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• (1150)

[English]

The Chair (Mr. Kelly McCauley (Edmonton West, CPC)): I call the meeting to order.

Good morning, everyone. We are in session.

Welcome to meeting number 161 of the Standing Committee on Government Operations and Estimates, the mighty OGGO.

Today we welcome Public Sector Integrity Commissioner Harriet Solloway.

Colleagues, we'll do two rounds of questions. We should be out by 1 p.m.

Ms. Solloway, welcome back to OGGO. The floor is yours for an opening statement of five minutes.

Ms. Harriet Solloway (Commissioner, Office of the Public Sector Integrity Commissioner): Thank you very much, Mr. Chair.

Good afternoon. I'm very grateful to have the opportunity to speak to the Standing Committee on Government Operations and Estimates.

[Translation]

My office owes all Canadians a duty to expose wrongdoing in the federal public sector. At the same time, we owe every person who places their trust in us—including those who find themselves accused of wrongdoing—an impartial and timely outcome based on a serious consideration of all the facts.

[English]

Since November of 2022, our caseload has quadrupled, with the number of active submissions reaching 218 at the end of November 2024, including 162 files in analysis and 56 active investigations. This demonstrates the ever more apparent relevance of the office's mandate.

Each submission can contain multiple and distinct allegations, each of which requires admissibility analysis and a complete response. This sharp increase was initially viewed as a surge, but given its sustained nature, it now seems more likely that demand will continue to rise until it eventually plateaus at a new normal. That plateau is not yet in sight.

While it is gratifying that disclosers and complainants are demonstrating trust in my office, the increased number of submissions cannot be addressed within existing capacity. Without an ur-

gent injection of resources, there's a risk that some investigations may not be completed in a timely manner, resulting in an erosion of the availability and the quality of documentary evidence and witness accounts, and the possibility of some cases being left to languish with no resolution.

Of great concern is the inability to investigate reprisal complaints in a timely manner, which would leave public servants vulnerable and exposed to hostile workplaces and affect their employment. Also of concern is the risk that delays would allow wrongdoing to continue without consequence. The potential impact cannot be overstated.

[Translation]

As stated in the preamble of the Public Servants Disclosure Protection Act that established the Office of the Public Sector Integrity Commissioner in 2007, "it is in the public interest to maintain and enhance public confidence in the integrity of public servants".

The inability to effectively investigate and expose wrongdoing due to a paucity of resources impedes effective accountability, thereby undermining a vital component of the checks and balances that enhance confidence in public institutions.

The current funding limitations have compelled some difficult but necessary decisions. The mandate to provide funding for legal assistance to disclosers, complainants and respondents is in jeopardy. Requesters seeking funds for legal advice will need to wait until the new fiscal year. Also, travel required for investigations has been severely limited, slowing progress on a number of files. Significantly more than half of active investigations are outside the national capital region.

[English]

In the 2024 budget, my office was allocated a small increase that allowed for the addition of some human resources and the replacement of an antiquated case management system that predated the office's inception in 2007. These resources have been absorbed, but they do not begin to address the influx of submissions. The financial crisis is very real.

To date, my office has taken action to gain efficiencies wherever possible, including leveraging technology and streamlined processes, as well as reviewing and refining operational practices. These efforts have not been sufficient to overcome the crisis. Consequently, in early August I submitted a modest off-cycle request for additional resources, which hasn't yet been addressed. This experience makes very evident the need for an independent funding mechanism for my office, equivalent to the one in place for the Office of the Conflict of Interest and Ethics Commissioner. Such a mechanism would not only better address our needs but also reduce the possibility of a real or apparent conflict of interest between my office and the government.

[*Translation*]

My team continues to work diligently and professionally, despite a lack of resources. Their work contributes to maintaining a safe space for whistleblowers and an impartial investigation process that protects the rights of all.

I thank you for the opportunity to address this committee and welcome any questions that you may have.

[*English*]

The Chair: Thank you very much.

We'll start with Mrs. Kusie, please.

Mrs. Stephanie Kusie (Calgary Midnapore, CPC): Thank you, Mr. Chair.

Thank you, Madam Solloway, for being here today.

Since this committee began investigating the arrive scam scandal, many of the public servants who have come forward about gross mismanagement have been suspended. Would you say that this is a usual practice that you have encountered with this government?

Ms. Harriet Solloway: I can't really comment. As you probably know, I've only been back in Canada for about a year, so I really have no comment.

Mrs. Stephanie Kusie: Okay.

I'm sure when you were brought into the position, you were given a briefing, which probably would have included previous cases, and you would have done an evaluation of the historical conduct of this government, but we'll continue.

Has your office been involved in the investigation of any of the ArriveCAN suspensions that have occurred so far?

Ms. Harriet Solloway: We have been seized by.... I believe it was this very committee where we received a disclosure. As notified, we have undertaken an investigation that is related to ArriveCAN.

Mrs. Stephanie Kusie: Is there any information you can provide about the investigation so far?

Ms. Harriet Solloway: I can only say that it is ongoing.

Mrs. Stephanie Kusie: Okay.

Can you provide any information about the investigation relative to Cameron MacDonald?

Ms. Harriet Solloway: I cannot.

Mrs. Stephanie Kusie: Can you provide any information about the investigation into Mr. Antonio Utano?

Ms. Harriet Solloway: I cannot.

Mrs. Stephanie Kusie: Are you aware that the IT person who submitted an internal complaint in the CBSA about Minh Doan's deleted emails has now been suspended?

• (1155)

Ms. Harriet Solloway: I cannot comment.

Mrs. Stephanie Kusie: Okay.

Are you concerned that there seems to be a culture of reprisal at the CBSA?

Ms. Harriet Solloway: I cannot comment.

Mrs. Stephanie Kusie: Okay.

Are you concerned that there seems to be a culture of reprisal within the government at large?

Ms. Harriet Solloway: I cannot comment.

Mrs. Stephanie Kusie: Okay.

Will this government be able to improve its internal management and effectively run government programs if it suspends any public servant who dares to speak out against department executives, would you say?

Ms. Harriet Solloway: I cannot comment.

Mrs. Stephanie Kusie: Why, in your opinion, is this government so eager to suspend any public servants who speak out against their management instead of using its insight to fix the broken system?

Ms. Harriet Solloway: I cannot comment.

Mrs. Stephanie Kusie: Your office currently has 161 files on hold, which is five times the number of cases that your office typically is expected to investigate each month. In your opinion, what has driven this significant increase in the complaints of wrongdoing?

Ms. Harriet Solloway: In my opinion, it's a greater awareness of the existence of our office.

It was established in 2007, and it typically takes a long time in an organization the size of the federal government for people to become aware that something exists and also how to access it.

I can say that across Canada, my provincial counterparts seem to be experiencing the same sort of increase as, I think, their systems mature as well.

Mrs. Stephanie Kusie: Based on the charts you provided to us, the cases seem to have begun to significantly increase starting at the beginning of 2023. This is the same time frame in which our committee began its study into the ArriveCAN and McKinsey scandals. Do you believe that this increase was inspired by the increased scrutiny of these scandals?

Ms. Harriet Solloway: I have no idea. I do not know.

Mrs. Stephanie Kusie: The number of submissions still seems to be increasing, but the number of completed submissions has remained consistent. If you do not receive an increase in funding, what will be the impact on public servants who will not have their cases reviewed within the standard timeline?

Ms. Harriet Solloway: You know, they say that justice delayed is justice denied. I think that everybody deserves to have their case and their concerns dealt with in an appropriate manner and in a timely manner.

Obviously, I think that overall, for each individual, there's a negative impact. I also believe that there's a negative impact for the organization.

Mrs. Stephanie Kusie: Since the report came out over two months ago that your office was not receiving adequate funding, have you had any positive communication from the President of the Treasury Board regarding your funding?

Ms. Harriet Solloway: Since it came out in public.... Is that what the question is?

Mrs. Stephanie Kusie: That's correct, yes.

Ms. Harriet Solloway: We have had contact with the office of the president, and our first contact was last Friday.

Mrs. Stephanie Kusie: And—

Ms. Harriet Solloway: That wasn't our first contact. I meant that we have reached out on multiple occasions, but our first engagement and discussion with them was last Friday.

Mrs. Stephanie Kusie: Okay.

How would you describe that communication?

Ms. Harriet Solloway: It was pleasant.

Mrs. Stephanie Kusie: It was pleasant.

What changes will your office need to make if you do not receive adequate funding in the near future?

Ms. Harriet Solloway: We're just going to have to keep on keeping on. We're going to try to get to every single case we can. There's really nothing more we can do.

To date, I have curtailed travel for many cases. We've put on hold a lot of non-staff costs, hoping we will get the additional funding. We basically pushed those costs into next year. However, they're costs that we're going to have to assume at some point, including for the legal assistance fund.

I'm pushing for whatever I can. If we don't get more funding, the reality is that some cases may not see the light of day.

Mrs. Stephanie Kusie: I thought I still had seven seconds.

Thank you very much.

The Chair: Mr. Jowhari, are you subbing in Ariana, or will you be taking this round?

Mr. Majid Jowhari (Richmond Hill, Lib.): I would love to sub in Ariana, but that won't be for a while.

First of all, thank you, Mr. Chair.

Welcome, Commissioner. Thank you for joining us today. Thank you for the work you're doing, despite the challenges you've been facing over the last year. Welcome to the job.

I understand this commission has been around since 2007. You're asking for an immediate cash infusion of about \$1.4 million. Then you're effectively asking to double the annual budget, with a \$7.6 million increase until 2029, followed by a permanent \$7.2 million.

Can you explain how that will help you from an FTE point of view and, naturally, a case point of view?

• (1200)

Ms. Harriet Solloway: From an FTE point of view, if I continue to squeeze, we currently have funding for about 38 FTEs, although, as I said, I've moved some operations and maintenance funding to FTEs. However, we have about 40 on board right now.

We would move to 79 in the next budget year and thereafter. Assuming the influx of cases eventually plateaus and doesn't keep going up, we envisage starting to gradually lower it by 2027 or 2028 to 78, then to 75. We would basically land on 75. That is the forecast for the FTEs.

In terms of cases, in the initial estimate—we submitted the off-cycle budget assuming we were going to get funding earlier than now—we believed it would take us three to five years to get the case level down to a manageable level that could be processed within our service standards. Due to this delay and the continuing increase in cases, we now have a bigger backlog than we did when we first submitted our budget. It likely could take, I would estimate, four to six years.

I haven't asked for that specific projection. I'll only ask for it once we get the money, hopefully. Then I'll know where we're going.

Mr. Majid Jowhari: Thank you for that.

I had an opportunity to look at the report and some of the charts you submitted. They showed the trend, as well as completed cases versus open cases.

Before we go there, can you first clarify the types of submissions you're receiving? Are they mainly disclosures of wrongdoing and of complaints, or are they general inquiries? My understanding is that those are the three categories your office is tracking and managing.

Ms. Harriet Solloway: So far in 2024—we're almost at the end of the year—we have received 304 disclosures, which can include multiple allegations, each of which has to be investigated, and we have so far received 85 reprisal complaints.

Even though it's not in our act, we do offer a reconsideration of cases if people can bring forward new evidence or if they have legitimate questions to challenge a decision. There have been seven of those in disclosures and four in reprisals.

We've opened four conciliations, because, particularly with reprisals, if we can find a way forward that suits the complainant, that's always preferable to an imposed solution that has to go to tribunal. We've opened four conciliations—those are extremely time-consuming and resource-consuming—two of which have been completed.

We've launched this year 18 investigations in disclosure and 28 in reprisal over and above the ones that lingered from the previous year; that's just what we launched this year.

There are also submissions completed after analysis. In other words, the submissions were analyzed, and we found that either they were out of jurisdiction or that, for whatever reason, they did not meet the criteria as set out under the act. Of the submissions completed after case analysis, 221 were for disclosure and 57 were for reprisal. We've thus far completed 11 investigations this year in disclosures and seven in reprisals, and we've issued two case reports.

Mr. Majid Jowhari: Thank you. This lines up with the information you provided.

Over, let's say, the past few years, which one of these categories has seen the highest growth? You mentioned that about 50% of these cases require travel. Do you have a general idea whether it's the disclosures, the complaints or the inquiries that have seen a bigger increase, and is there any jurisdictional relevance to these complaints?

That will conclude my time.

• (1205)

Ms. Harriet Solloway: I'm not sure I understand “jurisdictional relevance”.

The Chair: Let me interrupt.

You only have about 12 seconds, so perhaps you can provide us with a written response to Mr. Jowhari's questions.

Ms. Harriet Solloway: Certainly.

The Chair: Thanks.

We'll go to Ms. Vignola, please.

[*Translation*]

Mrs. Julie Vignola (Beauport—Limoulu, BQ): Thank you very much, Mr. Chair.

Thank you, Ms. Solloway and Mr. Radford, for being with us today.

My questions will be aimed at painting a complete picture of the situation.

How many full-time permanent employees do you have on your team right now?

Ms. Harriet Solloway: That's a good question. I only have the total number of employees with me today, so I'll have to check that,

but I would say that about 10 of our employees are determinate employees. I had concerns about the budget, so I didn't want to make a longer-term commitment. The rest are full-time, permanent employees. We have a part-time employee who has been appointed for a specific employment period.

Mrs. Julie Vignola: Thank you, because you also answered other questions I was going to ask you.

Are any of your employees lawyers?

Ms. Harriet Solloway: Yes.

Mrs. Julie Vignola: How many are there?

Ms. Harriet Solloway: We have seven lawyers, and Mr. Radford is general counsel.

Mrs. Julie Vignola: Thank you.

What type of profile or training are you looking for in order to fill the team positions?

Ms. Harriet Solloway: Are you talking about lawyers?

Mrs. Julie Vignola: I'm talking about all employees, lawyers and others.

Ms. Harriet Solloway: As far as lawyers are concerned, I'll ask Mr. Radford to answer, because he's responsible for recruiting lawyers.

Mr. Brian Radford (Acting Deputy Commissioner and General Counsel, Office of the Public Sector Integrity Commissioner): As for lawyers, basically, we're looking for administrative law specialists, people who have experience in administrative investigations. As for staff members who are investigators or analysts, they have to have a good understanding of administrative investigations. We conduct investigations at all levels of the public service, including at the highest levels. Our investigations are therefore sophisticated and require a high degree of respect for procedural fairness and natural justice. It is important for all employees of the Office of the Commissioner to have a good understanding of these concepts.

In addition, at the Office of the Commissioner, the operations section and the legal service work closely together. As soon as a file is submitted to the Office of the Commissioner, it is assigned to an analyst and a lawyer at the same time; the work is done in a multidisciplinary manner. A good knowledge of administrative law and administrative investigations is therefore essential in this complex environment where we conduct sensitive investigations.

Mrs. Julie Vignola: Thank you.

Earlier, I heard you say that you wanted to increase the number of employees to 79, then reduce that number to 75.

Are they full-time, contract employees, so determinate employees, or are they full-time, permanent employees?

Ms. Harriet Solloway: It's a mix of both, because we anticipate that, to meet the surge in cases and catch up on the backlog, we'll need to have a few more people on the ground or assigned to process those files. It's to catch up on the backlog that we're looking at hiring more people.

Mrs. Julie Vignola: Thank you.

Do you consider the salaries offered to the Office of the Commissioner to be competitive? Does that encourage people to submit their CVs?

We can draw a comparison between people working in the other offices of the Office of the Public Sector Integrity Commissioner of Canada and people who have more or less the same job in the private sector.

Ms. Harriet Solloway: I haven't done that comparison at all, so I won't be able to give you an answer. Perhaps my colleague Mr. Radford can answer your question.

Mr. Brian Radford: It's a bit difficult to make a comparison with employees who work in the provincial public service, because they're paid very differently. In some cases, they're paid less; in others, they're paid more.

In terms of other commissioners, we have analysts who are classified at the EC-03 level. We have a number of lawyers who are LP-02s. It's really a group responsible for doing the work at the operational level. Our investigators are AS-6. That's kind of how we're organized.

Among those groups, I believe that analyst positions may attract people who are just starting their career, because EC-03 is not a very high rank.

• (1210)

Ms. Harriet Solloway: It's hard to retain the analysts because of that.

Mrs. Julie Vignola: Would a review of pay scales be appropriate to ensure the retention of staff with expertise and experience within the office?

Ms. Harriet Solloway: That's something we need to look at, as well as opportunities for advancement, because right now, analysts don't really have opportunities to advance their careers within our organization. So they will definitely leave.

We are looking at our organization to see what we can do to make it more attractive for these people to stay than to leave.

I have to say that it's quite interesting for investigators and lawyers to stay for a while. That is my impression, but Mr. Radford could tell you that, since he has been with the Office of the Commissioner for longer than I have.

Mrs. Julie Vignola: Thank you very much, Ms. Solloway and Mr. Radford.

I'll save my other questions for the next round of questions.

[*English*]

The Chair: Thank you, Mrs. Vignola.

Ms. Blaney, go ahead, please, for six minutes.

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you, Chair.

I thank you both for being here today with us.

I was really compelled by what I read and your testimony today, Ms. Solloway. You talked about how there is an increase that you think hasn't reached its plateau that will define the new normal, and you talked a lot about having a backlog.

Can you help me understand how big the backlog is? Are there particular issues that you see coming up more frequently now as we move towards the next plateau?

Ms. Harriet Solloway: In terms of the issues, there are a really wide variety. We do get a lot of disclosures, or supposed disclosures, that are strictly personal in nature and for which a grievance process or the Canadian Human Rights Commission would be the more appropriate way to go. We do see a lot of that, but that's not really within our mandate, so we typically signal to the person that they might want to either file a grievance or go to the Canadian Human Rights Commission, for example.

We really do get a wide variety of things. If you look at our two case reports this year, you'll see that one was a leak in the Matsqui complex in which chemically treated water was leaching into the soil, while another one involved harassment on a grand scale.

It's a really wide variety that we get. I don't see one more than another.

Ms. Rachel Blaney: With that wide variety, you talked about the staff that you have. I'm wondering how you address that wide scope of need.

My other question is about what we've heard in testimony from other folks, which was that while short-term funding may help out through a hard part, it really focuses on temporary employees who come and go, which doesn't allow the time for them to get the training and the skills they require, and then you lose that. I'm wondering if you could tell us a little bit about why permanent funding is really helpful in building up that capacity with the broad scope of the work you do.

Ms. Harriet Solloway: Thank you.

It's very critical because, for example, when an analyst comes in, I would say it takes six months to a year before they're up to speed. Two of our lawyers are LP-01s. They're fairly new. Even the ones who are more experienced are new to our work. I'm subject to being corrected by Brian, but I would say it takes six months to a year before they're fully effective, so retention is really critical to us.

We are a rather frugal group, and it may be that we should be looking at some higher levels to make sure that we can retain the knowledge that is gained in PSIC. In terms of specialized expertise, given our size, most of us are wearing double hats, triple hats and quadruple hats because we don't have the luxury of having specialists in just about anything. That is a challenge.

It's my understanding that before my arrival, outside expertise was consulted on occasion. It makes some investigations more challenging for our investigators who are not specialists in certain areas, and it limits how deeply we can go into some of these things, because we just don't have that level of expertise.

Yes, more adequate funding would definitely enable us to do more effective investigations into specialized areas.

• (1215)

Ms. Rachel Blaney: That's interesting to me, because you talked in your testimony about confidence in institutions, which is something I'm very concerned about in terms of democracy right now in Canada and, quite frankly, across the planet.

I'm curious. From your perspective in the specific work you do, what does it mean when you have a whistle-blower or somebody come forward with something really important, and then you have to say, "You have to wait a long time"? I want to know what that does to the person who's taken that big risk to step forward. What does that feel like in your office, and how do you address that issue?

The other factor is, of course, that when it finally becomes public way later, it must build a lot of frustration in the public as well.

I'm wondering if you could address the impacts it has on whistle-blowers and on Canadians in terms of trust in the institutions that hold people to account.

Ms. Harriet Solloway: Thank you for the question.

Of course, the effect of the delay weighs heavily on the whistle-blower, depending on the nature of the case. Sometimes a whistle-blower will divulge something that has nothing to do with them personally, but is something they know about. They care enough about it to have brought it forward and they want to see it addressed.

Frankly, we could probably never do it quickly enough, because when people are upset about something, they want it addressed. The fact is that it lingers longer than it should. Certainly, I would say for a reprisal case, it's terrible if it takes too long, because that has an impact on individuals.

I also want to take the time to underscore the impact on those who are accused of having committed wrongdoings under the act. It is not easy for them to live under that cloud for a year or whatever period of time, because that cloud follows them around, and not all of our cases end up with founded wrongdoing, so it's not fair to anybody. It really isn't fair to anybody.

In terms of how that impacts the Canadian public, if people perceive that things did not happen in a reasonable time frame, they have to wonder whether it's theatre or it's real.

The Chair: Thanks very much.

We'll go virtually to Mrs. Block for five minutes, please.

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Thank you very much, Chair.

Welcome to our committee this morning, Ms. Solloway.

From April 2020 to November 2024, there has been a 10-fold increase in cases submitted to your office. You mentioned this drastic increase and even suggested that it will become the new normal. I note that of the number of submissions you have, it seems that only one-third led to active investigations. You've already commented that you triage those and sometimes encourage individuals to take their case to another body to get a resolution.

Did I hear you say that once you've determined that a complaint has been rightly placed with your office, you have had to pick and choose which of those cases you will investigate and then put the rest on hold due to a lack of resources?

Ms. Harriet Solloway: We don't pick and choose. We choose all the ones that meet the criteria established in the act.

In terms of when we start to take action, yes, decisions have to be made, because we simply cannot do all of them right away. That doesn't impact the decision-making process in terms of whether or not we should investigate, but of course it impacts whether or not we actually can.

I'm not sure if that answers your question.

Mrs. Kelly Block: Yes, thank you.

The Chair: Mrs. Block, I'm going to interrupt quickly. I've frozen the clock.

We have bells ringing. Can we have unanimous consent to continue?

Some hon. members: Agreed.

The Chair: Wonderful. The clock has restarted.

Go ahead, Mrs. Block.

Mrs. Kelly Block: You also stated, "justice delayed is justice denied", and I completely understand that. I know you've asked for an immediate increase, as my colleague noted. I would say that culture eats strategy for breakfast.

How convinced are you that your requests are being taken seriously?

• (1220)

Ms. Harriet Solloway: You know, I'm an optimist. I have to be. I think there's a general understanding of how vital the mandate of PSIC is to ensuring there's trust in the federal public service. The extent to which this translates into a budget is a different story.

That's why, in my opening remarks, as you might have noted, I proposed that we move toward a more independent funding mechanism, one that is more directly aligned with Parliament, rather than through ministries. I believe this is an issue that has long been around with respect to agents of Parliament. Some of my colleagues, including the access to information commissioner, among others, have been pressing for the same sort of mechanism.

All the goodwill in the world won't work if the system is not built to work. I think the goodwill and good intentions are there, but the system to protect the appearance of independence—and also for efficiency's sake, in my view—really needs to be direct to Parliament in some way or another.

Mrs. Kelly Block: Thank you, Ms. Solloway.

I also want to note that I wrote to you regarding the cases of alleged reprisal actions taken against individuals involved in the Ar-riveCAN scandal. They were critical of leadership at the CBSA, only to experience some serious repercussions.

I know you stated that you cannot comment on an ongoing investigation. Are you able to at least update us on where you are in the process of those investigations, perhaps with a timeline?

Ms. Harriet Solloway: I cannot give you a timeline. I can tell you that it is among our active investigations.

Mrs. Kelly Block: Okay. Thank you.

Have you had any issues getting the department to co-operate or comply with any requests in regard to your investigations?

Ms. Harriet Solloway: At this time, I have no comment on that.

Mrs. Kelly Block: Okay.

I have a last question: During the course of an investigation, if you discover new information or if new information is provided, are you able to expand the investigation you have undertaken in order to take that information into consideration?

Ms. Harriet Solloway: We can, absolutely. We have done that.

Mrs. Kelly Block: Okay. Thank you very much.

The Chair: Thank you, Mrs. Block.

We'll go to Mr. Kusmierczyk.

It was just a quorum call, by the way. Thanks very much.

Go ahead, sir.

Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.): Thank you, Mr. Chair.

Thank you so much, Ms. Solloway and Mr. Radford, for being here today.

We listened to the comments around the table. We're all in agreement that the work of the Public Sector Integrity Commissioner to strengthen accountability and transparency in our government and public service is absolutely vital. I just want to say thank you for your dedication and your excellent work.

We hear the comments around the table, but at the same time, last week, in the House of Commons, we were discussing the supplementary estimates (B), meaning the budget. It contained funding

for your office. There was a request for about \$300,000. The Conservative Party was the only party that voted against providing \$300,000 for your office, which was your ask.

I want to ask you whether you can comment on this. What impact would it have on your work and office if, as the Conservatives did, we had voted to withhold that \$300,000 from your office?

Ms. Harriet Solloway: I'm not sure that I totally understand the question. If the question is about what would have happened had our budget ask not been approved, first, I would have been in major trouble, because I've already basically spent the money or plan to spend it. We would have had to seriously cut back even more between now and the end of March.

When we made that budget request, by the way, it was about several weeks after I had arrived, and we had not yet done a full analysis of the trend. The ask was based on a very limited knowledge of where we were going in terms of the number of cases with which we would be seized. I would say that it's not even the minimum of what we need.

It's a great help; I'm grateful for the money. We were able to move to a different case management system, because we needed one; the other one was about to collapse. That will also enable us to get better statistics and information to this committee in the future.

It's definitely funding that we needed and that we still need. Unfortunately, it seems that it's a drop in the bucket compared with what we really need.

● (1225)

Mr. Irek Kusmierczyk: Thank you.

You mentioned that there were 270 disclosures, which is a considerable increase from previous years. Can you tell us what is driving that increase, in your estimation?

Ms. Harriet Solloway: In my estimation, I think it's a greater awareness that we exist and a greater trust that the office has built up over the years, as well as a greater sense of responsibility to blow the whistle when people see something wrong. I think it's a combination of things.

Mr. Irek Kusmierczyk: In addition to your office's investigating the disclosures, you do a lot of community outreach and public sector outreach. Can you speak a little bit about that part of your work?

Ms. Harriet Solloway: It's important. If public sector employees or the public—because the public can also file disclosures with our office—doesn't know that we exist, we will not get disclosures. We will not get whistle-blowers coming forward. It's a long row to hoe.

Our small team, in the last two years, was composed of three people. I understand that before this, there were one or two. They've done an amazing job of availing themselves of different gatherings to spread the word, but a lot more work has to be done. We want people coming forward and we need people to know that there's a place where they can come. Our ask in this off-cycle budget was also for more resources for communications, because nobody will come forward if they don't know that there's a mechanism for it.

Mr. Irek Kusmierczyk: Thank you for that.

This is my final question.

There were 308 disclosures of wrongdoing processed in 2023-2024, but there were only two files resulting in founded cases of wrongdoing. Can you explain to us that number? You received 308 disclosures, but there were only two found cases of wrongdoing. Can you explain to us that low percentage, that low number?

Ms. Harriet Solloway: Many of the—

The Chair: I'm sorry, but I have to interrupt.

We have only about five seconds for a response, so I suggest that you provide it to us in writing.

Ms. Harriet Solloway: Okay.

The Chair: Thanks.

We'll now go to Mrs. Vignola for two and a half minutes.

[*Translation*]

Mrs. Julie Vignola: Thank you, Mr. Chair.

Since I only have two and a half minutes, I can already assume that some of my questions will have to be answered in writing at a later date.

First, Ms. Solloway, in your 2024-25 departmental plan, you said you wanted to analyze the processes in order to improve them. So far, what aspect seems to need improvement, be it simple or in depth?

Second, are these procedural aspects addressed in Bill C-290, which is now at second reading in the Senate?

Third, does Bill C-290 have an impact on the budgets you are requesting? If so, have you taken that into consideration in your budget requests?

Ms. Harriet Solloway: Thank you for your questions.

Our budget request was not at all based on Bill C-290, but on what is currently before us.

There are two areas where we want to see improvements, but first I'd like to talk briefly about the co-operative aspect of our work. All kinds of things need to be put in place in the area of finance and human resources. For example, there may be access to information and privacy requests. There are all kinds of functions that are not directly related to investigations.

Until now, our office has had only one financial professional. If that person were sick, I don't know who would sign the documents, give authorizations or do the analyses. So we have to increase our

financial capacity. In terms of human resources, we have an agreement with a department to provide us with expertise. However, we have no one to develop a human resources strategy or to ensure coordination. So we need to strengthen our human resources capacity. The same goes for strategic planning or the budget. To submit the budget—

• (1230)

[*English*]

The Chair: Are you able to finish your sentence?

[*Translation*]

Ms. Harriet Solloway: In terms of the budget, for example, we have no expertise. I hope the budget is well done. We need to strengthen a number of aspects of our work.

[*English*]

The Chair: Thank you.

Ms. Blaney, please go ahead.

Ms. Rachel Blaney: Thank you so much, Chair.

I'd like to come back and just ask about this: During your intervention earlier, Ms. Solloway, you talked about the conflict of interest component, and it sounded like there needs to be a bit of work done there. I'm wondering if you could explain that to me a bit more so that I could better understand.

Ms. Harriet Solloway: Okay. Agents of Parliament are “agents” of Parliament. We are your agents, and PSIC is one of those agents. We are established to be independent, and “independent” means that we need to be protected from influence, and there needs to be the appearance that there can't be influence. The same applies to other agents of Parliament.

We have to submit budgets through a minister, and in our case, it's the President of the Treasury Board. In the case, for example, of the access to information commissioner, I believe she has to go through the Minister of Justice, if I'm not mistaken. It has to go through their office before it's passed on to Finance, where there's further vetting. It can be stopped at any level. It can be slow-walked at any level. It could be influenced at any level. That, in my view, calls into question the level of independence that we have.

I am not for a moment suggesting that anybody has manipulated the system. I want to be very clear that I do not feel that anybody has manipulated the system to the disadvantage of PSIC or has manipulated the funding of PSIC. I don't think those games are being played. Nevertheless, the process should ensure that it cannot happen. We are agents of Parliament, in my view, and we should be going to Parliament for our budget approvals.

Does that answer your question?

Ms. Rachel Blaney: That does help me understand a bit better.

What advice would you give this committee on what that process should look like?

Ms. Harriet Solloway: I think that processes already exist. There's one in place, for example, for the Conflict of Interest and Ethics Commissioner, whereby the budget is examined by the Speaker of the House, who forwards it to the Treasury Board, which includes it in the government budget.

The only challenge would be if the Speaker chooses to challenge it. I'm given to understand that, for example, this past year, the Speaker did challenge the Conflict of Interest and Ethics Commissioner to make sure that the budget being requested was reasonable.

I'm not suggesting that there shouldn't be any testing, but that the testing should be done by Parliament. It could be done by this committee. There are various models that could be put in place. That's just one. I have a few different models here. However, I think the important thing would be to come directly to Parliament.

Ms. Rachel Blaney: Thank you.

The Chair: Thanks very much.

We'll now go Mr. Genuis and then finish with Mr. Sousa.

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

Madam Commissioner, you are the second commissioner to come before this committee in a week or so to talk about resource problems from the government, which is really striking to me.

We had a fall fiscal update presented in Parliament yesterday that has over \$60 billion in deficit. The government has no problem spending money on lots of things it wants to spend money on, but it is doing its best to starve critical accountability mechanisms of Parliament of the resources they need to investigate other spending and other decisions of government.

The Liberals suggest that we're opposed to this spending because we voted non-confidence in the government in general, which is obviously outrageous. If we had had our way in that non-confidence vote, we would have had a carbon tax election and likely a new prime minister who could actually address some of these systemic issues in government.

I want to ask you, Madam Commissioner, what the conversations you have with the government about these resource issues are like. Obviously, you present to it that we have a serious problem, and other leaders responsible for these accountability functions are presenting similar problems to the government. What does the government say back to you when you raise these resource problems?

• (1235)

Ms. Harriet Solloway: I've engaged with public servants at the Treasury Board Secretariat, as well as in Finance, and I believe they genuinely agree that we need to be resourced. I sense support.

Mr. Garnett Genuis: As the Public Sector Integrity Commissioner, you are seeing a lack of resources. You're not getting the resources you need to do your job. You're talking to public servants who recognize the importance of your office and in conversation imply that they're supportive of the work you need to be doing. We have a government, on the other hand, that is eager to fund anything and everything except accountability.

Where do you think the problem lies? At what level are you getting push-back when you raise these problems?

Ms. Harriet Solloway: As I mentioned before, I believe part of the issue is the process. If the agents of Parliament could come directly to Parliament for their budget, there would be clarity and no possibility to even infer or wonder whether there's any interference.

Mr. Garnett Genuis: The process doesn't preclude the government from deciding to properly fund you.

I have the fiscal update here, with over \$60 billion in deficits. There are a whole bunch of chapters and line items that basically just reinforce existing government messaging.

How difficult would it have been for the government to say that as part of this, it's going to satisfy the funding requests of independent officers of Parliament to allow them to do their work?

Surely the government would have had the power to announce that spending, yet it chose not to. Why do you think the government has chosen not to, at a time when it's facing all of these scandals? Why does it choose to not put the money into allowing you to do your work?

Ms. Harriet Solloway: I couldn't comment.

Mr. Garnett Genuis: Yes. I understand the difficult position you're in, but you, the procurement commissioner and others have said you need these resources in order to do your work.

Can I ask about timelines? We have the issue of officials who were involved in the arrive scam scandal saying that they faced intimidation after they appeared before the committee. Some of those events took place a year ago. We have the very serious allegations that Mr. Hartle brought forward on abuses associated with the indigenous procurement scandal that were not referred to the RCMP. That was years ago.

How long does it take you to complete these investigations? When can we expect some responses? You mentioned you're doing some work on arrive scam, for instance. When can we expect that? What are the timelines of these various investigations?

Ms. Harriet Solloway: I wish I could give you a definite timeline, but I really can't. I can tell you the investigation is absolutely ongoing.

As you probably know, we report to Parliament when there are findings of wrongdoing. If there are no findings of wrongdoing, we don't report them to Parliament, which I think is an important aspect of our work.

I wish I could provide you with more clarity on it. I can tell you that it's active.

Mr. Garnett Genuis: It was a year ago that we had officials testify who said that they subsequently faced reprisals.

I understand you can't give a specific timeline. It seems like the investigation is still open. Can you give an approximate timeline? We're talking about events from over a year ago, so when can we expect to hear back about these very serious issues of abuse?

The Chair: Give a brief response, please.

Ms. Harriet Solloway: I can't say.

Mr. Garnett Genuis: Is it linked to resource challenges that you don't know the timeline?

Ms. Harriet Solloway: No. In this case, I don't believe so. It's an active investigation that's getting its full resource complement.

Mr. Garnett Genuis: Okay, thank you.

The Chair: Thanks very much.

Mr. Sousa, you have the floor.

Mr. Charles Sousa (Mississauga—Lakeshore, Lib.): Thank you for being here today.

I just want to clarify a couple of things.

In 2015, there was a strategy to formalize the integrity framework for government. In 2015, the government introduced the integrity regime based on a policy to assess some of these agencies and departments. As a result, we undertook to expand Canada's tool kit to address corporate wrongdoing in 2017. As we went forward, cabinet, in budget 2018, announced further measures to initiate some of these integrity regimes, which then provided a consultation with the public through the Treasury Board in 2018 to have the integrity regime.

We assessed these elements of the proposed regime in 2019 and 2023. We tried to enforce greater transparency. You're a big part of how we address some of the issues that are relevant to the large number of contracts and actions that have been taken by this government.

As my colleague referenced recently, we put forward an approval to increase funding by \$308,000, and the Conservatives voted against it, regardless of what they're putting forward. There are a number of initiatives that we recognize need to be enhanced. It's not unique to the federal government. I think you mentioned in your opening statement that other levels of government, other organizations, are also facing an increase in activities.

Can you explain why you see that or what is happening in this respect?

• (1240)

Ms. Harriet Solloway: I think it's a greater awareness that we exist.

Mr. Charles Sousa: Is that appropriate?

Ms. Harriet Solloway: Yes.

Mr. Charles Sousa: We want people to act accordingly. We want them to be transparent. At times it may not even be in their own awareness that they're faltering. Who knows? However, we want to make certain that they abide by the system.

The number of cases that have been made in 2023 and 2024 is 308, and only two resulted in a founded case of wrongdoing. Of the

308, there were probably a number of other submissions made to you.

Can you explain how this came to be? What is it that this took place? You reviewed 308, and out of that, only two came back as being wrong. Is that what that says?

Ms. Harriet Solloway: There's a definition of wrongdoing under our act, and it's very clear that there are certain thresholds that need to be met.

First, there's the burden of proof. It has to be proven on a balance of probabilities. If we don't have that, we cannot have a finding of wrongdoing.

Second, even if there's some indication that there might be wrongdoing, unless we can get evidence on a balance of probabilities, we will not have a finding of wrongdoing.

Third, many of the cases that come in do not meet the thresholds established by our act. For example, if it's not gross mismanagement—if what they're alleging is something of a smaller nature—that is outside the scope of my mandate. I'm not even allowed to take that on. I cannot.

I do believe that one of the elements in Bill C-290 would change “gross mismanagement” to “mismanagement” and “a serious violation of a code of conduct” would become “a violation of a code of conduct”. As things stand right now, and based on case law—and Brian can inform you better—our thresholds are quite clear.

Very often, people come, and there are issues for which there should be a grievance or a case before the CHRC or some other entity, and then there are some times when we cannot take on a case because the act prohibits it if it's already being dealt with by another mechanism established by Parliament. There are a variety of reasons.

One thing that we want to address in our new website, which we're working on, is allowing people to self-triage. What is your issue? Is it this, or is it that? People would know right away and earlier on, before submitting something to us, whether it falls in our jurisdiction or it doesn't.

Part of our communication strategy is to try to make it clear, because I know very well that if somebody thinks that we're going to help them and we come back and we say it doesn't meet the threshold, they're going to be disappointed. I'd rather they not be disappointed. I'd rather they understand at the start what we can and cannot take on.

I don't know if that answers your question.

Mr. Charles Sousa: It does.

I just want to try to assess the co-operation from the government.

It's in everybody's interest to have greater integrity and transparency and to have greater assurance that these deals and things that are taking place are done properly and that whistle-blowers are protected in enlightening us on that wrongdoing.

Do you find there is some sort of mechanism at work that is trying to prohibit you from doing that? You're independent.

The Chair: We're past our time, so just give a brief answer, if you can. Otherwise, you can respond in writing.

Ms. Harriet Solloway: I'm not aware of anybody working against me. Maybe I'm being naive, but I'm really not aware of that.

The Chair: Thanks, Mr. Sousa.

Thanks for being with us again, Mr. Radford. It's good to have you, as always.

Ms. Solloway, thank you, and welcome back.

Are you able to provide us with a brief on the implementation of Bill C-290? That came through this committee about the same time you were appointed. Are you able to update the committee on how the changes have affected you so far?

• (1245)

Ms. Harriet Solloway: Not at all, because it's in the Senate, I believe.

The Chair: Okay, that's fine.

Thanks again for being with us.

Colleagues, I'd like to take a moment to thank our analysts, Olivier and Ryan, and our clerk, MOG—Marc-Olivier—for all their help.

To everyone else, including, of course, our interpreters and all the support teams, thank you very much. Have a wonderful Christmas.

For those of you watching at home, I hope you'll tune in tonight for an OGGO version of Dickens' *A Christmas Carol*, in which Chairman Scrooge is visited by the estimates of past, present and future.

Have a wonderful Christmas, everyone. The meeting is adjourned.

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