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Chair: Mr. John Brassard





## Standing Committee on Access to Information, Privacy and Ethics

Thursday, May 30, 2024

• (1130)

[English]

**The Chair (Mr. John Brassard (Barrie—Innisfil, CPC)):** We're resuming committee business. When we left off, I had Mr. Barrett and Mr. Kurek, and I see Mr. Bains' hand is up as well, so we start with Mr. Barrett.

Go ahead, sir.

**Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.):** Mr. Chair, I have a point of order.

**The Chair:** Go ahead.

**Mr. Darren Fisher:** I'm reading page 154:

If, in the opinion of the Chair, the issue raised relates to privilege (or if an appeal should overturn a Chair's decision that it does not touch on privilege), the committee can proceed to the consideration of a report on the matter to the House. The Chair will entertain a motion which will form the text of the report.... The motion is debatable and amendable, and will have priority of consideration in the committee.

Therefore, Mr. Parm Bains gets the floor.

**The Chair:** Let me just clarify that, Mr. Fisher, on your point of order.

**Mr. Darren Fisher:** Thank you, Mr. Chair.

**The Chair:** I am going to suspend for a couple of minutes just to clarify this, and we'll go from there.

I'm suspending.

• (1130) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1132)

**The Chair:** We're back in public. I appreciate the time allowing me to....

Mr. Fisher raised a point of order. I consulted with the clerk on chapter 3, page 154 of the book and, in fact, I rule the point of order in order.

I go to Mr. Bains, and I'm going to follow that with Mr. Barrett and Mr. Kurek. Go ahead, Mr. Bains.

**Mr. Parm Bains (Steveston—Richmond East, Lib.):** Thank you, Mr. Chair.

I move a motion:

That the committee report to the House that, on May 23, during a meeting of the Standing Committee on Access to Information, Privacy and Ethics, the member for Steveston—Richmond East was the subject of false and defamatory statements made by the member for Brantford—Brant which constituted a breach of the member's privilege; and that the committee recommend that the member for

Brantford—Brant stand before the House and apologize and retract any and all defamatory statements made about the member for Steveston—Richmond East.

That will be emailed, along with the French translation.

**The Chair:** Has that come through yet, Madam Clerk?

**The Clerk of the Committee (Ms. Nancy Vohl):** Yes. I will distribute it in a second.

**The Chair:** Okay, so we're going to distribute it in a second.

The motion on the question of privilege is in order. It is subject to debate. It is amendable, so that members are aware.

I'm gathering a speaking list right now. Mr. Barrett is first, Mr. Kurek is second and Monsieur Villemure is third to speak on the motion. I'm going to wait until it's in the hands of members of the committee so that they can see it.

Is it in there now, Madam Clerk?

**The Clerk:** I sent it.

**The Chair:** Okay, so it should be in your inboxes.

I'm going to suspend for a minute until everybody has it in their hands. I want to make sure you have the motion.

We're suspended.

• (1135) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1137)

**The Chair:** We're back in session. I appreciate everyone's patience. We wanted to make sure the motion was put in the hands of committee members. It's now been distributed in both official languages.

Mr. Bains moved a motion related to a question of privilege. I go to Mr. Bains to start. Go ahead, Mr. Bains.

**Mr. Parm Bains:** Thank you, Mr. Chair.

Now that the motion has been received, I have some brief comments.

Ultimately, what took place was Mr. Brock, the member for Brantford—Brant, making some claims against me. These were untrue. It is clear that Mr. Chiu has been to this committee on a number of occasions and had many opportunities in the media to make these claims against me prior. It appears he's obviously changed his tune, for whatever reason. That's why I found it necessary to clarify these facts and bring them forward to this committee.

Now, if we look at why, I was simply trying to move a motion forward on another issue, one about closing loopholes, the ethical use of our budget and members using House of Commons funds to do the job we do. I was closing loopholes and looking at abuses. I was bringing forward something that had been in the news, which we found: Conservative members using House of Commons funds for a convention that was partisan and abusing their—

● (1140)

**Mr. Larry Brock (Brantford—Brant, CPC):** I have a point of order.

**The Chair:** Hang on.

Mr. Bains, we're dealing with relevance to the issue here.

**Mr. Parm Bains:** Right.

**The Chair:** We're talking about a question of privilege related to the motion. What you're speaking about has no relevance to the issue at hand. Please stick to the issue at hand.

**Mr. Parm Bains:** Okay. I was just bringing forward why I found that I was attacked. I wanted to shed light on why we are where we are.

With respect to this motion and why my privilege was denied me, I was not allowed to do my job, and it was simply because of the issue I raised. Now where we are is Mr. Brock is making references to statements that I did not make.

At this time, I believe the issue of Mr. Brock's claims against me needs to be brought forward to the House. Justice Hogue's findings clearly indicated there was no bad faith. The member opposite engaged in misleading dialogue. It was intended to intimidate me, damage my reputation and impede me in my role as a member of Parliament doing my job.

For that reason, I believe this motion should move forward and go to the House. As stated in the motion, Mr. Brock should be made to apologize.

Thank you.

**The Chair:** Thank you, Mr. Bains.

On the motion, I have Mr. Barrett, followed by Mr. Kurek.

Go ahead, Mr. Barrett.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** What we often see from this NDP-Liberal government is that they try to take every opportunity to avoid accountability and reasonable and fair criticism of their failures.

On Mr. Bains' motion, in his preamble or his justification, I didn't hear the falsehood that he said was made against him, nor evidence that anything that was said or repeated by my colleague was incorrect. This is the pattern.

The irony, of course, is that Mr. Bains and the NDP-Liberal government are saying that it's intimidation. If they hope to move a motion and someone else moves a motion that speaks to a different issue that's critical of them, that's intimidation.

They've put forward a motion, without any evidence, to attempt to censure an opposition MP, but that's not intimidation.

We heard, in the most bizarre terms at the last meeting, a Liberal member say that simply referencing the behaviour of another MP is inciting hate. That same MP, in the seven days before, tweeted out the name of every Conservative member of this committee, looking to engage social media users to reach out to those MPs.

Members of Parliament must be accountable to Canadians. To have the NDP-Liberal government try to take a situation like this....

Let's just be very black and white. Mr. Brock was recognized by the chair of the committee; he had the floor and he appropriately moved a motion. The allegation by Mr. Bains is that it's intimidation. It's an attempt to try to silence him from doing his job.

This is obviously an attempt by Mr. Bains.... It's a vexatious motion to try to silence someone who's rightly critical of the government.

A great example of the situation we're facing in this country this week and the lack of seriousness by parties in the House with respect to foreign interference is that we had the government put forward a bill to finally take some steps to address foreign interference in our democratic institutions in our last election, like has been alleged in Steveston—Richmond East, which is Mr. Bains' riding. The official opposition put forward a motion in the House to fast-track the bill, so that it could be passed because we've heard from security officials that it's going to take them up to a year and a half to fully implement the provisions of this bill. The NDP withheld consent. They blocked the expeditious passage of legislation to address foreign interference in our democracy.

There are a lot of big questions about the motivations of members of parties with respect to serious issues. It seems like an attempt to control the narrative on what's okay to talk about on foreign interference and what's not okay to talk about on foreign interference.

How can we, as parliamentarians, talk about foreign interference in our elections if we can't talk about allegations of interference in our election in specific ridings?

● (1145)

How can we do that? How can we hear testimony from witnesses on foreign interference when they allege there were attempts to interfere in their election by foreign state actors? That person comes and testifies. Then a member repeats those allegations. The individual who's a beneficiary of those alleged actions then says, "Well, you're attempting to intimidate me by talking about the evidence we heard on a study the committee asked to have."

I would note that this is now the second meeting where the published notice of meeting has in camera consideration of a draft report listed, and the committee is not dealing with that. Interestingly, that study is also critical of government departments. We see this time and again. There are attempts to block scrutiny of the government put on them by the official opposition. It's in the name. Our job is to be the check against the balance of power. After nine years of the NDP-Liberal government, we see how we have a government that is the least transparent in history.

They use every tool to try to silence their critics. Every time there's criticism of the government, there's an attempt to deflect it. The government spends \$1.3 million on so-called affordability retreats. "Oh, well, we don't want to talk about that. Let's talk about people who talked about evidence at committee instead."

This coalition government, which is presiding over a cost of living crisis, is refusing to expeditiously pass legislation to combat foreign interference. It fights tooth and nail to block scrutiny of ministers like Minister Boissonnault and his business associates Mr. Anderson and Ms. Poon, who are supposed to be here Tuesday. Well, we haven't gotten through the business of this committee at the last two meetings. I have a suspicion there's an attempt to block the work of members who are scrutinizing Minister Boissonnault's actions. That's the tactic we're seeing from the NDP-Liberal government.

It's interesting that the request is for an apology. I don't need to ask Mr. Brock if that ask was made to him discreetly and in good faith by members opposite before they jumped up on the soapbox, because I know they didn't. It isn't an attempt to solicit an apology. It's an attempt to silence criticism of a corrupt government and of a Prime Minister twice found guilty of breaking ethics laws. Criticism of the government is being deflected by tactics like the ones we saw at the last meeting, which descended into, I believe, intentional chaos through members of the NDP-Liberal government.

We know it is a fact that there was a misinformation campaign targeting the riding of Steveston—Richmond East. Well, who was the intended beneficiary of that?

• (1150)

These questions are huge. We have a commission looking into these questions, not because the member for Brantford—Brant was looking to silence the member for Steveston—Richmond East. It's because this is a matter of national concern that has also alarmed our international allies. The global community is watching.

We used to be asked to go and monitor elections in other countries. What's happening in this country compromises our ability to be a beacon of democracy elsewhere if we don't take it seriously, but we see intimidation attempts by the government to try to silence critics and to try to silence parliamentary opposition.

Are we able to talk about the Chinese Canadians and Uyghurs who are terrorized by the CCP? Are we allowed to share their experience, or is that an attempt to silence a government that has been alleged to be the beneficiary of foreign interference by the Communist dictatorship in Beijing?

Some of their members might have been elected because of it; therefore, their members could be intimidated by that discussion, so we can't talk about it. It's preposterous. It's preposterous.

We've seen a warm hand, well beyond a wink and a nudge, for the dictatorship in Beijing by Justin Trudeau. Justin Trudeau even said he admired their basic dictatorship. Those are his words, not mine.

I appreciate that by quoting someone else's words in context I might hear that I've jeopardized the Prime Minister's parliamentary privilege by being critical. That's my job, and that's our job. Talking about what happens here is our job.

It's not as if we haven't seen examples from the government before in which they've tried to do exactly what they're doing right now. Justin Trudeau is guilty of contravening sections 5, 11, 12 and 21 of the Conflict of Interest Act, and when we attempt to address these issues at this committee, we have seen extraordinary filibusters, extraordinary, weeks on end.

The Prime Minister was further found guilty of contravening section 9 of the Conflict of Interest Act for politically interfering in the criminal prosecution of SNC-Lavalin. That's a company that was charged with fraud and corruption for bribing Libyan officials of the Gadhafi regime. There were \$48 million in bribes, defrauding Libyan organizations out of \$130 million.

When we've attempted to scrutinize why there weren't criminal sanctions when we've seen the evidence that the RCMP had a decision tree, for example, in the case of Trudeau Report 1, and it showed that for the Prime Minister to have been able to take a trip to billionaire island—the first time he had a series of findings of guilt against him for breaking the Conflict of Interest Act—the only question in the RCMP decision tree on whether or not there was a reasonable prospect of convicting him for fraud on government for accepting a gift worth hundreds of thousands of dollars from an individual who was the beneficiary of millions of dollars in grants from the government.... The only outstanding question was whether or not the Prime Minister had received permission in writing from the head of the branch of government for which he worked.

• (1155)

The Prime Minister admitted in the House that he had not, in fact, satisfied that criterion. By the RCMP's own analysis, there was a reasonable prospect of conviction against Justin Trudeau for the relevant Criminal Code offences. We had the RCMP commissioner at the table and we had the cover-up coalition move to adjourn the meeting.

Is that not a breach of the privileges of members of the official opposition, who are trying to do their job?

The commissioner of the RCMP was sitting at the table, and they adjourned the meeting. Proper notice was given for the meeting. The meeting was set in accordance with and complying with all of the Standing Orders and usual practices of the House of Commons.

Does that not rise to the same level as being in a meeting, discussing evidence that was given about matters that are before the committee?

I've heard great umbrage being taken by members of the NDP-Liberal government when we talk about them covering up corruption by their government. "You can't say that," they claim. If you do say it, my goodness, they're going to try to make sure that people don't hear about it. Shut down the meetings.

I think it was two weeks ago that we had the law clerk and an officer of Parliament sitting in the room, ready to give testimony, but it wasn't going to be flattering to the government. What happened? The meeting was adjourned.

This is a pattern we see, just like in this motion from Mr. Bains. Anything that resembles criticism of the government or that doesn't match their narrative is not acceptable.

The official opposition isn't going to be deterred by the efforts of this coalition. We have to hold it to account. We must expose this government when it fails Canadians. I put it that way, "when it fails Canadians," as it has in so many instances.

We've addressed at this committee.... This is another example of tactics like the one we're seeing in this motion being used to block criticism of the government and its members, including members of the executive, with their \$60-million arrive scam.

The transparency that we look to apply is met with fierce opposition from the government. We were told in 2022, "There's nothing to see here. It all worked fine, but we can't tell you who did the work, and we won't tell you how much it cost."

Every Liberal member of Parliament and every member of cabinet voted against having the Auditor General investigate.

Wait a second. Is that the same standard Mr. Bains is looking to set with this motion?

Is disagreeing with the government a violation of the privilege of the members of Parliament who voted for the Auditor General to look into what has been demonstrated to be a massive scandal for the Trudeau government?

• (1200)

We see grifters who are skimming 30% on contracts worth tens of millions of dollars but adding no value to that work. Had the government had its way and not allowed us to do our work and not allowed us to engage the parliamentary tools that are available to us, like the Office of the Auditor General, like the Office of the Procurement Ombud, then we wouldn't have the information that we have about how broken the systems have become after nine years of Justin Trudeau and his NDP-Liberal government.

We're asking questions and putting forward motions like Mr. Brock put forward appropriately at the meeting, a motion that was in order. I don't have a copy of the blues in front of me to read

back, as evidence, Mr. Brock's statements from that meeting, but I'll be interested to hear from the mover of the motion, Mr. Bains. Where's the lie? That's what I want to hear. I'm interested to hear, and I would have expected that in his litigation of this question, in his explanation of the necessity of this when we're not dealing with the business of the committee, we might hear what it was that Mr. Brock said that wasn't true.

My further question, should Mr. Bains choose to entertain the question, would be this. What efforts did he take? If he's looking for an apology, instead of spending hours of committee time to solicit an apology, did he ask for one? Was he denied and then looked to escalate it?

However, this isn't about that. This is about looking to create a distraction from his government, which is in crisis. We continue to see examples of that. The billion-dollar green slush fund is another prime example of when, after the government is challenged for its mismanagement of the file, we hear from the minister, who says that as soon as they found out, they took reasonable steps, and they're going to restore governance, and it's all been very reasonable.

The hand-picked Liberal chair and another member are both being investigated by the Ethics Commissioner, because I had to refer the matter to that commissioner's office. Their chair resigned in disgrace. You would think that if the minister had it in hand, he would have taken some steps and fired the chair.

However, every time we raise issues like their billion-dollar green slush fund.... One of the individuals, who voted in the self-dealing way to enrich companies that they had an interest in, to the tune of tens of millions of dollars, they appointed to the Infrastructure Bank.

When I asked the infrastructure minister the other day, he said he didn't know about that individual. When I pressed him about whether that individual should be serving on the infrastructure board—the government that claimed it would be the most transparent in history—his deputy leans over to him and says that the individual resigned in April, weeks ago.

I encourage you to take a scan of the Infrastructure Bank's website for that announcement—it's not there. At every turn that there's accountability demanded of this NDP-Liberal government, they take extraordinary steps to make sure they're not held to account.

You'll hear, when we talk about their legacy after nine years, the response is that if we think they're bad, we should have seen the last guys. They still want to talk about a previous government as if the legacy that they've presided over isn't.... They don't own it—they're victims.

• (1205)

We've heard a lot lately that things are pretty bad and that when they find out who's in charge they're really going to give it to them. The call is coming from inside the House, and the opposition—the official opposition at least—put forward motions and proposed measures that are in line with our role to hold them accountable, to hold the NDP-Liberal government accountable, but this motion from Mr. Bains calls for... It pronounces on falsehoods without saying what they are. I'll reference the text of the motion exactly: “false and defamatory statements”.

It just wants members, on the word of the member for Steveston—Richmond East, on the word of Mr. Bains, to just assume that everything that the Conservative member said was false and misleading and he should apologize for all of it. There's no list. He doesn't itemize what he claims to be false, and he doesn't detail evidence to the contrary. I think that's quite telling.

I think it's quite telling. We further saw at this committee when the trade minister, Minister Ng, had been found guilty of breaking ethics laws, like Justin Trudeau was found guilty of breaking ethics laws, like then minister Bill Morneau was found guilty of breaking ethics laws, like Minister Dominic LeBlanc was found guilty of breaking ethics laws, like Liberal Greg Fergus.... There's a pattern there with Liberals and their inability to follow the ethics guidelines of this place.

We saw opposition from the government, instead of having transparency just addressing the issue head-on. It's been pronounced on by an independent officer of Parliament. They don't want that kind of transparency. They don't want to talk about their trade minister Ng, who gave sweetheart deals worth tens of thousands of dollars to her bestie, but every time we say their names, they say, “Oh my goodness, you can't say our names as if we're responsible for the actions of people outside of this place.”

Let me be crystal clear that when people engage with elected officials, like when you engage with your neighbour—because that's what parliamentarians are, members of a community; we are someone's family; we're somebody's neighbours—I sincerely hope that people don't walk out their front door and scream profanities at their neighbours, and I would expect the same when they're expressing themselves to elected officials.

I won't say that people shouldn't express themselves, because of course our right as Canadians is to do that, but we are part of a society and we need to make sure that we do it in such a way that... Are we looking for dialogue, or are we simply looking to intimidate someone? I would say that screaming expletives at someone could serve as intimidation, and that's not acceptable, and that's why we have rules in this place. It's so we don't do that.

• (1210)

Putting forward motions that are germane to the issues that our committee is dealing with is not intimidation, though. When we're dealing with questions of foreign interference at the Standing Committee on Access to Information, Privacy and Ethics; when there is national media; when judges are speaking about allegations of election interference in specific ridings; and when the government decides to put a member who is from one of those ridings on a com-

mittee that's dealing with that study, should we just not talk about it? “Jeez Louise, we can't talk about Steveston—Richmond East, because the member for Steveston—Richmond East is on the committee. We'll talk about foreign interference that may or may not have affected Steveston—Richmond East after the next election. We'll just hope”—because the NDP doesn't want to see expeditious passage of foreign interference legislation that would help us combat that by foreign state actors, like the dictatorship in Beijing—“that it doesn't reoccur.”

That's absurd. We have an obligation as members to create a space where we can actually do our job without finding ourselves in an area that could be a conflict. If there's that perception of a conflict, or if the individual feels like they might be conflicted and it hits a little too close to home, well, maybe they should come and give witness testimony and not be questioning the witnesses.

When we have an individual come before a committee to allege that the riding they held as an elected member and then lost in an election...and then the individual they lost to is examining their evidence in the meeting, I would just expect that all individuals involved from all parties who ran, including the individual who won in any of those ridings that are in question, would appear as witnesses and wouldn't cross-examine the other individuals who are alleging, in some cases, that members were elected in part because of foreign interference tactics by state actors.

We find ourselves in a situation that I feel could have been avoided. All members, when we have a full complement of the 338 who are elected, or the 343 after the next election, are associate members of all the standing committees of the House. Then we have regular members. I know that people will say “permanent” member. No one is a permanent member. Members can attend any committee meeting, even members who are not from parties who have recognized standing on the committee. Independent members can attend. They just can't vote.

If two associate members, two non-regular members of this standing committee, from the official opposition attend, they are able to sit at the table. They are able to make interventions. They are able to question witnesses. They are able to raise points of order. They are not able to vote unless a substitution has been made to the clerk. If a regular member of the committee is in the room, they can't be substituted in to vote for that member, even if a substitution request has been made to the clerk.

I have not been here for a long time. I've been elected for a little over five years. I was elected in December 2018, but I know the rules. Even the other day I had a Liberal parliamentary secretary challenge that I was able to question one of their ministers. They interrupted my questioning of a minister: “Is he even allowed to be here? Is he allowed to ask questions? I'm counting enough Conservatives at the table. All the regular members are there.”

• (1215)

He can't really be allowed to ask a minister, a cabinet minister, questions. Imagine that Leeds—Grenville sent their man to Ottawa, and he was able to ask a Liberal cabinet minister questions and hold him accountable. Of course I can, and of course we're going to do that.

I heard it from a different parliamentary secretary in the House during debate, who challenged to the Speaker my ability to ask a question that wasn't on the prepared notes that he got from his minister in an adjournment proceeding. It's absurd.

It's absurd that the NDP-Liberal government thinks that the official opposition is going to sit quietly while they run roughshod over our democracy and over Canadians. We were sent here to represent Canadians, to represent our constituents but also to represent the interests of people from across our great country.

After nine years of the NDP-Liberal government, a lot of Canadians are frustrated and upset, and a lot of them are lined up at food banks, in record numbers. A lot of them are worried about being able to pay their mortgage or their rent. A lot of them are struggling to access the health care they need. A lot of them are seeing drugs, and disorder on the streets that they couldn't have imagined nine years ago. We're going to come here every single day, and we are going to hold this NDP-Liberal government to account. We are going to challenge them. If they cobble enough votes together with other parties, well, such is democracy.

People will ask: Well, you raised that issue, and you demonstrated at committee or you demonstrated in the House that the government failed or that they broke the rules or, in some cases, broke the law. Well, what's the consequence?

Well, in a democracy the consequences come from voters at the ballot box. Our job is the exposition of corruption and failure after nine years of Justin Trudeau and his NDP-Liberal government. That's what we're going to do. We're going to expose it.

Then in the next election, which is probably going to come a little later than most would hope because the leader of the NDP, Mr. Singh, is really holding out for that pension, Canadians are going to cast their ballots, and they're going to decide. In the meantime, we're going to move motions. We're going to move motions that are germane to the work of the standing committees that we sit on. Sometimes we're going to move motions at standing committees that we're associate members of, even if the parliamentary secretaries don't like it, even if the Prime Minister's Office doesn't like it, because it's our job.

Just like that's our job, we have a motion in front of us from Mr. Bains that makes allegations. I would encourage him to hold up a mirror when he talks about tactics that are attempting to silence people because it looks to me that in fact what he is doing is exactly what he is alleging Mr. Brock has done. It's a vexatious attempt to silence critics of a corrupt government, and Conservatives will not abide it.

Thank you, Chair.

• (1220)

[*Translation*]

**Mr. René Villemure (Trois-Rivières, BQ):** Thank you, Mr. Barrett.

Mr. Kurek, you have the floor.

[*English*]

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** Thank you very much, Mr. Chair.

We find ourselves in an interesting position here today. As Mr. Barrett has expanded on in the last number of minutes, we are first....

I believe that this bears highlighting. At a meeting a number of weeks ago, the NDP actually requested that some documents be provided. Those documents had a timeline on them. There is a requirement for the committee to deal with those documents. That timeline has passed, and this committee has not yet had an opportunity to deal with that, although both the meeting today and the meeting this past Tuesday did have committee business, as was listed publicly, in camera.

I am very curious about why we are in the situation we're in when we hear often from Liberals and New Democrats that somehow it is Conservatives who are to blame for everything that is held up in committees and in Parliament. We hear this at length, especially in the House.

What I would highlight before I get into the substance of my remarks is that, because of Liberal actions backed up by the NDP, this committee has not had a chance to deal with some of the important business that sits before it, whether that be some information that was related to a request that was made at the end of a committee meeting.... It was about three weeks ago now, if my memory serves me correctly. The deadline was at two weeks. Obviously, that has passed. Because the committee has not had a chance to substantively sit in camera and deal with the business at hand, we still don't have a resolution to that.

Then we have what is talked about in the public declaration, that there was a consideration of a draft report on the federal government's use of technological tools capable of extracting personal data from mobile devices and computers.

Part of the important work the committee does has to do with these reports. We do studies. We move motions that do studies. We call witnesses. Then the committee has a chance, or should have a chance, to go through those reports and edit them. The fine work that our analysts and staff do to help compile these reports.... The committee goes through it, and then that's what.... Often there's disagreement, discussion and very frank conversations, and I actually often share with constituents about how there is....

People often think that the only thing that happens in Parliament is question period. However, there are often frank discussions that take place, and sometimes those are in camera. The report that the committee has put together is what was planned to be dealt with today, as was mentioned in the notice of meeting. However, here we are, debating a motion that I'll get into here in a second.



It's troubling that while the Liberals are quick to complain about anything that doesn't go their way, they forget about who, ultimately, we are here to serve.

What I'll attempt to do—and share with the committee and those who are watching—is highlight how the actions and the place that we have come to today truly are an attempt by the Liberals, with the support of the NDP, to silence critics. That's what it comes down to: an attempt by the government, ultimately, to silence anyone who would dare to ask them tough questions.

I would further suggest that they are attempting to weaponize tools and protections that are meant to ensure that all MPs, not just members of the opposition.... I'll get into more detail on the specifics of what that looks like in our Westminster democratic system if I have the opportunity. However, there are specific tools that are granted to members of Parliament that protect us so that we can ask tough questions.

• (1225)

I would note, specifically when it comes to the topic at hand, which is foreign election interference, there is this thing called “privilege”, and those watching may not be aware of the nuances and the history of what parliamentary privilege is.

There is a long history dating back centuries to what we refer to as the mother of parliaments, at the Palace of Westminster in the United Kingdom, which ensures that parliamentarians—those who are elected to the House of Commons—have protection.

I'm going to read some quotes into the record that specifically speak to why that is significant, but ultimately the Coles Notes version of what is an extensive conversation about why we got to this point is that there had to be an understanding that parliamentarians had to be able to have those tough conversations. At the time, when some of these were called into question, lives were literally on the line. When you look back at some of the big battles that took place in parliamentary history, there were lives on the line about whether or not the king could take the life of a parliamentarian because of a parliamentarian's opposition to something a king was doing. These are questions that had life-or-death consequences.

They were hard-fought to the point that today it allows MPs, both opposition and government, to ask tough questions without fear of reprisal.

What privilege clearly does not do, was not designed to do, should not do and, I would suggest, cannot do is silence critics from being able to ask tough questions. All of us around this table and all 338 members of Parliament who have the honour of occupying and of being temporary tenants in seats in the House of Commons...because we don't own those seats. No, they're owned by the people. We need to take seriously that need to represent them, yet what we have before us is an attempt specifically to silence Mr. Brock, who is very effective.

There is no question. I don't think anybody from any party would suggest that Mr. Brock is anything but effective when it comes to prosecuting important issues, whether that be in his previous career as a Crown prosecutor or whether that be here in Parliament. He does ask tough questions. For anyone who has ever heard or lis-

tened to him, he asks tough questions, and, quite frankly, I'm glad he does, because that is why privilege exists.

In fact, page 57 of the third edition of *House of Commons Procedure and Practice* describes parliamentary privilege as the following, and this emphasizes the point that I have just attempted to make:

...the rights and immunities that are deemed necessary for the House of Commons, as an institution, and its Members, as representatives of the electorate, to fulfill their functions.

That's key. What we have here is an attempt by a member of the government that was undoubtedly a subject that had come up in the course of discussion. In fact, it was my friend from the Bloc Québécois who, at one point, brought forward a concern to this committee asking whether or not it was an actual conflict—it certainly appeared to be a conflict of interest—that the member for Steveston—Richmond East was sitting at the table. It wasn't Conservatives who brought that forward. I didn't hear the Liberals demand an apology from the Bloc Québécois for suggesting there might be an appearance of a conflict of interest.

I have no doubt that if that member wanted to be a witness at committee to talk about some of those things, I'm quite confident there would have been allowance for him to be able to do that. However, is that what the focus is? No. The focus of this motion is to try to silence the member for Brantford—Brant for being effective at asking tough questions.

Did those questions offend somebody? Maybe. Did those questions call into question a member's conduct? Maybe. What I think we need to remember is that we have to be allowed to ask those tough questions.

• (1230)

One thing that I believe bears mentioning is that, over the course of the close to four and a half years that I've had the honour of serving as a member of Parliament for the constituency of Battle River—Crowfoot—a beautiful area of east-central Alberta—I've been able to ask some of those tough questions and to do my best to represent the people who sent me here, understanding full well that it doesn't make everybody happy. I've faced some criticisms at different points in time, as I suggest we all have if we're honest about the role we play.

As a member of the opposition, one of the fundamental roles of that.... In fact, it was Conservative leader Pierre Poilievre, when asked by President Biden about what it was to be the leader of His Majesty's loyal opposition.... It was an interesting conversation. It was picked up on camera. Mr. Poilievre made mention of the fact that, in Canada, the act of opposition is an act of loyalty. I think that's very profound: Just because we disagree, or we have disagreements, different policy ideas or whatever the case is—you can really fill in the blank—that doesn't mean we aren't passionate about the future of our country.

What has been a troubling trend that we've seen under the Liberals is that, with the support of the NDP, it seems at any cost—which is a troubling metric in and of itself, especially because that's not what Canadians voted for—the Liberals do not want an opposition. They make that clear on a regular basis. Instead, they seem to want only an audience. What's so disconcerting about that is that the very fundamental basis of the institution of which we are all a part, the House of Commons, was built upon that idea that you could have opposition, whether that was eight-plus centuries ago when it was the people wanting to hold the Crown to account and, instead of fighting a battle—which would have seen death and destruction—coming to a point at which they could have arguments; or whether that was one of the many instances throughout the history of our Parliament when we have been able to have disagreements.

Then there are, Chair, times when we do come together. My colleague Mr. Barrett talked about how, when it comes to Bill C-70, which was introduced to substantively address aspects of foreign election interference—it's fitting and very relevant to the topic at hand here—Conservatives were quick to make the suggestion that there was the ability for us to come together and figure out a way to ensure that it is passed so that, prior to the next election, our intelligence apparatus in this country will be prepared to ensure that the integrity of our electoral framework is, in fact, protected.

I know, and I'm sure those watching will often see those highlighted examples when MPs oppose each other, and that's fair. Certainly, my constituents have made it very clear to me that I am to oppose the Liberal agenda—oppose it and do so loudly. In fact, I hear that on a regular basis. However, there are those instances when we do work together. It's not to suggest that it doesn't happen, but what is so important is for that freedom to take place, which leads me into some of the conversation around the idea of privilege.

We have before us a motion that suggests there was a violation of a member's privilege. I'll get into some of the substance of the motion here in a moment, but I just note for Mr. Bains—and maybe he would like to address the reason—that there's actually a factual error in the motion, I believe. It's suggesting that the conversation took place on a day when, I don't believe, there was actually a meeting, May 23. I believe that the committee was previously occupied during that day. I may stand to be corrected on that. I will certainly appreciate it if Mr. Bains has the opportunity, when he is able, to take the floor to address the specifics of that day.

• (1235)

What Mr. Bains is suggesting is that asking tough questions is somehow a violation of his privilege as an MP. I mentioned page 57 of *House of Commons Procedure and Practice*, third edition, and its descriptor of parliamentary privilege. I would like to further read from page 88:

Members individually have the responsibility to not abuse their rights and immunities, particularly freedom of speech.

What I would suggest is being highlighted in the debate we're having here is the fact that we have the responsibility, as members of Parliament, to not abuse the privileges, but we also cannot abuse the ability and the idea of privilege to be able to weaponize that sort of thing for the purposes of silencing one's critics. It leads me to the inevitable conclusion that, as I mentioned before, it is not about

whether or not that member's rights and privileges were violated but about, I would suggest, that member facing pressure because of the conversation that took place.

Quite frankly, I would say that is a good thing. That's what democracy is supposed to be about. It is meant to be a space where we can ask and have those tough conversations, but here we are, and there is an attempt through a procedural mechanism....

For those watching who might be wondering what a procedural mechanism is, it's using the rules that exist for us to be able to fulfill our functions...using it for something it was not intended to be used for. In this case, the member from Brantford—Brant is a very effective prosecutor in terms of calling out some of the things the government has done wrong. A procedural mechanism is used not for their purpose, for the ability of committees to function properly, and not for the purposes of protecting members' freedom of speech, but rather to narrowly interpret privilege as something to silence an opponent.

Now, just imagine for a moment what it would be like if during an election you had a national party leader tell one of his opponents that they can or cannot talk about something. It would be a national scandal. It would be truly a national scandal. We have free, fair and open discourse, because that's what Canadians expect us to be able to have. That is something that needs to be extended to committee.

Now, there have been some accusations made about intent. There have been further suggestions that somehow it is incorrect for members to call out these certain things. I've faced the consequences personally of calling out things that I have deemed to be absolutely egregious, including the conduct of the Prime Minister. In that case, I respected the Speaker's ruling on that matter. While I disagreed, and I stand behind what I said, I understood the consequences of that.

This is where we have come to today. Are we going to set a precedent that suggests that instead of having these tough conversations, we are going to allow for procedural mechanisms to take away the ability for any member of this place to do their work?

I want to highlight something here that I think is often forgotten. We have a principle that is unique to the Westminster system, actually. Those I've had the opportunity to engage with on the matter know that part of the reason I like the Westminster system of Parliament so much is the idea of parliamentary supremacy. It's key, because it ultimately ensures that people have the ultimate say.

Although there's an extensive conversation that could be had about that, I want to park that larger conversation, because it can get fairly philosophical. There are differences of opinions about when and where and how some of the mechanisms that exist have been brought to bear, both in the context of the Canadian circumstances, where we have both written and unwritten aspects of our Constitution, versus the United Kingdom, where it is still largely unwritten in terms of the constitutional frameworks that exist.

• (1240)

I've talked a bit about that here and at other committees in the past, but what is key is that it is members of Parliament who make up a Parliament.

Again, for individuals who might be watching, Mr. Chair, I believe it's worth highlighting something that is often forgotten. We are in the 44th Parliament. "Well," one might ask, "What is a Parliament?" We often refer to that as a building—in the case of the House of Commons, the chamber with its green floors and question period and the debates and whatnot.

What's interesting, Chair, is the description of it as the place where a group of MPs are able to come together to form that Parliament. Then, out of that, in the case of our tradition—this is tradition and it has become constitutional convention—the party that gets the most seats is able to form the government. The government includes the cabinet, led by the prime minister. The history of that is that the prime minister was the first minister among ministers, and, referring to the Latin history of the word, the first among equals, although that's certainly then something that's been long since abandoned.

What's interesting—and this is an important point that is applicable not simply to members of the opposition. When I describe our democratic system to classes, whether they're in junior high, high school or even some elementary schools, I talk about every Canadian being allowed to have that one ballot on election day. That is an incredible thing. That right we have is an incredible privilege, hard-fought for and won over history.

The fact is that the current Prime Minister, or the leader of a political party, any political party, gets that same number of ballots on election day. Every Canadian gets that one ballot. The power to choose your government is incredible.

When I ask the question about how many ballots you get on election day, some of the conversations that ensue in classrooms about that are interesting, because it is that distribution of authority among the people that is truly fundamental in the way that our democratic system operates.

Now, I would be the first to admit it's not always equitable in terms of the number of individuals per electoral district, and there are always some nuances in the conversation, but fundamentally it comes down to every Canadian getting that one ballot on election day. It's a powerful thing.

I know for you, Chair, that this would be the same thing. You and I and all members of this committee, including staff and technical folks, get to have that one ballot to make a choice about who gets to represent them in the House of Commons.

However, here's the extension of that, and the reason parliamentary supremacy is so key. That one ballot translates, in the case of our current Parliament, into 338 seats.

Another question I ask students, when I have the chance to speak with them, is how many seats the Prime Minister occupies in the House of Commons. Some of the responses I get are interesting, but it comes down to one.

I ask the same about the Leader of the Opposition. They occupy one seat in the House of Commons.

In the case of our current Parliament, there are 338 members of Parliament who sit and make decisions and empower the government to act on their behalf. The opposition plays a key role in that

against the government and the governing party. In the case of a minority Parliament or a hung Parliament, as it's often referred to in the United Kingdom, ultimately it comes down to the fact that there are members of Parliament, 338 of them. While we have whips and there are conventions when it comes to voting and voting for confidence measures—in the case of the opposition, we vote non-confidence in the government on a very regular basis—every MP occupies that one seat in the House of Commons, and the power of that, I would suggest, emphasizes the foundational idea of what privilege is in this place and in this specific context around this table.

● (1245)

I'd like to emphasize how fundamental it is that any attempt to silence members of Parliament from being able to ask the tough questions, to silence members of Parliament from being able to represent their constituents, is not simply an attack on the idea of privilege in this place, but rather is an attack on the fundamental tenets of democracy—

**The Chair:** Go ahead on a point of order, Mr. Bains.

**Mr. Parm Bains:** Mr. Chair, Mr. Kurek is giving us a lesson on how parliaments are running. What we're talking about is how Mr. Brock said that I furthered and propagated disinformation essentially originating from Beijing and China. That's the motion. That is the false allegation he made. That's what we're talking about here, and I think we need to get on with it.

**The Chair:** I appreciate your point of order.

Mr. Kurek has the floor, and he knows he has the floor, Mr. Bains. We always try to give a little latitude, and I expect the same from Mr. Kurek and that he's going to bring it back to where it needs to be—specifically, on the motion.

Go ahead, Mr. Kurek. You have the floor.

**Mr. Damien Kurek:** Thank you very much, Chair.

I'm glad the member is paying such close attention to my remarks, because what I've been talking about comes down to the absolute crux of the matter, which is that members of Parliament have to be able to ask tough questions.

What the member has suggested that Mr. Brock has done, I would suggest, through the motion that we are debating here today, is an attempt to silence.

Mr. Bains has, and he could have moved a motion to further deliberate on the subject of foreign election interference, but he didn't do that. He wants an apology and a retraction.

The reason I've provided the information I have and included some of the exact references, Mr. Chair, is that Mr. Bains used in his original argument that he made to you in the meeting on Tuesday.... I find it interesting that he would somehow suggest that the evidence that he provided, that I've expanded on, is somehow not relevant. The irony of that is certainly rich.

What I would like to bring it back to is exactly the point that I was endeavouring to make. When we attempt to silence a member, it is an attack on the very fundamental tenet of what our democratic system is. When it comes to the issue at hand, and that is the very real allegations of election interference, Mr. Chiu, when he came and testified before this committee, was protected by the same privileges that we are protected by around this table. Mr. Bains is also protected by that parliamentary privilege. Mr. Brock is also protected by that parliamentary privilege.

We have to ask those tough questions because, as I have talked about before, the foundational element that allows democracy to work is that Canadians have to be able to trust that when they take that single ballot into a voting booth, mark it and put it in the ballot box, it was a free and fair process.

There have been serious allegations that have been made that include Mr. Bains and other constituencies.

Mr. Chair, I would like to highlight something. When Mr. Bains originally brought forward some of his concerns, he made false and misleading allegations. You don't see me calling a point of order on that, but, specifically, he talked about firearms. He made an accusation that was undeniably and patently false. I didn't call a question of privilege on that, because we're allowed to have free and fair discussion around this table, and we should have that. Let's have those debates.

I would suggest that this is a continuation of a trend. It's an intricacy that I talk about often with my constituents. I will share with this committee that I have many constituents who are so frustrated that they share with me how they feel like they are giving up on the idea and the notion of Canada.

That's a pretty significant statement to make, but I share that because that's something I hear. This committee is one of the proof points that I use that Canada's not worth giving up on, that our institutions are not worth giving up on. I explain some aspects, as I've shared before, like the ability for members of Parliament to represent their constituents, the rights and privileges that we have, the strength of our democratic system and how we are working to ensure that's protected. It's the structure of this committee, and I believe there are four committees referred to as oversight committees in Parliament.

Those who are watching may not be aware of some of the structure as to how they work. There are, I believe—and don't quote me on this—30 or so standing committees. There are also special committees, which are temporary. They only last for a Parliament, although they can be reconstituted after a new Parliament is formed, as we see. I am a member of the Special Committee on the Canada–People's Republic of China Relationship.

- (1250)

There are four committees that have a chair who is a member not of the government but of the official opposition. I highlight that because I think it shows there is strength in aspects of our system, which is designed to ensure that when a regular Canadian looks at our parliamentary institution, they can say, "Okay, we can trust that. It's not simply a historical building with green roofs"—although

they've been replaced in the last couple of decades. They're brown for now, but they turn green over time.

What I think needs to be emphasized is that there are four committees where there are opposition chairs. Now, the chair of a committee operates in a way that is meant to be fair and impartial. I thank the chair of this committee for doing that. I have worked with chairs who have been operating.... I know there is at least one other committee chair sitting around this table with whom I've worked. In fact, I was having a conversation with one of my colleagues from another opposition party before. I hope it's okay to mention this. There was an individual who was very partisan in the House of Commons, but I was pleased by how fairly they adjudicated a committee I was recently a part of. I would hope this individual would take that as a compliment.

It's a fact that our Standing Orders and tradition, Mr. Chair, allow for and ensure that there are four committees—what are referred to as "oversight committees"—that have opposition chairs. What I fear, not just because of the happenings at this ethics committee.... Quite often, when I share with people that I'm on the ethics committee, the lack of trust in government is emphasized. People will chuckle at the fact that I sit on an ethics committee, because they're so frustrated when they look at the actions of the Liberal government and the lack of ethics therein. However, the fact that there is an opposition chair, a vice-chair—in this case from the Liberals—and a second vice-chair from the Bloc Québécois speaks to how there is strength in the structures that exist.

What I find so troubling is that there seems to be a trend among government members to not allow oversight committees to do their work. Rather, we are seeing committees bogged down by attempts by the government to slow or stall the work oversight committees can and, I would suggest, should do.

Let me share with you why I find that so troubling, especially in the context of where we're at in a minority parliament. In the case of every committee right now, there is an opposition majority, just as there is in the House of Commons. I'll park NDP support for the government here. The fact that this structure exists should be something championed by those who promote Canadian democracy. I would suggest it is very troubling when we see attempts by the government, often backed up by the NDP, to reduce the ability of oversight committees to do their work. That work includes asking the tough questions. Prime Minister Trudeau and his government govern like they're in a majority or have a resounding mandate from the people. You can simply look at the last election and see how patently false that is, to the point where, for two consecutive elections, the Liberals got fewer votes.

I'm not suggesting our system should be changed—the make-up and whatnot. That's certainly a larger conversation that can be had. I'm not suggesting that be part of this conversation. However, when it comes to the attitude with which the Liberals should approach governing, I hope they would look at the number of people who voted for them in the last election and realize they have a job to do to make sure the party that actually received the most votes, which was the Conservative Party.... There is great care that needs to be taken to respect the fact that we don't always agree and that there are differences of opinion and a need for answers.

• (1255)

In the lead-up to the 2019 election, we saw the SNC-Lavalin affair explode. I won't relitigate the specifics of that, although certainly we could because it bears more relevance all the time, especially as we see some of the dynamics of that still playing out to this day. We have an example where the ethical conduct of the government and many of its ministers, and then the direction to which...

In the 2019 election, Canadians sent a minority Parliament to town, yet you had a government—with the pandemic and everything associated with that—that certainly didn't operate as a minority, which is too bad, because I think if they had had a little more respect, things wouldn't be as divisive as they are today.

Then, in 2021, we had literally.... I'll share with you, Mr. Chair, this committee and the people watching, how disappointed I was in the conduct of the Prime Minister. I remember very specifically that in, I believe, June 2021, the Prime Minister and his government—all Liberal members—said that they would not call an election. They voted as such, because it was a difficult time for the country. We were still in the throes of COVID. There was increasing division over certain aspects of that, some of which were being weaponized by the very public figures that were trusted to make decisions on behalf of all Canadians, which they weren't. We saw the consequences of that in the months after that 2019 election.

Only two and a half months later, the Prime Minister called an election. Two and a half months before, he had promised that he wouldn't. Two and a half months later, he called an election.

I would suggest that it was one of the most divisive elections that the country has maybe ever seen. I won't go into great detail about that, although certainly it bears further discussion if members of the committee would suggest so. We saw some of the challenges, when it comes to foreign election interference, be brought to light.

The result of that was an almost exact.... It was not quite exact; there were a few changes. I know Conservatives picked up a few seats in Atlantic Canada. Liberals picked up a few seats in B.C. There were a few other changes in Ontario and Alberta, but largely the makeup of the House of Commons was fairly similar.

What did the Liberals do? Instead of trying to pursue an agenda that focused on the fact that, once again, they lost the popular vote.... Conservatives won the popular vote. That doesn't necessarily suggest that the makeup of the House of Commons should be different from what it is, but you would think that a leader who cared about unifying the country would take great pains to acknowledge that fact. However, when I've brought that very fact up in the House of Commons, there are Liberal members—I could point them out and I'm sure that even Liberal members know who I'd be referring to—who laugh about the popular vote suggestion.

I'm not suggesting there should be a change in the seat makeup, Chair, but I think it bears mentioning. The reason it's so germane to the conversation we're having today about the attempt to use a privilege motion to essentially censure a member of the opposition is that a leader would ensure that the voices around the table have a chance to speak.

It comes back to that fundamental point that the Prime Minister, his government and those who are calling the shots in the PMO—a building not too far from here—don't want an opposition to ask tough questions. They want an audience that applauds, that is lily-livered at best and is not able to be effective.

I can tell you, Mr. Chair, that under the leadership of the member for Carleton, Pierre Poilievre, we are not going to back down from doing the job that Canadians sent us to Parliament to do. We're not going to back down.

• (1300)

That's why I find it so concerning that when.... The Liberals have now obviously realized that the member for Carleton, the leader of the official opposition, is not one who's going to back down, nor is the member for Brantford—Brant. Mr. Brock's not going to back down. It is clear that this is, in fact, the case.

Mr. Chair—

[*Translation*]

**Mr. René Villemure:** I have a point of order, Mr. Chair.

**The Chair:** Excuse me, Mr. Kurek.

Mr. Villemure, you have a point of order.

**Mr. René Villemure:** Yes, Mr. Chair.

As fascinated as I am with what my colleague is saying, I would like to point out to committee members that it's after one o'clock, so we should probably end the meeting.

**The Chair:** We have until 1:30.

Are you moving a motion to adjourn the meeting?

**Mr. René Villemure:** No, I'm just raising it for discussion.

**The Chair:** Committee members, we have support staff until 1:30, so we will continue until then. After that, we will no longer have resources.

Thank you, Mr. Villemure.

• (1305)

[*English*]

Mr. Kurek, go ahead. You have the floor, sir.

**Mr. Damien Kurek:** Thank you very much, Mr. Chair. I appreciate that clarification as well.

The point I was attempting to make is that now the governing Liberals, supported by the New Democrats, seem to realize that Conservatives are not going to back down, that we are going to do the job that Canadians sent us here to do, and that we are going to do it passionately. Quite frankly—and I can't speak for everybody—when it comes to the passion I bring to the job, it is exactly the passion I believe my constituents expect me to bring to the job. They want me to defend their interests, whether that be the energy industry, which I will talk about extensively—not in the context of this committee, but I have and will continue to do so—including oil and gas; the agricultural sector, because I'm not only proud to be from a farming family but also so very proud of the area that I represent, which provides so much food to the world; or the institutions of Parliament and the need for that strong democracy that I believe all Canadians and, I would hope, all parliamentarians want.

However, there has been a clear and concerted effort, it seems. Certainly, this is the trend, and I would invite members from the government to explain their actions if it is not, in fact, the case. I would hope that they would be on the speaking list to be able to do that. What we see is that when it comes to the oversight committees that I've referenced, there seems to be this effort to bog them down with anything but the issues of actually providing oversight.

I'll expand on one example that I believe is very prescient, and that is when we had the Information Commissioner at a meeting scheduled over the last break week. I know that it's not always convenient. I had a series of different obligations back in the constituency, but when that meeting was scheduled, I was pleased to be able to join it. Now, I did join virtually, as is an option under the rules that Parliament has passed allowing for virtual participation. There were some Conservative members here in person, but I was able to join from one of my constituency offices.

Instead of being able to do the work that had been outlined for that, it should not have been a surprise to anyone that it was shut down after the first round of questions for the Information Commissioner, the independent officer of Parliament who is tasked with making sure that Canadians' quasi-constitutional right of accessing information is upheld. What I would suggest is that this was not only an egregious act by the government, supported by the NDP. We see now that when they're not getting their way, it's almost like they're simply going to throw tantrums. As a result, we see the sorts of tactics that we have here.

What I hope, and with further discussion.... Just to enlighten members of this committee, I will say that I think part of the reason expansive discussion on this is required is that, as in the case of a debate on privilege in the House of Commons, the debate on this matters a great deal. Certainly, my hope would be that there is context, which I'm providing. Whether it be the historical context or whether it be the contemporary political context, it is key to ensuring...including the highlighting of the false claim that Mr. Bains made about firearms in the context of the explanation that he initially made with regard to why he was moving that.

On page 112 of *House of Commons Procedure and Practice*, third edition, there is a quote from Speaker Fraser that was made in 1987:

The privileges of a Member are violated by any action which might impede him or her in the fulfilment of his or her duties and functions.

• (1310)

I will get back to that word “impede” in a minute, because that word, the impeding of the ability for a member to fulfill their duties and functions—this motion is attempting to do that.... This motion is attempting to impede.

Now, I understand that it may be uncomfortable for some members of this committee. Quite frankly, the opposition should make a government uncomfortable, regardless of which party is in government. That's the point, and I would hope that there would be widespread agreement about that. Asking the tough questions is okay, and it should in fact be encouraged.

The quote from Speaker Fraser continues:

It is obvious that the unjust damaging of a reputation could constitute such an impediment.

What I would suggest is that when we're asking these tough questions in debate, it is fair game, but to then try to use parliamentary procedure, the Standing Orders, which permit a committee to function...the fact that a member would attempt to use the heavy hand of the majority of a committee—or attempt to, anyway—to silence a member is, I would suggest, a push that ultimately would impede a member from being able to fulfill his duties. I would hope that not all Liberals would be on this page.

I would hope that there are those who would even appreciate the work the opposition does. I would hope that's the case, anyway. When it comes to my deep respect for democracy and our institutions, like Pierre Poilievre said to President Biden, in Canada “opposition is an act of loyalty”. That can and should be emphasized again.

We can ask those tough questions, whether that be here in this committee or in the House of Commons, Mr. Chair, and I would suggest that it goes beyond this. We are protected by privilege in the circumstances—parliamentary discourse and debate—and there has been extensive debate. actually, including court procedures and whatnot that define what some of the limits of that are. I'm sure—in fact, I know—the place for those discussions is at PROC when it comes to the specifics of that. I'm not sure if it went to the Supreme Court, but it certainly went through an extensive court process when it comes to some accusations against previous members.

The point that can—and I believe should—be made is that we have the obligation as members of Parliament. I speak about this often to constituents, and I actually shared this a few weeks ago. I am proud that I've never asked somebody who walks through my constituency door who they voted for. Do you know why that's the case, Mr. Chair? It's because I care deeply about every constituent I serve.

Now, I have very frank conversations with all of my constituents, many of whom I agree with—and from rural Alberta, people will not be surprised that there's often a lot of agreement when it comes to the political issues that Conservatives care a lot about, whether it be issues surrounding many things like firearms, freedoms, energy or agriculture—but I still take great pains.... In fact, I had somebody walk through my constituency office door, a fairly new Canadian who had only been a Canadian for a few years, and I happened to be there.

In a large, rural constituency, sometimes that's just a pure stroke of luck, because I'm often in communities. I represent around 60 different communities. I have two constituency offices. I wish I could have a constituency office in every community, but that's just not feasible. Over that 53,000 square kilometres, I spend a lot of time on the road, travelling between different offices and whatnot.

Chair, when this fairly new Canadian walked through the door, almost with hesitation—they needed help with a concern about a federal government problem—they said: “But I didn't vote for you. Is it okay that I'm here?”

• (1315)

What was so profound in that moment? We had a fairly extensive conversation about the issue. Then we talked about some other things, including what would constitute pretty serious policy differences. That's okay. We had a very frank conversation. I appreciated the conversation. The constituent, as well, appreciated the conversation. My suspicion is that they probably won't vote for me in the next election, and that's okay. That's okay. That's what democracy is about. That's why we have a secret ballot.

But what was encouraging, I hope, for that constituent, was that when they said, “But I didn't vote for you”, my first response was that it was okay: Regardless of who you voted for—you don't need to tell me—I want to serve you. I want to help you. I care about your feedback.

Whether it's replying to correspondence or whether it's conversations I have at town halls, that is a key aspect of what makes our democracy strong. In fact, this is more of a societal conversation that I would suggest needs to be addressed in the context not only of parliamentary process and procedure, in the debates we have here, but also at kitchen tables and in classrooms and whatnot. Disagreement does not equal hatred. I would hope that this opinion is shared by all members of this committee. We can disagree on things; again, it's one of those areas where we should.

In fact, I often share a joke about this. At a town hall I hosted recently, somebody was asking me very specific questions. I was answering, and we disagreed about something. I said, “Good. That's okay. That's part of what democracy is about.” I emphasized how, when it comes down to it, I would imagine that every person in the context of that room in that small town in rural Alberta—probably every single person, even some of the husbands and wives.... Well, certainly husbands and wives; when it comes to areas of disagreement, that would be the case. When it comes to every single issue, you find things that you agree with and you find things that you disagree with.

This brings me to the motion at hand. The plan is that we will have Minister Boissonnault at committee next week, on Tuesday, to answer questions about the conduct of a company that he is a principal of and about the contracts they received. What is concerning about the timing of the issue we have before us—

**Mr. Darren Fisher:** On a point of order, Mr. Chair, as much as I'm enjoying the member's speech, I know that you said we have resources until 1:30. I would be interested in the chair's thoughts on how we'll be proceeding with this. Will we be coming back with the same speaking order? Page 154 says that this privilege motion gets

priority for the committee. Would it be the expectation of the chair that you'll be resuming this meeting with the exact same speaking order, so that everybody who has their hand up can speak?

**The Chair:** I can get back to you on that, Mr. Fisher, if you don't mind. I'll do that before the meeting adjourns.

I'll seek some clarification from the clerk. I'm pretty sure I know what the answer is, but I just want to be sure.

**Mr. Darren Fisher:** Thank you.

**The Chair:** I'll go back to Mr. Kurek.

**Mr. Damien Kurek:** I appreciate that.

Here we have a member of the Liberal Party—the governing party—who has moved a motion, when we have clear questions that need to be asked of a senior minister of the Crown, who happens to be the only member of cabinet from Alberta. Out of the 34 seats in Alberta, there are two Liberals elected and two New Democrats, and the rest are Conservatives. One of the concerns that I would suggest.... If this was a one-off, it could be explained just in passing as happenstance or circumstance or whatever the case may be, but there has been a clear effort to bog down oversight committees with things that do not have that significant impact on getting Canadians the answers they deserve on the conduct of their government.

What are the practical implications of that?

I hope, as the committee agreed to, that Minister Boissonnault will be able to testify, because I think that answers to some of the questions that Canadians have need to be brought forward. Why that's not only relevant in terms of what's required for the operations of a committee like the ethics committee, but what is key here and why I would suggest that this motion is simply an attempt to censure a member from asking tough questions, is that instead of Conservatives or Liberals—it could be a Liberal member as well who could ask a tough question—is that any attempt to limit the ability of that to take place is certainly very concerning.

I think what needs to be highlighted in the context of this is that when some of the allegations have been made, when we've talked about some of the evidence, whether that be Justice Hogue's report, whether that be what the Prime Minister himself has said, very much a changing story.... In fact, I would just highlight something that I think hasn't received the press that it deserves, which is that the Prime Minister's chief of staff, when she was asked if the Prime Minister reads everything, said very clearly that he did, yet it was, I believe, in some of the interviews associated with foreign election interference that the Prime Minister said very clearly that he didn't.

I found it very concerning, that disconnect, that you would have the Prime Minister's top boss, so to speak, the chief of staff of the Prime Minister.... For anybody who's operated in political circles in either Canada or the United States or the United Kingdom, and I'm sure this is the case in other countries, the chief of staff of the leader of the government, whether that be the Prime Minister or whether that be the president.... In fact, it was Ronald Reagan who brought forward—and of course they have a different system—and gave his Chief of Staff cabinet-level standing in, for sure, his first term. Off the top of my head, I don't remember all the specifics of that, but that's how much authority the Chief of Staff wields.

When you receive a call—I'm sure that if there are any political staffers in the room who have received a call from the chief of staff, they'd know this—I tell you, it's quite something. That chief of staff has significant power, and the chief of staff of the Prime Minister made a very clear statement. It was definitive. She didn't even say, he tries to, or he references, or whatever the case is. There are a hundred ways that you could say what she said.

However, when the Prime Minister was asked a similar question related to security briefings about pressing matters that had called into question direct contradictions in the way that he had acted when there would have been the possibility of impacting him politically, there was a clearly different type of response.

I believe that bears highlighting in this context, because it's that sort of attitude that filters down.

• (1320)

What is the direction that may have been given to Liberal members and parliamentary secretaries that suggests there may be this need to slow down or for oversight committees to not function as they should? What's the direction that suggests there need to be these motions that take up time, or whatever the case is?

What about the fact that we have the federal government's use of technological tools capable of extracting personal data from mobile devices and computers? The fact is that the report is not necessarily sitting in limbo but will be delayed, because we're now two meetings in when that's been listed as a topic we were to have discussed.

Although there are certainly exceptions to this, sometimes, when reports are less controversial, you can go through them quite quickly. Sometimes it takes an extended period of time, whether it's because it's a more controversial matter or because there were some contradictions in the testimony.

The fact is that we have now, for two meetings, been inhibited in our ability to get this stuff done.

I would highlight again that one of the issues I expect this committee has been seized with is the documents that were requested at a meeting a number of weeks ago. I believe it was the New Democrats who requested those documents, if I recall it correctly.

• (1325)

**Mr. Darren Fisher:** I have a point of order, Mr. Chair. It's very clear that Mr. Kurek is just talking out the clock. Is there a chance that you can back off a couple of minutes before you adjourn, so that we can bring this to a vote? We're ready to vote if you folks are.

**The Chair:** He still has the floor.

**Mr. Darren Fisher:** I understand, but he's talking about a waste of time. We could get this to a vote today, so that we can move on with our regular agenda, starting....

**The Chair:** As long as he has the floor, Mr. Fisher, he's allowed to continue.

**Mr. Darren Fisher:** That's fair enough. Thank you.

**The Chair:** I can't call for the vote as long as somebody has the floor.

I'm working on the answer you were looking for, so I expect I'm going to have to cut Mr. Kurek off in a couple of minutes just to provide you with the answer, and then we'll move on from there.

Thank you.

**Mr. Damien Kurek:** Thanks very much, Chair.

I appreciate that, because if there had been a willingness of Liberal members, including that member, we could have had a very productive last two meetings that would not have been spent talking about the need to ensure that all members of this committee, including the member from Brantford—Brant.... That's something I would emphasize here, and hopefully, I can make this point very briefly.

One of the things about the protection of privilege is that it applies to all members, so I would ask all members of this committee and all those who are watching to consider this carefully. If they're okay with a member being silenced because they ask tough questions, this is a reasonable path forward. However, I'm not comfortable with that, Chair. That includes members of the government, of the official opposition and of the two other opposition parties here.

Further to that, I find it somewhat rich coming from that member.... I believe it was he who moved to adjourn a committee meeting that was scheduled during a break, which would have given this committee the opportunity to be productive. It's interesting that they would be so critical of the fact that I believe—and I am certainly hopeful—the case I have made emphasizes the need to ensure that we do not allow a committee member to be censured for asking tough questions. That's what it comes down to here.

We need to make sure that MPs are allowed to question their government, as it is a fundamental tenet of our democratic system. When it comes to the work that committees need to do, we absolutely need to get to work, as I'm proud to have been able to do during the course of the committee meeting here today, and will be happy to do each and every opportunity I have.

When it comes to the hypocrisy that exists, would you have that member suggest that somehow it's not relevant to talk about the need to protect members so that they can question his boss? Mr. Chair, I think that question answers itself.

Let's make sure that as we are tasked as members of Parliament to.... This unwritten rule....



In fact, I had a chance to meet a constituent who's a former Olympic coach. She gave me a card that she hands out to everybody she meets. It says, "Leave it better than you found it." My exhortation to every member of this committee is let's make sure we leave it better than we found it, and that includes the rules of this committee.

**The Chair:** Mr. Kurek, you still have the floor, sir, but I'm going to have to cut you off for a second.

We are running out of time and resources at 1:30, as I mentioned earlier in the meeting.

To answer Mr. Fisher's point, we are debating a motion to refer this to the House. We are not debating a motion of privilege. The motion can be brought up at a future meeting, as long as members agree to that.

As it stands right now, resources have expired, and I adjourn the meeting.

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