us. It doesn't just fall on the Conservatives. It doesn't just fall on the Bloc. It's a responsibility that we have to Canadians.

On asking for basic details about when the screen has been invoked and why it has or has not been invoked, I didn't hear any amendments. I heard the bell get clanged about 1,000 times with my name, and I heard the phone book get read in by someone else, but what I didn't hear was any thoughtful amendment.

Is it the contention of Liberal members that there's absolutely no value whatsoever in any further scrutiny of the head of government? Heaven forbid that it become a precedent and that, going forward, we hold everyone in that office to that standard, wherein we have an understanding of that and there is public reporting. I can think of an awful lot of things that are worse than that, such as what we've seen over the last 10 years. Let's not get to the point that people come to expect—Canadians come to expect—that the laws will just be broken. The rules will be broken. That's a legacy of the last 10 years, and it doesn't need to be one of the next 10 years.

We saw in committee when we had a representative from Brookfield here that the system as it's currently designed doesn't do what it's supposed to do. How can a senior executive at Brookfield just text the Prime Minister back and forth? If the Prime Minister doesn't know when the screen is being used, should he be concerned about any text he's getting from Brookfield? He doesn't know that there's something before cabinet. He doesn't know what's being shared. Are Mr. Sabia and Mr. Blanchard reading his texts first? That's not the indication we've received.

Is the communication being screened? That's a big question, and that's certainly not one that's been answered.

If there was a timeline and if the complaints were actually being raised in good faith and not just simply as a filibuster, we would hear reasonable amendments, and we would support reasonable amendments. Is there a particular piece...? Would we agree to pass this right now if we said, “Let's remove something. Let's remove the need to produce emails. Oh, yes, that was it”?

However, that's not it. It's about having any further scrutiny. They know that at 8:15, or whenever bells ring, that will be the last time they're going to need to talk the clock to stop accountability at this committee. They'll be co-conspirators any time, then, that the rules or laws are broken in the future because they would have had the opportunity to do the right thing and to help strengthen the system. They'll have actively made a choice not only to not do that but also to have prevented it from happening.

I know that my conscience will be clean because I will have worked with other members of the opposition and other parties who understand what our responsibilities are. We'll continue to do that; we will keep doing that. It is, mildly put, unfortunate that that's the position Liberal members have chosen to take and that those are the instructions they've accepted and have deployed—a filibuster to stop that. However, those are decisions for them to reconcile. We're going to continue to do the right thing.

I hope that contrast is very clear, though—what happens when one more member from the governing party gets dropped onto the committee. It won't be a question of thoughtful consideration. It will be shutting the lights off.

The Chair: Thank you, Mr. Barrett.

On that note, I'm going to take what could potentially be the last break before accountability, transparency and oversight ends at this committee tonight. We are suspended.

● (1855)

_____(Pause)_____

● (1905)

The Chair: We're back after a brief suspension.

We're on the motion presented by Mr. Barrett.

I have Ms. Church next on the list.

Go ahead, Ms. Church, on the motion.

[*Translation*]

Leslie Church: Thank you, Mr. Chair.

I would like to thank my colleagues for the discussion we've had thus far. I welcome the presence of my colleague from the Calgary Confederation riding, who has joined us this evening to debate this important matter.

We have raised serious objections to the motion before us, but I want to make it clear that transparency and accountability are vital in our democratic system. In reality, there are many ways to ensure transparency in how the government operates. This motion isn't the only option.

[*English*]

I want to explore the idea of transparency that my colleagues and Mr. Barrett raised. It's important, in this context, to think about the many ways we continue to support and develop transparency across our parliamentary and government functions.

I had a quick look at the Prime Minister's website tonight. For his plans tomorrow, he already has a media advisory out. This is a practice that has continued for some time, certainly dating back to the previous government as well. It's a way of ensuring that Canadians and the media have transparency about the Prime Minister, his schedules, his events and his functions. It's a way of determining his priorities and following his travels. It's an important part of the transparency that is offered by the office.

When it comes to ethics, all of us as parliamentarians—all Canadians, in fact—have notice of any conflict of interest screens when they are set up. In the current case, we have notice not only of the screen but also of the companies involved. We also have knowledge of the initial assets that are divested in any blind trust formed under the Conflict of Interest Act. It's available on a website for all to see. When a screen is invoked, recusals are also made public on the Conflict of Interest and Ethics Commissioner's website.

Outside the realm of the CIEC, we have tools. We have access to information. We have the scrutiny of committees like this one. We have oversight bodies through public accounts and our parliamentary watchdogs, like the PBO and the Auditor General. We have financial transparency through items like the budget, the estimates, the departmental spending plans and tomorrow's spring economic statement. We have these methods for transparency so there can be scrutiny of the types of issues Mr. Barrett raised.

Let's pull on that thread a bit more, because, Mr. Chair, you are hearing concern from that side of the room. I want to pull back and challenge Mr. Barrett and my colleagues across the way on some of what Mr. Barrett suggested is motivating a motion like this.

I want to take you back as far as last summer, when media outlets.... I pulled up an example of this from the CBC, with the headline “Ethics commissioner publishes list of PM Carney's investments”. The story I'm looking at talks about how the investments the Prime Minister made and held before handing them over to a blind trust were publicly disclosed by the Ethics Commissioner. It says:

> During the election campaign, opposition parties accused Carney of trying to take advantage of an ethics loophole and hiding his financial assets.
>
> According to the Conflict of Interest Act, Carney didn't have had to divest his assets until 120 days after becoming prime minister. The rules are meant to prevent office holders from making decisions that might benefit themselves.
>
> Carney put his assets into a blind trust shortly after winning the Liberal leadership but before being sworn in as prime minister. A blind trust means those assets are handled by a trustee who has the legal authority to manage them but who is barred from seeking input from Carney.
>
> Opposition parties still demanded that Carney disclose what assets he held before divesting. On Thursday—

This story is from July 2025.

> —the ethics commissioner posted a summary of Carney's financial assets that were placed into the blind trust—but it is unknown if those assets have changed since then.
>
> According to the filing, Carney held assets in Brookfield Asset Management and Stripe, Inc.—he previously sat on the board of directors for both companies.

The piece goes on to say:

> In addition, Carney held assets in an advisory firm and two environmental companies. He also had a self-administered RRSP and a wide variety of shares in an investment fund managed by a third party.
>
> The prime minister has said that the only assets he's kept out of the blind trust are some cash, a cottage and the family home.

Notably, CBC goes on to report:

> Under the Conflict of Interest Act, the prime minister, cabinet ministers and parliamentary secretaries are not allowed to own controlled assets.
>
> But backbenchers and opposition MPs fall under a different set of rules—

We all appreciate these.

> —known as the Conflict of Interest Code. While they must recuse themselves from debates and votes on questions where they have a private interest, they can continue to directly own stocks, bonds and other controlled assets.

The bar for the Prime Minister, from the outset, is higher. Dating back to last summer, we know full well where and what assets have been disclosed by the Conflict of Interest and Ethics Commissioner. It was reported publicly and confirmed by the Prime Minister's Office.

Let me take you back further. In March 2025, at the change in government, CBC reported, with another headline, “Poilievre says Carney's taking advantage of an ethics loophole. Is he right?” This story goes on to note:

> Prime minister-designate Mark Carney has responded to Conservative attacks over his financial holdings by taking steps to meet the conflict-of-interest rules for elected public office holders four months before he was required....
>
> A spokesperson for [the Prime Minister] told CBC News in an email that the new Liberal leader “will also be filing all of the reports required by the ethics commissioner well in advance of what the act requires.”

The story then gives details, and I'm coming to the point, the nub of this:

> Carney made the move after Conservative Leader Pierre Poilievre accused Carney of putting himself in a position to hide and hold “millions of dollars in interests that go against” Canada and Canadians.
>
> Poilievre said Carney is in a position to do that because he had found a “loophole” in the Conflict of Interest Act that allows him to hold off on divesting his assets until 120 days after becoming prime minister.
>
> In fact, anyone could find the same 120 day “loophole” Poilievre is referring to by simply reading the Conflict of Interest Act Stephen Harper's Conservative government wrote and passed into law in 2006.

Notably, Mr. Poilievre, would have been part of that same Conservative government that passed the act, including the loophole Mr. Poilievre referred to.

The article goes on:

> [The act] states that people assuming public office have to submit a “confidential report” to the ethics commissioner detailing their financial holdings within 60 days of taking public office.
>
> Then the act says that within 120 days after a person has assumed public office they have to divest themselves of their controlled assets.

Where am I going with this? I'm showing you, and I'm showing the committee, that this debate has been torqued from the outset.

The regime that has been put in place by Parliament, a regime that the opposition was actually a part of when the act was first created, has been followed to the letter of the law and beyond, yet we still continue to hear about it from the Leader of the Opposition, who issued a press release on the Conservative website saying, “Canadians deserve a Prime Minister who is free to act in the public interest—not someone blinded by personal gain”. On April 23, the Leader of the Opposition said, “We've never seen a prime minister so conflicted as Mark Carney.” Finally, this past week on CTV, the Leader of the Opposition said, “I find it interesting. Mark Carney's company, which he still owns, Brookfield, has been called the biggest tax dodger in Canada.”

This is setting a tone, and is evidence of a repeated tone, that members, particularly those holding opposition critic portfolios, are clearly emulating. Today, the member for Calgary East on X stated, “The only surplus Mark Carney knows are in his offshore tax havens.”

It's transparent. It is patently transparent what's going on here. Certain members like to quote Marcus Aurelius. Well, Marcus Aurelius said that if it is not right, do not do it; if it is not true, do not say it.

This motion is the product of an attitude and approach that seek to undermine not just Parliament, its traditions and an independent office like the Ethics Commissioner, but also fellow parliamentarians, the Prime Minister and members of the House, who all operate with the best interests of Canada at heart. We may disagree on many things, but we are all here because we believe in building a better country. Where we can disagree is on how we achieve that.

I think these examples expose the reality of this motion, if we're going to be crystal clear. As my colleague Mr. Sari stated, the motion suggests that one would suspect the information gathered here would be twisted and distorted, filled with allegations and insinuations. I think the word that may be most apt to describe this is “spurious”.

Mr. Barrett, just before me, talked about theft, grift and corruption. Those are powerful words, and it is reckless to throw them around so lightly when in fact this is not about theft, grift or corruption, as Mr. Barrett would perhaps want viewers or social media followers to believe. This is about polarization. This is about ragebaiting, and this is about clickbaiting. That is what this is about.

Is this motion really about the cost of travel? When Mr. Barrett raises the cost of the Prime Minister's travel, does he factor in all those who travel with him—the other members and ministers, the staff, the security, the press corps?

This is a government that, in less than 12 months, has delivered 20 new economic and defence partnerships and has achieved $97 billion in foreign investment commitments. This is a government that is squarely focused on turning the Canadian economy around to build an economy that is sovereign and resilient, that buys Canadian and builds Canadian and that will ensure our prosperity for the generation to come amid the biggest trade war this country has faced and some of the biggest economic shocks we've seen in our history.

When Mr. Barrett, the Leader of the Opposition, his finance critic or anyone else wants to raise the spectre of parliamentarians doing their work here with insinuations of theft, grift, corruption or whatever else, that is precisely the type of approach that my colleagues and I will stand firmly against. It's not just about being on the opposing or the governing side of the House. It's actually about standing up for Canadians, who expect better in our politics and who want us to stay focused on what matters. It's about respecting Parliament and Parliament's decision to have an independent ethics office that does this work for us so that we don't have to go down the dark tunnel of having information weaponized and misinformation spread.

They say that a lie travels halfway around the world while the truth is still lacing up its boots. I do not like that this is the reality of our digital world now more than ever, but it is a reality. It's why, more than ever, the independence of the Ethics Commissioner and the oversight they provide are so vital to our functioning. I think about Mr. Sabia, the Clerk of the Privy Council, in his testimony to us as a committee, when he said:

> Parliamentary oversight of issues like conflict and accountability and other things is fundamental to how our democratic system works. Having the Ethics Commissioner involved in structuring these for the Prime Minister, for other ministers and for other public office holders, as the Ethics Commissioner does, is the right thing to do, because, as an officer of Parliament, he is accountable to Parliament and accountable to the judgment of all of you as elected parliamentarians. That is, in terms of accountability and transparency, the right thing to do.

I believe that is correct, and I believe that when we approach these matters, we can't approach them from the perspective of one individual or another.

In the two decades that we've had this act in operation, we've had examples on all sides of the House of the use of screens, divestments and blind trusts. We've heard testimony to that effect regarding a former chief of staff to a former Conservative prime minister, with the blind trusts and screens that were in place—40 companies in that context. This regime is meant to take the politics, the partisanship, the rage and the clicks out of the vital work of maintaining our ethics and accountability.

I'm going to come to my conclusion, because I really want to ensure that other members of the committee have a chance to weigh in and because I think our arguments are important to lay out at this time. However, having heard Mr. Barrett and his call for us to put our amendments on the table, I would like to amend the motion by striking the second paragraph of the motion, in large part because of the arguments I've made about transparency, as it's available now. Just for clarity, it's part (b).

The Chair: Just for clarity, from my standpoint, you're amending it to remove part (b) of the motion. Is that correct?

Leslie Church: That's correct.

The Chair: We have an amendment on the floor.

I have Mr. Hardy first.

Go ahead on the amendment, Mr. Hardy.

[*Translation*]

Gabriel Hardy: Thank you, Mr. Chair.

We're off for another round.

I've heard a lot of things and I'm taking a lot of notes, because it's important to keep up and make sure we don't forget anything, because there are many things being said here, and the Liberals are convinced that their point of view is the right one. Unfortunately, we disagree.

The first thing is that the Liberals say that this is a debate, but they are very much mistaken: It's a monologue. It's Monday evening. We started the meeting at 3:30 p.m., but when I say “we” I mean “them” because we're not saying much. It's now 7:30 p.m. We're beginning our fifth hour. The last time, the meeting lasted 17 hours and 30 minutes. Now, we're starting the fifth hour of Liberal monologue, whose purpose once again is to take as much time as possible.

Mrs. Church, you just spoke for about 15 minutes. Congratulations! That was actually quite short. Your colleague was quite intense, speaking for more than an hour. I guess you won't win the person who talks the longest. Last week, Mr. Sari recited a 25-minute monologue, and he recited another 60-minute monologue this time. Ms. Lapointe gave a 30-minute one. I congratulate her on her 30 minutes. I might have missed a bit of it, but it must have been super interesting. Mr. Saini recited a 25-minute one. I congratulate him. Mrs. Church, you recited a 15-minute one, so things are progressing well.

Once again, I find it very disrespectful to Canadians to take all this time, notably an hour. We don't come here to attend talks, we come here to work for the people so what we're experiencing here is a bit peculiar. The Liberals obviously find themselves very interesting. They applaud one another and smile from ear to ear, looking to see who is doing the most.

They tell us that the motion isn't necessary, because what we're asking for in the motion has apparently already been provided. If it's already been provided, why are they opposing it? Is it only just because we didn't write the motion the right way and they don't like that? They kept asking why we're asking for this information nonstop and said it was already available and easily accessible. If the information is so easily accessible, they should just let the motion carry. Then we can move on and stop wasting our time here. We've spent 20 hours over two weeks listening to monologues.

The Liberal government says that it will build things at a pace that has never been seen before. Honestly, if I look at the way the Liberals use time, I can understand why it's costing the government a fortune, because it's not very efficient.

I will continue reading my notes. I'll try to do it quickly, and not take too much time.

The Liberals say that the Conservatives are trying to prove things that aren't true. The last time we heard that was during the ArriveCAN scandal. We were told it wasn't true. I gave a speech in the House about that today. It appears to have cost taxpayers quite a few million dollars to hire a four-person company operating out of a basement here in Ottawa.

We were told that it wasn't true for the green climate fund either, and yet, it was a scandal.

We were told to stop talking about foreign interference, because it was conspiratorial. However, it was uncovered in a committee like this one.

We were told to stop asking questions about Brookfield and yet people seem to be worried. I guess this is also the kind of thing that should not be revealed to a committee like this, even though it's extremely important for Canadians to know.

The Liberals say that we are there to oppose. In effect, the role of the opposition, which is extremely important and involves being loyal to Canadians, is to ask questions and to make sure that the people who disagree with the Liberals have a voice, can ask questions or at least be able to hear those questions being asked. I can guarantee one thing: When I walk around my riding, people talk to me and tell me that they are very happy to have MPs who come out to meet them, listen to their needs and bring their questions here. That's what I hear.

Obviously, the Liberals don't want to hear that, because it doesn't suit them. We saw it last week, when Mr. Cooper was cut off six times in six minutes because he wasn't saying what the Liberals wanted to hear. That's not the democracy Liberals say they defend so valiantly.

Mrs. Church, you said earlier that Mr. Poilievre had mentioned that Brookfield was engaged in tax avoidance; you presented that as a propaganda tool. However, a witness came here to say that when Brookfield was run by the Prime Minister, it was the largest tax dodger in the country. We're not inventing this. You can check what witnesses have said before the committee. It's all on video. You can go and watch it. However, these are not good witnesses, because they're not Liberal witnesses. They don't like it when witnesses don't say the same things Liberals do. That's the problem we're facing right now and that we see each week.

I enjoyed writing the following note, because it's really what I've noticed since being here, for a year now. Since the Prime Minister came down to earth, he appears to be the great Liberal saviour come to earth to erase the sins committed by the Liberals in the last 10 years. He came down, and now that's all gone away. We have to trust the Liberals, because they're here for the right reasons, and because we're not here for the right reasons. However, these are the same Liberals who were protecting a Prime Minister who said that the budget would balance itself. They're the same, but we have to trust them today, because their leader has changed.

It's strange, because we ask questions, and we rarely get answers. We're told that it's normal not to get the answers, because these are not the right questions.

Today, I gave a speech on the Liberals' motion to bring committees under the Liberals, so that we no longer have a majority and so that we can no longer ask the government questions. What surprised me is that when the government proposed this motion, Radio-Canada, which usually strongly supports the Liberals, described the Prime Minister's government as an authoritarian government, and this action as an abuse of power. It's very odd. It will be my pleasure to share this clip, because apparently we love clips, and I have it at my disposal. However, again, I guess it's not right, because it doesn't reflect what the Liberals think.

I'm glad Mr. Saini mentioned last year's election. We mentioned last year's election. As it happens, the result led to the formation of a minority government. That's what Canadians decided. After that, we know that some cozy little deals were made behind the curtain. However, a minority government is what the Liberals were given. The mandate given by Canadians is to ensure that the parties work together and that neither the Liberals nor the Bloc and the Conservatives follow their plan 100%. We need to work together to move forward for the good of Canadians. Again, the Liberals called this obstruction, because, when we don't say exactly what they want to hear and we ask questions, we are obstructing.

I'll repeat the words of someone who I think the Liberals will recognize. This person said that a healthy parliamentary system relies on the opposition's right to oppose, attack and criticize. Lester B. Pearson, the 14th prime minister of Canada, said that. A Liberal. It's not a Conservative position, but a democratic position to support the right to ask questions. It's not about asking the right questions or the questions that suit Liberals; it's about asking questions. It's a democratic right, and I think it should be a foundation.

The Liberals don't like us asking questions, questioning them or contradicting them. We even heard that contradicting them was bullying, which I don't believe is true at all. Just because we don't agree doesn't mean that it's bullying.

We heard the commissioner, witnesses and experts say that we need more transparency, whether as part of the study on ethics or the study on lobbying. Everyone agrees with the witnesses on this, but when we ask questions for more transparency, it's not okay.

I'm sorry, but when I meet Canadians, they tell me they want transparency. They have questions and they want us to ask them. Often, they ask me why we always intervene after the fact and why the millions of dollars they pay in taxes and income tax came out of their bank accounts to be spent any which way.

A scandal occurs, and then we ask questions. However, Canadians ask us why we always intervene after the fact. The answer is simple: Just look at what is happening here. When we ask questions before a scandal breaks, we're told that it's not right, that they're not the right questions, that we shouldn't ask them, that we're inventing things and opposing for nothing. Then, when the scandal is uncovered, we get an explanation, but not always. It seems to be a Liberal specialty to still avoid disclosing the facts.

Here, we are told to be serious. The Liberals have been monologuing for 20 hours, but we are told that we are the ones with a problem. That's serious. We're talking about clips. I hope that after 20 hours of monologues, they will have a few, because that's clearly what they're looking for. We're not making any, because we're not the ones talking. They are the ones who spoke for 20 hours. I guess they like it.

We are told that oversight is the foundation of democracy, but, if we don't ask the right question, it's not a good foundation. It's the foundation only when it suits them.

I'll give you another very clear example. We submitted a report with 23 recommendations after 10 months of work. During a press conference, the Liberals said they would reject all of them.

You could say things are going well. We want transparency, we want to work, and it's said that the opposition's work is important. Mr. Sari said it earlier: For the Liberals, what we do as the opposition is very important and honourable. We can go back and reread the notes, that's what he said earlier. However, when we say we won't support 20 out of the 23 recommendations, or even all of the recommendations in a committee report, that shows that the opposition is only good in theory, because in practice, it seems the Liberals don't like that at all.

One of the Liberals quotes the Conflict of Interest and Ethics Commissioner, as if he'd said that he fully endorses what they're doing. He himself referred to the appearance of a conflict of interest and said that it should be there. The appearance comes before the conflict itself. In our motion, we're asking for information, but it shouldn't be provided, because transparency isn't acceptable. So once again, we've got a problem. We need to work upstream, not always downstream.

The motion calls for two things, one of which the Liberals want to remove with their amendment. First, the motion calls for the publication of the report on conflict of interest filters, the assessment, the minutes and so on. Second, it calls for the publication of travel itineraries. We want to understand where the Prime Minister is travelling and exactly what he's doing. We need to know and understand.

In the past, we didn't ask about food, but new information has emerged. So we're going to look into that, because I think it's important for people to be aware of government spending. We must trust our Prime Minister. He's transparent, and he's there for the right reasons. However, when he went to London, meals on the plane cost $52,000. That's fine. The two-hour trip to Washington cost $21,000. That's fine. The trip to Rome cost $93,780 on food alone; the one to Brussels, $49,000; the one to Mexico, $33,000; and the one to the United Arab Emirates, $159,000. When we table a motion to find out where the Prime Minister is travelling and what's happening, we're told to stop and that we're exaggerating. However, there were total expenditures of $524,000 in less than a year. That's just for meals during the trips. That's fine. Everything is in order. Is it cost-effective? I think people have a right to know. Is it in Canadians' best interests to pay $159,000 for food during the United Arab Emirates trip? I can only imagine the gold-leaf steaks must have been very good for Canadians. That's quite a show of respect. All this is at the taxpayers' expense. By the way, everything is public and can be found on websites. I'm reading from my notes, but these are facts. Unfortunately, the Liberals don't seem to like facts, but these are indeed facts.

So, today, we're once again witnessing the Liberal theatrics aimed at wasting as much time as possible in an attempt to gain I don't know what. Last time, they wasted 17 hours, when in the end, we'll still be able to welcome the minister and ask him questions. It took 17 hours to get there.

We're told that it makes no sense to hold a public debate on this, and that it's irresponsible. Yet spending 20 hours and counting here—and we're sure to continue—is a very responsible way to spend taxpayers' money. We're all here, at the table, with our staff behind us, the chair and the interpreters. That's money well spent, because the Liberals want to tell us their view of how Canada should be run and that the nasty opposition parties don't agree with them and are calling for transparency.

I've been wondering for some time now when transparency became an issue. It struck me earlier, because we heard why we shouldn't be transparent. Transparency is essential at all costs, but sometimes being transparent isn't the right thing to do. So, we heard a justification. A member came here to tell us just how not being transparent is sometimes the right thing to do. Ultimately, for the Liberals, it really does seem to be the right thing to do all too often. We can imagine that, if they justify a lack of transparency as the right thing to do, we won't really be out of the woods for the next three years. Not only do they want to take control of committees, but they're also justifying in front of the cameras that a lack of transparency is the right thing to do. It's understandable why they might not want us asking these questions, and how we might then uncover conflicts of interest.

I'll conclude my remarks, and I hope I haven't gone on too long. I'm on my last page. We've been told here that everything we're asking for will take too many resources, and that meeting our demands would be irresponsible. This coming from the mouths of those who have hired 100,000 public servants and who spend over $20 billion a year on consultants. They're the ones doing this. Not us.

We definitely shouldn't be hiring anyone to make sure there's transparency, because that would be money poorly spent. This is serious. We've often heard “in my opinion”, and I'll get back to that, because that's what I keep saying: Your opinion isn't important. It's the opinion of taxpayers that's important. It's the opinion of citizens, Quebeckers, Canadians; it's the opinion of people who pay taxes that's important. That's who we represent, we're here to serve them.

So your perception isn't what's important. Democracy is what's important. We'll be able to get to a vote, but you won't like the decision. You know that the opposition leads on this committee, but you don't want to. So you're wasting time. That's what's terrible: wasting everyone's time.

I'll end on this, because I think it's very relevant. Earlier, you referred to a well-known line from a speech by the Prime Minister, that if you're not at the table, you're on the menu.

Today, we're all at the table. How many hours will it take for transparency to appear on the menu? That's what I'm asking you. Everyone is seated at the table. How many hours do you need for transparency to show up on the menu? I'm looking forward to your answer. By that, I mean less time and more clarity. We have to make progress.

Oh! I have a blank page. I'm done.

[*English*]

The Chair: Thank you, Mr. Hardy. I've been making notes too. If you want to borrow some of mine, I'd be glad to give them to you.

We have a list that includes Ms. Kronis next, followed by Mr. Hogan and Mr. Sari. I'm sorry. It's Leslie Church and then Mr. Sari.

Do any Liberal staff members want to speak on this? I'll gladly put your name down now, if you like. No?

Ms. Kronis, go ahead.

Tamara Kronis (Nanaimo—Ladysmith, CPC): Thank you so much, Mr. Chair.

I want to thank my colleague for his remarks. He really spoke to the question in an incredible way.

When I think about this place—and we're currently in the basement of the West Block—I think about the chamber upstairs as being the heart not only of this building but also of our democracy. Every committee in this place has a function that surrounds the room. If that's the case, then the ethics committee might very well be the soul of this place, its conscience.

This is my first time coming here to the ethics committee, and I would observe that what we are seeing here today—this evening now—with this amendment to our motion is a deliberate, concerted effort by Liberal members to prevent Canadians from seeing who is influencing our Prime Minister. While I admire their tenacity and, judging by the length of some of their interventions, their lung capacity, that should truly trouble every single one of us in this place regardless of party.

This is the second time today that I have had reason to look at a Liberal bench and say that just because you can do something, that does not mean you should. I've reviewed the motion put forward by my colleague, and while it is long, it doesn't ask for anything that should attract this level of defensiveness from the Liberals. We are not asking for something exotic. We're asking for some pretty basic stuff: itineraries, travel records, meetings and who was in the room.

As some of my colleagues have made clear, if we were asking for the good stuff, we'd be asking for the menus to find out why we're paying through the nose for airplane food. It is not unreasonable to want to understand whether decisions are, in fact, being made in the public interest or whether access is being shaped by privilege, proximity or power. These are pretty basic, fundamental questions that are asked by ethics committees in parliaments like ours around the world.

The reason it matters so much in this case is quite simple. As with any prime minister, the Prime Minister did not come into office as a blank slate. He came with a vast network of global relationships, with deep ties across finance, investment and policy circles and with a very long list of former colleagues, partners and associates who might want something from him. That in itself is not disqualifying, and every prime minister has to navigate this, but it does raise the bar for transparency; it does not lower it. When someone brings that kind of network into public office, Canadians are entitled to know who still has access, who's getting meetings and who is shaping the conversations that happen behind closed doors.

Instead, what we're seeing in this committee is delay and obstruction, and that sends a message whether you intend it to or not. What it tells Canadians is that there is something about these meetings that cannot withstand public scrutiny. It tells them that the government would rather run out the clock, as we've seen you do today, than simply address the facts. If everything is above board, there should be no fear in disclosure. If decisions are being made impartially, then transparency should be your strongest ally.

Where am I in my notes? There are notes, and the notes have notes, and those notes have notes.

If there is transparency here, then transparency should be your strongest ally, but when the response to a straightforward request is to block, to stall and then to talk it out until the clock runs down, people will draw their own conclusions, and those conclusions may not be kind.

The ethics committee exists for a reason. We are here to protect the integrity of public office. We are here to ensure that power is not used to favour insiders, whether intentionally or through the quiet pull of relationships and familiarity. We're here to give Canadians confidence that their government works for them, not for a well-connected few. You just can't do that in the dark. You can't ask Canadians to trust the system while refusing to show them how it operates, and you can't claim to be upholding ethical standards by actively preventing this committee from examining the facts.

This is not about partisanship, as my colleagues have said over and over again. It's about whether we believe Canadians deserve to see who has the ear of their Prime Minister.

They're going to look at the transcripts, information and videos from today, and they're going to make their own judgments. Blocking that information is not a neutral act. It's a choice to shield power from scrutiny and a choice to put political convenience ahead of public accountability. Frankly, I think we should all treat that as unconscionable. If the government has confidence in its conduct, prove it. Let the record speak. Let Canadians see for themselves.

For everyone watching at home, I want to be clear about what's going to happen tonight. We're going to sit in this committee until we go upstairs to vote in just a few minutes. What that vote is going to do is add another Liberal to this committee. We are then going to come back down here so the Liberals can stop filibustering and just defeat this motion outright with the majority they've given themselves in this room.

Today is a bit of a milestone for me and my colleagues. Tomorrow is the one-year anniversary of my being elected to represent the wonderful people of Nanaimo—Ladysmith. While I haven't always agreed with my Liberal colleagues, today is the very first day they have truly and deeply disappointed me. In choosing to stack this committee—of all committees—and to make this motion the first one they block with their new Liberal government's new majority, they really do look like “just another Liberal”. The more they engage in keeping information from the opposition's scrutiny, the more it looks, genuinely, as if the real goal is not to protect any legitimate interest but to protect access that cannot be defended in the light.

With that, Mr. Chair, I am going to stop. Thank you.

The Chair: Thank you, Ms. Kronis.

I will just remind you, before we go to Mr. Hogan, that we are expecting bells at eight o'clock, which is roughly six minutes from now. When the bells start, I will need unanimous consent from committee members to continue.

I don't know why I'm laughing. I know why I'm laughing, and it's not funny.

Go ahead, Mr. Hogan.

Corey Hogan (Calgary Confederation, Lib.): Thank you, Mr. Chair. It is a great pleasure to be here.

You may be wondering why I am here visiting your fine committee. I am normally on RNNR and BCAN, but for an order like this, in a conversation like this, I believe I have some insight that might be useful to this committee. I'm very happy to speak in favour of removing the overly broad production order component of this motion, although I do not personally believe such an amendment goes far enough.

Let me talk a bit about the insight that I bring to committee.

Ms. Kronis is right that we all come with a past. One of the pasts that I bring—my history—is that I was a senior official in the Government of Alberta. I was a DM-level official in that government. I sat as a member of the deputy ministers' council. I was on the receiving end of things like this—of production orders and of the various actions of committees. I oversaw Communications and Public Engagement for the Government of Alberta, a cross-government department that was responsible for, as the name suggests, those activities.

I was appointed by order in council. I attended meetings of cabinet, and I was a member of the executive council's executive team. Alberta's executive council is the provincial equivalent of the PCO, so I believe I have some insight into this. I fully appreciate that it is not entirely transferable to the level of government that we're at here.

I also want to let the committee know that I did this under two very different premiers. I did this under Premier Notley from 2016 to 2019, and I did this under Premier Kenney from 2019 to 2020. I served both of them, and they both trusted me to do that role.

I hope you'll accept this as a non-partisan observation, having done it for two very different premiers with very different world views, and what I'm about to say was true in both administrations. It's frankly not a political observation; it's an observation I make on behalf of people who cannot make the observation themselves because of reasons of decorum and deference.

Communications and Public Engagement, CPE, was the Government of Alberta's cross-government department responsible for a variety of activities. However, because it was communications, there were very few files in government that my team did not touch, and there were very few production orders and access to information requests that did not involve my department.

As deputy head, it was my responsibility to oversee these activities, to sign off on these activities and to ensure that everything that was provided was accurate. That perch also gave me a very good view as to what that looks like once a committee like this sends an order like this and the consequences of that. I was also responsible for interacting with Alberta's ethics and privacy commissioners on these matters, so I would regularly engage on the pith of this.

As I said, let me speak on behalf of senior officials, most of whom will not be given the opportunity to speak on their own or are fettered in what they're able to say.

To a committee like this, this is a motion. Maybe it's about social media clips; maybe it's not. I'm not looking into your hearts on this one today. Mr. Hardy talks about 20 hours and the cost of 20 hours. Well, colleagues, when such a motion flies, 20 hours is nothing. Think of the hours it will burn in our professional public service. The amount of activity it is to gather, organize and translate into English across government is absolutely extraordinary. Such extraordinary efforts cannot be for nothing. Certainly, there are times when extraordinary efforts need to be taken by government, but they certainly cannot be done for no reason.

The power of this committee is to compel documents, to give a production order. That's what we're talking about, and that's what we're talking about removing. Mr. Hardy talks about his constituents, saying that they want him to hold government to account. Well, I'm sure they're not asking him to abuse the tools of Parliament. I'm sure they're assuming he will use these tools judiciously, not indiscriminately.

Let's be clear. These are very powerful tools. These are very important tools. This is why we cannot weaponize them. We cannot use them to try to jam people. We cannot use them for fishing expeditions. We cannot use them to create clips. I truly wonder if we would even have this motion if there were no cameras. I truly wonder that.

Ms. Kronis is right. Just because you can do something, that does not mean you should. Production orders should not be weaponized. Every time they are, they are weakened. They encourage the public to want to fetter the tool. They encourage people to disregard the tool. You are breaking the “in case of emergency break glass” glass, and for what? It's for something you've already been told you will get, just not on the timeline and not in the breadth that allows the fishing that you seek. There is a consequence to these actions, and it's a consequence, again, that cannot often be spoken of by the officials who deal with it.

I ask my colleagues this: What is your intent? Does your intent align with the actions you would ask us to do or this committee to do? I am, of course, a guest at this committee.

Senior officials are some of the busiest people in government. I think of my own calendar in those times, and it certainly rivalled my calendar as an MP. I know that as members of Parliament, we all have very busy calendars, but I would increment my time in 15-minute blocks. I would go from meeting to meeting. I had three assistants who assisted to make sure that I was on time with the right documents doing these activities. That is because that time was considered to be some of the most valuable time in the Alberta government.

You now fetter that time. That is the right of this committee to do, but you have to ask what the benefit of that is, because it is not just their time; it is Canadians' time. Government is not a remote force. Government is all of us employing people like the professional public service to do things on our behalf. You are taking the time of the public, as you have the right to do as a committee—again, I'm not a member—and you are asking them to apply themselves differently. That is fair, but you must use this power discriminately. If you do not, there are consequences.

Let's dig into marginal benefit and marginal cost. I have an M.B.A., so I like to think of these things. On the benefit, I don't personally see benefit, but let's be charitable. Let's talk about the purpose of the conflict of interest legislation. Let's talk about the stated purpose of this production order, as we've heard. Hopefully, it goes well beyond what was on the menu on the Prime Minister's plane.

What is the purpose of these tools? First and foremost, it is to protect the public interest. I feel this risks the public interest in multiple ways. I'll get into them in a minute here.

Second, it's to ensure the integrity of decision-making. We've already heard from multiple people that this very act risks exposing matters to the Prime Minister, when the Prime Minister should not know them. That would actually damage the integrity of decision-making.

The third reason, which we've also heard a bit about but I want to underline, is that these tools are not punitive. They're designed to allow people to manage messy realities. They allow government to attract people with diverse backgrounds to engage in diverse, thoughtful ways.

The Chair: Mr. Hogan, before we go upstairs to neuter the ability of Canadians and committees, I'm going to need unanimous consent to continue.

Do I have unanimous consent to continue?

Some hon. members: No.

The Chair: We don't have unanimous consent. The bells are ringing. We will return after the bells to continue our work as the ethics committee.

The meeting is suspended.

● (2000)

(Pause)

● (2110)

The Chair: We're back, everyone.

The meeting was suspended for the votes. When we last left our superheroes, it was Mr. Hogan who had the floor.

Go ahead, Mr. Hogan.

Corey Hogan: Thank you, Chair.

When we ended, we were talking about the purpose of the tools provided to us by parliamentary tradition and ethics legislation. Of course, the ultimate purpose of them is to protect the public interest, ensure the integrity of decision-making and allow government to attract people with diverse backgrounds. We talked a bit about the components within each of those. I won't go back to that point.

We need to talk about the costs—the cost of production orders and the cost of regular reporting.

I encourage colleagues to do a thought exercise. I think we can all agree that daily reporting would not make sense. Of course it wouldn't. That's because of the pressures it would put on the system. Those are inherently obvious when you simply think about the costs involved. Because people don't see the activity behind the scenes, they may not always appreciate what it means to the public service to have to do these things.

Let's start by agreeing that not all production orders—all the time, in perpetuity—are in the public interest. We can have a more constructive approach than that. We can have a more thoughtful approach than that. I've heard many speakers talk as though all production orders are unalloyed goods. It's very easy to speak in those absolute terms, as though any kind of frequency is good frequency: "Let's just do them perpetually. Let's just have this hamster wheel of production orders."

The challenge is that overly broad production orders from parliamentary committees create real tensions that work against the public interest. Committees need meaningful powers to obtain evidence in order to hold governments to account, but when those powers are exercised too broadly—without clear scope, relevance limits, privacy safeguards or proportionality—you damage other public goods that Parliament is also meant to protect.

I really want to underline that. This is the core public interest challenge we all have to deal with in a thoughtful fashion. It's not inherently one thing or the other. We need to exercise judgment as to when to use these powers in the right way.

There are many public interest challenges that production orders can bring, which I want to put on the table—not all of which will apply here. However, it's important context as we assess Mr. Barrett's arguments about the intrinsic value of acts like this.

One challenge is the privacy right of individuals. I won't belabour that, because it's not much at play here. Even if names are later redacted, disclosure risks embarrassment, reputational harm and deterrence from interacting candidly with government. When you talk about providing a report that has people's names in it, there will be people who do not want to have their names, in an ongoing fashion, presented in that fashion.

That ties closely to the second point: Production orders can chill honest, internal advice. Government depends on candid internal discussion. In public service circles, we talk about fearless advice and faithful execution. I'm sure you've heard those words before, or variants of those words.

Officials need to be able to test weak ideas and weak assertions about whether or not something is, for example, a conflict of interest, run it through the entire process and get to a conclusion before they are required to report to a committee. If they don't have that ability, people will worry. It will be caught midway through the stream of work and cause challenges and disagreements, frankly, before a decision is made. If every kind of draft thought ended up as a speculative note that then became something the committee, on the 15th of each month, dealt with, officials would write less candidly. They would avoid discussing these things.

I want to return to this point. I want to underline it. It is important that you think about the behaviour you're incentivizing within the public service when you start saying that on the 15th of every month, you want to hear exactly every thought that has been in someone's head about this, absent any of the context that would be provided by the process playing out in full.

We can talk about some of the other challenges, which I think we would all agree on—my colleagues across the way would agree too—but we need to consider this when we think about the benefit of transparency to national security, public safety and the public interest. Records can contain all sorts of things. When we release them on an ongoing, drumbeat basis, we are not allowing some of these processes—which often take many weeks even to get into context—to play out. You have to think about that as well.

This leads to harms to commercial confidence and economic interest. Government is routinely talking to people about economic activity. In fact, I'm quite sure this is the pith of many of the concerns that have been voiced, however you feel about their legitimacy, regarding this bid. Do you really want to encourage people to not work through government processes and not talk to government about things that might be of benefit?

They talk about bids, procurement pricing, trade secrets, market-sensitive plans and investment negotiations. We all know the very act of meeting can be a signal to capital and a signal to competitors of that capital. If it gets out in the middle of a process rather than at the end when a decision is made, you are potentially damaging commercial interests. If you are damaging commercial interests and driving people away from conversations with the government, you have to ask yourself whether you're acting in the public interest.

It can also undermine cabinet confidentiality and collective decision-making. I won't dwell on that. I think we can all appreciate that there are limits on that front.

One that is very important—and it's one I know well—is that it can create paralysis through administrative burden. Large-scale ongoing production orders require thousands of hours of work to locate records, review relevance, identify privileges, redact personal data, prepare translations into English or otherwise, brief counsel, and manage secure transfer. This diverts scarce resources from public capacity. As I mentioned, one of the scarcest resources we have, and certainly the one that is the highest cost, is our most senior officials, as we're talking about in these particular moments.

When we are talking about those privacy considerations and whether it is always in the best interest to put something into the public interest, we also need to think about selective or misleading use of raw documents. Documents without context can be misunderstood. One of my challenges with the way this order is written is that it demands documents in a certain format: drafts, incomplete chains and shorthand notes. These informal exchanges can be presented as definitive evidence when they are not.

I think about an experience in my own career. I was at the Government of Alberta, and a colleague of mine, probably three levels down the managerial chain, was speculating as to what the motives were of the former premier of Alberta, Jason Kenney, for a particular action, as speculated in emails. That individual didn't know, but that became part of a paper document that was presented in a raw format. That raw format then was used to suggest that Premier Kenney was doing something untoward that he simply was not. It was speculation.

[*Translation*]

Gabriel Hardy: I have a point of order.

The Chair: Mr. Hardy, the floor is yours.

Gabriel Hardy: I imagine that my colleague from the government likes to hear the sound of his own voice, but what are we talking about? We're supposed to be talking about removing point b) from the motion, and we're talking about the Government of Alberta. We're getting back to—

The Chair: Thank you, you're right.

[*English*]

Mr. Hogan, we're on the amendment to remove part (b), so carry on with that, please.

Corey Hogan: Absolutely. I would hope, as all these things have to do with the production of documents, that it is self-evident, but if you'd like, I will say that production of raw documents, as I just noted, can cause these challenges, which is why I'm speaking to the removal of this particular thing. Is the production of documents without a request for narration useful or good? That is something I would ask this committee to think about.

Sometimes that context tells the entire story. I would always hope, when I was in my previous role, that rather than compelling a production of documents, somebody would reach out to me first, because that context is very important. I think about the Kenney government and how quite often these actions were weaponized against it in order to create a picture that was not necessarily complete or compelling.

Then, of course, as we have talked about at length, one of the challenges that a production of documents provides is that it can prejudice ongoing proceedings. These broad disclosures can interfere with the activity going on and prejudice it in such a way that we get a negative outcome for the public. Mr. Sabia and Mr. Blanchard provided very reasonable commentary on this point. I think I'll let their commentary stand.

There are then the ephemeral things, such as reduced co-operation from witnesses and stakeholders. Outside experts might be less likely to engage, knowing that their commentary might show up on the 15th without context. Municipalities, provinces and civil society groups might believe their communication will be broadly exposed later and used against them without context. They may share less information with government.

Government runs on information. It is important that government have access to it. That is why all of our access to information laws reflect this point. That is why ATIP here at the Government of Canada and FOIP at the Government of Alberta always provide the ability to protect those interests.

Federal, provincial and international relations can be strained by the release of these documents. We talk about the release of things that will maybe be read about by some of our partners in a way that's, again, without context and indiscriminately dropped out. That causes challenges. It also normalizes this unlimited power without guardrails.

This is the point that I started on. I said that by using these powers to produce indiscriminately, you are creating a challenge where all of a sudden these powers will be used perpetually and no longer for their intended purpose. If they're used without the norms of restraint, future committees of all parties may inherit and escalate those practices. Colleagues have spoken about this, but I want to underline that short-term tactical gains can create long-term institutional damage. We are all here to serve the long-term institution.

I get that this is hard. There are always two public interest intentions: transparency and accountability on one side, and effective, lawful, rights-respecting government on the other. What is important for this committee or any committee to consider as it is going through this is that it acknowledges that this is hard. It does not play this game where it pretends there is an unalloyed, universal good of always acting in one fashion or the other. Neither of those two things—transparency and accountability, and effective, lawful, rights-respecting government—can automatically defeat the other. Better practices need to protect both.

Strong committees use narrow, disciplined approaches. They define precise subject matter. They set relevant date ranges. They identify custodians or departments. They exclude clearly personal data. They use in-camera review more regularly. They appoint law clerks or independent arbiters. They permit explanations for withheld materials and for given materials. Most importantly, they require productions when it makes sense rather than demand everything at once or on a regular drumbeat. It has to be triggered by an action. It has to be triggered by a concern. Otherwise, you are wasting time that does not belong to us but rather to the good people of Canada.

The issue is not whether committees such as those in the House of Commons of Canada should have production powers. Of course they should. The issue is whether those powers are exercised with enough discipline to serve accountability without impairing wider public interest.

I appreciate that an overly broad production order can provide short-term wins. Isn't that what is happening here? However, it loses the longer-term governance fight. It weakens candour. It weakens privacy. It weakens state capacity. It weakens trust. It weakens institutions. The best committee work needs to be forceful and precise, but considers weaknesses it might otherwise be introducing.

I will mention again that I was a senior official. I want to provide what happens when a production order comes in. Everybody downs tools. Other work, including other ATIP work, stops. That is suddenly the top priority.

In Alberta, there's FOIP. It's called FOIP because of the Freedom of Information and Protection of Privacy Act. There are a number of different considerations that go in every single time one of these orders comes through. I appreciate that sometimes individual interest looks like it's in conflict with public interest, but those are conversations that happen behind the scenes with officials, as we're going through.

Not everything can be released easily or makes sense when it's released. What might some of this information be that we've had to deal with in the past? What if one person has sent an email and the other person has deleted the email? They maintained their retention policy, but all of a sudden, there's a gap in the record, so we need to see if somebody has a version of it or we need to make sure that it exists in some way, shape or form. This happens all the time in government.

I'm not sure if people fully appreciate what the best practice in government is. It is that we maintain final documents. There were a number of documents along the way in the Government of Alberta, which the Kenney government had, that were not final documents. We didn't always have records of them as we were going along, because at the end of the day, we knew we were required to have the final documents for records production. This was a real and present challenge we had in those cases.

There were also many conversations about how we could make the system work more fluidly with the deputy ministers' council. I was not previously in a situation where I could stand up and say, “Let's have sanity prevail.” I was in government—it was my job to do what the officials were doing—and I am now. That is why I was happy to come here and make sure that I could provide my insights into what it looks like from the other side.

There are many costs that are incurred. We drive people from the public service. They're not just people like the Prime Minister, but people who are in possible situations because of motions like this.

Mr. Sabia and Mr. Blanchard are consummate professionals. They have a commitment to our system—absolutely. It cannot be impeached. You should consider the incredible irony here. If you want to truly manage a conflict in the public interest, to keep it from the Prime Minister's awareness, you can't be reporting it to committee every 15 days. You put them in an impossible situation. To protect the public interest, it would actually be in the interest of a government official not to do this, but they know they must do it for the benefit of the committee. They're not going to come to the government if you put them in these impossible positions. You might be passively incentivizing future governments to break rules. You might be discouraging moral people from joining the public service.

Colleagues, it is easy to talk in absolutes. It is easy to take absolute positions. I'm asking you to take thoughtful positions. Are you responsible enough to not talk in absolutes and to acknowledge the downsides of such overly broad and overly prescriptive motions?

With that, I want to wrap by saying this. Mr. Hardy talked on Thursday about trust in institutions being lower. Why might it be lower when insinuations run amok, when leaders thoughtlessly insinuate for political gain and when institutions are weaponized into fishing expeditions? Why, in that situation, would we be surprised if people don't have trust in institutions? We ask a lot of our public servants, particularly our senior public servants, and we are throwing more and more at them all the time. The role is evolving, and we are asking them to help us at a critical time for our country. I ask you, colleagues, does this actually serve the public interest?

With that, Chair, I conclude.

The Chair: Thank you, Mr. Hogan.

Next I have Ms. Church, on the amendment.

Leslie Church: Mr. Chair, I'll pick up from where my colleague left this discussion, with his very thoughtful consideration and past experience around the notion of effective and accountable government and how we best achieve that.

We have just come out of debate on a motion in the House that amended the Standing Orders. I'd like to take some time to consider that with the committee. I'd like to move a motion to move the committee in camera.

The Chair: It's a dilatory motion. It's non-debatable to move the committee in camera.

(Motion agreed to: yeas 5; nays 4)

The Chair: The motion to move in camera carries. I'm going to suspend while we change over to in camera.

[*Proceedings continue in camera*]

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