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Chair

Mr. Joe Preston

Standing Committee on Procedure and House Affairs

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• (1100)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): I call the meeting to order.

This is meeting 40 of Procedure and House Affairs. We're here today pursuant to the order in support of reference to the question of privilege relating to the premature disclosure on November 18, 2010, of the confidential draft report on the pre-budget consultations of the Standing Committee on Finance by an employee of the member for Saskatoon—Rosetown—Biggar.

We have Mrs. Block with us today. We welcome you to the committee. It's great to have you back. You used to sit on this committee with us, so you know most of us, I guess.

Mrs. Block, please start with an opening statement. Then we'll go to a seven-minute round of questions and a five-minute one.

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Thank you very much, Mr. Chair.

I'd like to thank you for inviting me here this morning. I appreciate the opportunity to appear before the procedure and House affairs committee. I believe we have meaningful work to do. I realize that I did not have to appear before this committee today, but I believe this is an important matter to all of us as parliamentarians. It is my hope that my testimony will be of assistance to the committee.

I would now like to take a few minutes to outline the events as they unfolded.

On November 18 my legislative assistant, Emrys Graefe, brought to my attention that Mr. Ulyatt had forwarded the draft pre-budget report by e-mail to Lynne Hamilton. At that moment I knew that a breach of confidentiality had occurred and Mr. Ulyatt had to be fired. I was made aware of the breach as I was leaving for the airport and about to get into a taxi. I arrived just in time to board my flight.

Since my flight to Saskatoon was connecting through Toronto, I contacted the chief government whip from the Pearson airport to inform him of the breach of confidentiality and let him know that the employment of the individual who was responsible for the breach would be terminated. Further, I asked for the chief government whip's assistance in securing my office so that a proper investigation could take place. The chief government whip agreed to help me in that regard.

Before boarding my flight, I also called Emrys to ask that he be in the office early the next day to ensure that security was informed that Mr. Ulyatt was not to enter the building. He was further instructed

that if Mr. Ulyatt did make it past security, he was to call security immediately and have him removed.

I arrived in Saskatoon around midnight. Early the next morning I called Mr. Ulyatt before he would have left for work to inform him that I had been made aware that he had forwarded the draft pre-budget report to Lynne Hamilton. He admitted he had done so. I then informed him that his employment with me was terminated immediately.

After my discussion with Mr. Ulyatt, I contacted the chair of the finance committee, who encouraged me to contact all other members of the committee. While I was doing that, Emrys worked with the chief government whip's office to ensure that Mr. Ulyatt would have no remote access to any office files, computers, or e-mail accounts. Passwords were changed for all e-mail accounts for my office and IT services cut off Mr. Ulyatt's government BlackBerry.

I instructed Emrys to contact the office of every other member of the finance committee and provide my personal cellphone number to them. It was a Friday and many of us were in our ridings.

He asked each office to have their member of Parliament call me about an urgent matter concerning the finance committee. Emrys confirmed with me that he spoke to the staff of all other committee members—Conservative, Liberal, Bloc Québécois, and NDP—except Mr. Pacetti's office, where he left a voice message.

Through the course of the day I spoke with Liberals members, Mr. Brison and Mr. Szabo. I spoke with the Bloc members of the committee, Mr. Paillé and Mr. Carrier. I also spoke with all of my fellow Conservative members of the committee. The only two members I was unable to speak with that Friday were Mr. Pacetti and Mr. Mulcair.

To the best of my knowledge, Mr. Pacetti did not return my call, but the chair informed me that the two of them had spoken. Regrettably, I missed Mr. Mulcair's call. He did leave me a voice mail with a number that I believed was for his constituency office. Since I did not retrieve Mr. Mulcair's voice mail message until late Friday evening due to events in my riding, I did not call him back until Monday, when I left a voice mail in his Ottawa office.

After the passwords for the e-mail accounts had been changed, Emrys did a search of the sent folder in the e-mail account Mr. Ulyatt had used. That was when it was discovered that the report had been forwarded to two other individuals. I informed the chair of the finance committee of this new information.

• (1105)

On Monday morning, I again called the chair of the committee and advised him of which members of the committee I had spoken with. During my conversation with the chair, I was encouraged to contact the clerk of the committee to ask him to call the lobbyists in question and advise them not to forward the report and to destroy any copies of it they might have, and I did so.

After Monday's finance committee meeting, I returned to the House to rise on a point of order. It was then that I apologized for the actions of my former staff member. Later, I was informed that a fourth lobbyist had come forward, and through a subsequent request to IT service, I learned that Mr. Ulyatt had sent the report to a fifth lobbyist.

I want to be clear: nobody could be more disappointed than I that this has occurred. I have always had and will continue to have the utmost respect for the confidential nature of the business conducted in our committees, and I think my actions in dealing with this have demonstrated as much.

There is no doubt that this was a breach of privilege. This has impeded my work, the work of the finance committee, and indeed the work of the House as a whole. I only hope that some good can come of this terrible situation.

It is my hope that we develop some process or a set of protocols that can help prevent further breaches. It is also my hope that through my testimony today I can help guide any other member of Parliament who may find themselves in a similar situation.

In summary, Mr. Chair, I found that there was a breach of confidentiality. I fired the employee immediately. I contacted all members of the committee—Conservative, Liberal, Bloc Québécois, and NDP. I asked the clerk to notify the recipients of the draft report. And finally, I apologized before the House for the actions of my former staff member.

Once again, I would like to thank you, Mr. Chair, for the opportunity to present these facts to the committee, and I do look forward to answering any questions the members may have, for a full hour.

The Chair: Thank you, Mrs. Block.

We will go to a seven-minute round of questions.

Mr. Proulx, I believe you're first today.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Yes. Thank you, Mr. Chair.

Good morning, Mrs. Block. Welcome to the committee.

Mrs. Block, exactly what work did Mr. Ulyatt do in your office?

• (1110)

Mrs. Kelly Block: Mr. Ulyatt was my executive assistant. He was responsible for the day-to-day management of the office in Ottawa.

Mr. Marcel Proulx: Was he a contractor or a full-time employee?

Mrs. Kelly Block: He was a full-time employee in my office.

Mr. Marcel Proulx: He testified that you were aware of all of his activities at the office. What do you think he meant by that?

Mrs. Kelly Block: I had laid out all expectations for my staff. They had been instructed that they were to follow the rules of the House of Commons.

Mr. Marcel Proulx: But you are saying to us that you were aware of everything he was doing or everything that was he attempting to do, in your office and out of your office, as your employee?

Mrs. Kelly Block: I had a position description for him, which I had gone over with him. I had laid out my expectations in terms of hours for the office to be open—

Mr. Marcel Proulx: Yes, well, excuse me. You know how this works—

Mrs. Kelly Block: —and I expected all rules of the House of Commons to be followed.

Mr. Marcel Proulx: You know how this works here. I only have seven minutes. I can appreciate where you've given him the book of the rules, and I can appreciate where you've said to do this and to do that, but what I'm saying to you is, were you doing follow-ups? Were you checking on him? Were you looking at the work he was doing on your behalf?

Mrs. Kelly Block: The work in my office was getting done. He was performing the work to my satisfaction, and I—

Mr. Marcel Proulx: Okay. Let me put it to you in a different way. Do you feel as though, by and large, you knew about all of his activities in your office?

Mrs. Kelly Block: I was satisfied with the work he was doing.

Mr. Marcel Proulx: No, that's not my question.

Mrs. Kelly Block: The work that I expected to be done was getting done.

Mr. Marcel Proulx: That's not my question. I'd like you to answer my question. Did you know about all of his activities in your office?

Mrs. Kelly Block: Again, Mr. Chair, I would say that I had provided the employee with a full and comprehensive job description. I understood that he was going to be following those explicit instructions.

Mr. Marcel Proulx: Mr. Chair, I'll continue the questioning, but I would appreciate it if you would direct the witness to give us answers to the questions that we ask her.

Mr. Tim Egan was here two days ago, and we confirmed that he was asked a question by you at a finance committee meeting that had been provided by Mr. Egan to Mr. Ulyatt. Were you aware that Mr. Ulyatt received the question from Mr. Egan?

Mrs. Kelly Block: Mr. Chair, it is common practice for me to develop questions with my staff for witnesses. Mr. Ulyatt handed me a question during the course of the pre-budget consultation. I had no indication from him at that time that it was anything other than what he would have prepared for me.

Mr. Marcel Proulx: Okay, so you didn't know what was going on.

Has Mr. Ulyatt always been privy to other reports or confidential information, whether it be from the finance committee or other of your activities?

Mrs. Kelly Block: He would have been aware of other draft reports that would have been sent to him by any other committees.

Mr. Marcel Proulx: You said your legislative assistant informed you, warned you, or announced to you that Mr. Ulyatt had forwarded these confidential reports. How did your legislative assistant learn of this? How did he or she know about this?

Mrs. Kelly Block: As I mentioned in my opening statement, my legislative assistant, Emrys Graefe, informed me of the breach. Mr. Ulyatt had—

Mr. Marcel Proulx: No, but how did she...?

I'm sorry, is it a she or a he?

Mrs. Kelly Block: It's a he.

Mr. Marcel Proulx: How did he learn that Mr. Ulyatt had given these reports to lobbyists?

You don't need to look at your notes. You should know the answer.

Mrs. Kelly Block: I prepared these notes to come to this meeting.

Mr. Marcel Proulx: Fine. Then you know what's in the notes.

How did the employee find out that the other—

Mrs. Kelly Block: He received the e-mail, and as he scrolled down through the e-mail and followed the string of messages, at the bottom of the e-mail was one that had been sent to Lynne Hamilton.

Mr. Marcel Proulx: Excuse me. Explain that to me again.

Mrs. Kelly Block: He received an e-mail that had numerous strings of messages—

Mr. Marcel Proulx: From whom?

Mrs. Kelly Block: From Mr. Ulyatt.

• (1115)

Mr. Marcel Proulx: I see. So Mr. Ulyatt sent your legislative assistant an e-mail, and at the bottom of that e-mail was a string of other e-mails—

Mrs. Kelly Block: Yes.

Mr. Marcel Proulx: —that had been sent by Mr. Ulyatt, including one—

Mrs. Kelly Block: Including the one that he had sent to Ms. Hamilton.

Mr. Marcel Proulx: Are you aware of Mr. Ulyatt giving committee reports and/or information to lobbyists in the past?

Mrs. Kelly Block: To the best of my knowledge, Mr. Ulyatt did not give reports to lobbyists.

Mr. Marcel Proulx: Thank you.

Why did you limit the timeframe during which the House IT services examined this to just these two days and only to e-mails containing the exact subject line? You know and we know that if he changed the subject line by even one character, it would not have shown up. Why did you limit it to just these two days and that particular subject line?

Mrs. Kelly Block: Mr. Chair, I knew what I needed to do when I needed to do it, and at the time that we were looking for any e-mails that might have been sent, that was the subject line we were looking for. We knew when the report had arrived, so we included a 24-hour period.

Mr. Marcel Proulx: Will you ask the House IT services to go back and look at all correspondence between Mr. Ulyatt and lobbyists since his employment in your office and have them provide that to the committee? Will you do that?

The Chair: Mr. Proulx, I think you're going a little further than this breach of privilege that we're here to study today.

Mr. Marcel Proulx: I don't agree with you, because—

The Chair: You and I can have a difference of opinion. That's true.

Mr. Marcel Proulx: No, that's fine. You're blocking my question. That's okay.

Mrs. Block, were you aware that Mr. Ulyatt had been applying for work with lobbyists while working for you?

Mrs. Kelly Block: I was not aware that he was applying for other employment.

Mr. Marcel Proulx: Are you aware that the finance committee has approved almost \$500,000 for the study, which is now down the drain because of this?

Mrs. Kelly Block: I am on the finance committee, and as I mentioned in my opening remarks, no one could be more disappointed than I that this has taken place.

The Chair: Thank you, Mr. Proulx.

Mr. Lukiwski, you are up next, for seven minutes, please.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you very much.

Mrs. Block, I have a few comments and then a couple of brief questions.

I want the members of this committee to realize, for what it's worth, that Mrs. Block and I go back a long way, probably longer than either of us wants to admit. During that time I've had many opportunities to speak with Mrs. Block and work with her in various capacities, and I've always found her to be a woman of great integrity and great honesty.

In fact, I think her honesty is clearly illustrated in the case we're examining today. I would suggest to members of this committee that had it not been for Mrs. Block, we might not have known that the leak occurred. I say that because Mr. Ulyatt stated during testimony that his intention was to deceive Mrs. Block to prevent her from knowing what he had done in his transmission of e-mails to lobbyists.

With respect to the lobbyists, I don't know if there is any member of this committee who could honestly say that they would have come forward voluntarily to provide information on this leak had the issue not become public because of Mrs. Block's actions.

We had the lobbyists before us a couple of days ago, and I think we all remember their testimony. One lobbyist said he waited five days before he finally admitted that he had received confidential information, and he only came forward after five days because the issue became public. Another lobbyist testified that even though she received the e-mail from Mr. Ulyatt containing this confidential information, she did not open that e-mail for several hours. She testified that when she did open it, she found the information to be non-confidential, in her opinion. She thought it was information that was already in the public domain, even though the e-mail was stamped "highly confidential" in big bold letters. Yet a third lobbyist stated that while he knew the information was confidential and knew he shouldn't have been in possession of that information, he still took a summary of it and forwarded it to a client of his.

To answer my own question, do we really think that the lobbyists would have come forward voluntarily? I think not. Therefore, the only way members of the finance committee, members of the House, and members of this committee could have known about this leak was through Mrs. Block informing them. She took immediate action, as she mentioned in her opening statement; rather than covering it up, she shed light on a very serious breach of privilege. For that, Mrs. Block, I thank you. I know the Speaker has already commended you for your actions, and I quite frankly think that members of this committee should extend their gratitude for your actions as well.

I have a few brief questions, because I think it's germane to this committee that we determine what involvement you may have had in the entire activity.

In your confrontation with Mr. Ulyatt, he confirmed to you that he had leaked information. Did you have any knowledge before that time that a leak had actually occurred?

• (1120)

Mrs. Kelly Block: I did not.

Mr. Tom Lukiwski: Prior to your speaking with Mr. Ulyatt, did you at any time have any suspicions that he may have been considering leaking information to lobbyists?

Mrs. Kelly Block: No, sir, I did not.

Mr. Tom Lukiwski: Then let me ask you quite directly if you at any time instructed Mr. Ulyatt to release information to lobbyists—or to anyone else, for that matter—or suggested that he do so, or tried to persuade him to do so.

Mrs. Kelly Block: Absolutely not.

Mr. Tom Lukiwski: You're stating for the record today that you neither had knowledge of this leak nor gave any approval in any way, shape, or form for Mr. Ulyatt to share this confidential information with anyone.

Mrs. Kelly Block: That is correct.

Mr. Tom Lukiwski: Mrs. Block, one of the things that this committee is charged with, at least in my opinion, is trying to find ways, as you put it in your opening statement, of establishing or recommending protocols so that this type of leak would never happen again. In hindsight, do you believe there is anything that you might have been able to do that could have prevented this leak from occurring?

Mrs. Kelly Block: Mr. Chair, that's a very interesting question. The committee had been informed, I believe at the previous meeting, that we would be receiving the report and that it might be sent to us on the 18th, but I had no influence over who would receive that report. I believe that all staff in the Ottawa offices of members of Parliament would have received that report.

Mr. Tom Lukiwski: That report was sent from the clerk of the finance committee?

Mrs. Kelly Block: Yes.

Mr. Tom Lukiwski: And was it sent to your office account or your personal account?

Mrs. Kelly Block: I did not receive it in my personal account. It went to my executive assistant's account and my legislative assistant's account.

Mr. Tom Lukiwski: In hindsight, do you think that perhaps one of the protocols we could recommend for the future would be that any confidential reports from any committee be sent directly to the member's personal account, rather than their office account?

Mrs. Kelly Block: Absolutely.

Mr. Tom Lukiwski: Would that be a protocol you might suggest?

Mrs. Kelly Block: Absolutely.

Mr. Tom Lukiwski: Let me just ask you this, because I'm curious. I know you said there was no one more disappointed than you were, and I truly believe that, but tell me what you felt. How did you react when you first found out there had been a leak?

Mrs. Kelly Block: Well, Mr. Chair, I was absolutely shocked and appalled. I believe I said to Emrys when he showed it to me that it was grounds for immediate termination.

Mr. Tom Lukiwski: You considered, obviously, this to have been a huge breach of loyalty?

Mrs. Kelly Block: Absolutely.

Mr. Tom Lukiwski: Mr. Proulx, I believe, asked this question before, and I'll try to ask it again: to the best of your knowledge, have there been any other breaches concerning this one employee?

Mrs. Kelly Block: To the best of my knowledge, there have not.

Mr. Tom Lukiwski: Lastly, are you planning to change any of your hiring protocols or practices when instructing your employees as to their responsibilities in the future?

Mrs. Kelly Block: I certainly have looked at what sorts of protocols I can implement in my office to ensure that confidentiality is respected.

Mr. Tom Lukiwski: Thank you.

The Chair: Thank you, Mr. Lukiwski.

Mr. Paquette, you're next.

[Translation]

Mr. Pierre Paquette (Joliette, BQ): I will be sharing my time with Mrs. DeBellefeuille.

Ms. Block, I would like you to tell us how you became aware of the leak. You mentioned an email you had received. I would like you to elaborate.

[English]

Mrs. Kelly Block: I returned to my office after a committee meeting. It was about 5:40 p.m. on Thursday, November 18. I was grabbing my luggage, getting ready to hop into a cab and go to the airport. Emrys stopped me as I was heading out the door and told me he had something I needed to see. It was an e-mail that had been sent to him by Mr. Ulyatt, with a string of e-mail messages included, at the bottom of which was an e-mail from Mr. Ulyatt to Lynne Hamilton.

• (1125)

[Translation]

Mr. Pierre Paquette: So at that point, you realized that the email contained the committee's confidential draft report. You immediately understood that it was a breach of parliamentary privilege.

[English]

Mrs. Kelly Block: I immediately understood it was a breach of confidentiality and that I needed to inform someone of that.

[Translation]

Mr. Pierre Paquette: Who did you notify first? I am asking because Mr. Ulyatt told us that you called him at around 7 o'clock the next morning, I believe.

[English]

Mrs. Kelly Block: I got to the airport. I was in a cab with another person who was travelling to the airport. I had to board the plane right away. I landed in Toronto, and that is when I made the call to the chief government whip. I called him to let him know that I believed a breach of confidentiality had occurred in my office, that I intended to terminate the employee immediately, and that I needed help to secure my offices.

[Translation]

Mr. Pierre Paquette: You immediately contacted the government whip's office. What did they tell you to do?

[English]

Mrs. Kelly Block: At that time, the office informed me they would help secure my offices. I needed to board another plane. There was a very short period of time between one flight and another, so I had to get on the plane. I could not have any further discussion with him. I arrived home at midnight. The next morning is when I phoned Mr. Ulyatt. I called him at 6 a.m. my time.

[Translation]

Mr. Pierre Paquette: Mr. Ulyatt told us that you were aware of all of his activities, so that you were aware that he owned two companies, RU Thinking Holdings and Bestmail.

[English]

The Chair: Mr. Paquette, you're wandering into an area that is not covered under this order of privilege. We're here to look at the leak of a confidential document from the finance committee. You're wandering into an area that is already being studied at another committee, and I'd like to leave it there, please.

[Translation]

Mr. Pierre Paquette: Mr. Chair, I want to draw your attention to the fact that on these two companies' Web site, it says this:

[English]

"...Canada's only completely political mail provider..."

[Translation]

That can lead you to believe that....

[English]

The Chair: Monsieur Paquette.

[Translation]

Mr. Pierre Paquette: ...Mr. Ulyatt did that to boost business for his two companies. I would also point out that his site says that the printing and stamps are free. That is somewhat concerning.

Fine, if you will not allow the question, we will find other ways to get the answer.

[English]

The Chair: Madame DeBellefeuille.

[Translation]

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

Thank you, Ms. Block, for being here this morning. In response to Mr. Proulx's question earlier regarding Mr. Ulyatt's status, you said that he was a full-time employee and therefore on the House of Commons payroll.

When exactly did Mr. Ulyatt start working for you?

[English]

Mrs. Kelly Block: I hired Mr. Ulyatt shortly after I was elected in 2008.

[Translation]

Mrs. Claude DeBellefeuille: Since then, has he always been listed as a salaried employee on the House of Commons payroll?

[English]

Mrs. Kelly Block: Yes.

[Translation]

Mrs. Claude DeBellefeuille: Very well.

[English]

Mrs. Kelly Block: He was a full-time employee in my office.

[Translation]

Mrs. Claude DeBellefeuille: Were you aware that he had friendships with the five lobbyists involved in this matter?

[English]

Mrs. Kelly Block: Mr. Chair, I was not aware of the personal friendships that Mr. Ulyatt had.

[Translation]

Mrs. Claude DeBellefeuille: Mr. Ulyatt testified that he knew Ms. Hamilton. Ms. Hamilton said that she had known Mr. Ulyatt since 2005.

When you hired Mr. Ulyatt in 2008, who recommended that you hire him? Was it someone with close ties to your party? Who recommended him for the job?

[English]

Mrs. Kelly Block: As I'm sure you are aware, you get elected and you start to receive a ream of résumés, CVs, from people who would like to work in an MP's office. He gave me his CV, and he seemed very knowledgeable. I hired him. He helped me set up my office.

• (1130)

[Translation]

Mrs. Claude DeBellefeuille: So you have known Mr. Ulyatt for two years, since 2008. You did not know him prior to that.

[English]

Mrs. Kelly Block: Yes.

[Translation]

Mrs. Claude DeBellefeuille: I have been an MP since 2006, and I know that you become fairly close to your parliamentary assistant, because you spend so much time together. You know a bit about their personal lives, the good times and the bad times, because of how much time you spend together.

You did not know, for instance, that your assistant went to the same church as Mr. Mains or that he had country club connections and relationships with the lobbyists in question. You were not aware of any of that?

[English]

Mrs. Kelly Block: I was not aware of any connections that Mr. Ulyatt had with any of the five lobbyists who received this report. We had a professional working relationship. We did not socialize, outside of any staff events that we would hold.

[Translation]

Mrs. Claude DeBellefeuille: Could you...

[English]

The Chair: One short question.

[Translation]

Mrs. Claude DeBellefeuille: Fine.

Could you tell us whether you, personally, called each of the lobbyists to notify them or to discuss this matter? Did you contact the lobbyists?

[English]

Mrs. Kelly Block: I did not.

The Chair: Thank you.

Mr. Mulcair, seven minutes.

[Translation]

Mr. Thomas Mulcair (Outremont, NDP): Thank you, Mr. Chair.

Ms. Block, fellow committee members, to make things easier, I am going to speak in English because it is my understanding that you do not speak French.

[English]

Mrs. Kelly Block: Thank you.

Mr. Thomas Mulcair: As Speaker Milliken said in his ruling when he decided this was indeed a question of privilege...he reiterated a point that had been made during the debate, that this is an

institutional and not an individual matter. I think we should all bear that in mind.

Precisely because it does affect this institution, I would remind you that this committee has been called for two hours today, from 11 a.m. to 1 p.m., and you said in your opening statement that you planned to stay only for one hour. That would make it extremely difficult, with the four parties that have to ask you questions and the territory that has to be covered.

If this is indeed a question of respect of institutions...and you've pleaded with us since the beginning that this is the case, that you have this great respect for the institution. I don't put that in doubt for one second, and Mr. Lukiwski has been backing you up on that. I would ask you, colleague, to stay for the two hours that you were booked for this committee. That will give us enough time to cover these things properly.

Are you willing to do that?

Mrs. Kelly Block: Mr. Chair, when I received the invitation to come to the committee, I understood that it was for an hour. That's what I committed to. I have other commitments on my schedule today.

Mr. Thomas Mulcair: I can understand that, Mr. Chairman. But I think that given the institutional nature of this discussion, if the purpose is to show respect for those institutions, then whatever else might be on your schedule from noon to one, you might want to give priority to this. Otherwise, we simply won't have enough time in one hour. People will be allowed to draw whatever inferences they want from that.

It's quite clear from the committee that this was called for two hours. There has never been any question of your being here for less than two hours.

The Chair: Mr. Mulcair, I have Mr. Lukiwski on a point of order.

Mr. Tom Lukiwski: It's certainly not to interrupt Mr. Mulcair's testimony, and I trust that you will not be docking his time—

The Chair: I will not for this part.

Mr. Tom Lukiwski: —but just to point out the obvious. Everyone here should know that Mrs. Block is not a compellable witness. She did not have to attend here. She is doing so voluntarily, of her own volition.

Whether or not we want her to stay for an hour, the fact is, I believe, that it is strictly up to Mrs. Block to determine how long she is before us.

Mr. Thomas Mulcair: Everyone is equally free to draw whatever inferences they want from that.

The Chair: Just one second.

You have a point of order, Mr. Proulx.

Mr. Marcel Proulx: Mr. Chair, Mrs. Block says that she understood that she had been invited for only one hour. Could we hear from the clerk how Mrs. Block was invited here?

The Chair: I don't believe that we can in open session, since that decision was made during an in camera session on committee business. We can certainly get you the information right after, if you'd like.

Mr. Marcel Proulx: I have difficulty accepting your explanation, as the invitation to us for this particular meeting says from 11 to 1. Why would a clerk invite us from 11 to 1 and her from 11 to noon?

The Chair: The committee often does business that doesn't have to do with the witness.

Mr. Marcel Proulx: It doesn't say so, sir, on the agenda.

The Chair: You attend, yes.

Mr. Marcel Proulx: On the agenda, it doesn't say so.

The Chair: I'm just suggesting that Mrs. Block has suggested that she could be here for an hour. You're using up that time having this discussion.

• (1135)

Mr. Marcel Proulx: She just said that she had been invited for one hour only. We should get this straight.

Thank you.

The Chair: You're welcome.

Mr. Mulcair, you've used almost two minutes of your time on this issue. We'll start the clock when you're ready.

Mr. Thomas Mulcair: Right. Well, Mr. Chairman, I am going to repeat my request to Mrs. Block, because this is an institutional matter. It's a very grave matter. I request that she stay for the full two hours.

It's quite clear from the orders of the day that the only thing on the agenda today is her appearance, and it was quite clearly written on the document she saw that it was from 11 to 1. So it's not possible to have drawn any other conclusion. People will be allowed to draw whatever inference they want from her refusal to stay for the two hours provided for.

Mrs. Kelly Block: I thank you for that very kind invitation to stay for the full two hours, but as I've said, I committed myself to one hour, and I do have other commitments.

Mr. Thomas Mulcair: I would just like to remind you that this is an institutional matter that goes to the heart of Parliament's ability to function. Whatever else you have on your agenda I think should take second place to something that should be given priority.

Mrs. Block, what building is your office in on the Hill?

Mrs. Kelly Block: My office is in the Confederation Building.

Mr. Thomas Mulcair: As is mine. What floor is your office on?

Mrs. Kelly Block: My office is on the sixth floor.

Mr. Thomas Mulcair: What a coincidence. So is mine.

In the testimony that was given by Mr. Ulyatt earlier this week, we touched on certain issues that will go to credibility, and that's an important issue for us.

As you know, because I'm sure you were well briefed on this by your competent staff, in the Commonwealth countries where there is jurisprudence on this—they include Great Britain, Australia, and New Zealand—the question of whether or not people were given and provided full briefings and information and instruction on maintaining confidentiality of documents is a factor to be considered. We're going to have to discuss some of these issues together today, reminding ourselves that it is indeed institutional and not individual.

Did you provide Mr. Ulyatt with specific instructions with regard to the confidentiality of those reports?

Mrs. Kelly Block: I had many conversations with my staff about respecting confidentiality. I believe that Mr. Ulyatt was aware of the confidential nature of that report, because it said it on the cover.

Mr. Thomas Mulcair: You said that he gave you his CV. In what context was Mr. Ulyatt able to get close enough to you to give you his CV?

Mrs. Kelly Block: I had met him in person.

Mr. Thomas Mulcair: Who had introduced you?

Mrs. Kelly Block: It was another staff member on the Hill.

Mr. Thomas Mulcair: Who was it?

Mrs. Kelly Block: Are the names relevant, Mr. Chair?

Mr. Thomas Mulcair: Yes.

Mrs. Kelly Block: Okay. It was Debbie Jodoin.

Mr. Thomas Mulcair: Who does that person work for?

Mrs. Kelly Block: She works for MP Rob Clarke.

Mr. Thomas Mulcair: Okay.

Let's talk a little bit about MP Rob Clarke and the type of screening you would have done of Mr. Ulyatt.

I'm going to read from one of several newspaper reports concerning the campaign of 2008: "A resident of La Ronge says he witnessed a uniformed RCMP officer delivering campaign signs in Northern Saskatchewan for Conservative candidate Rob Clarke, a direct violation of the police force's policy."

The Chair: You are going a huge distance away from a secret document leaked from the finance committee—

Mr. Thomas Mulcair: Actually, I'm not, and I'll tell you why, Mr. Chair, even though it's on my time. This is about how a person was hired, whether that was done as a prudent administrator—

The Chair: So far, you're in northern Saskatchewan. Can you try to bring it back to Ottawa a little more quickly, please?

Mr. Thomas Mulcair: Well, if you read a little further down the story—and people will be able to draw their own inferences from your interruptions as well—Russell Ulyatt—

The Chair: Excuse me, sir, I am the chair of the committee and it is my job to keep it in order and on topic.

Mr. Thomas Mulcair: Well, it is in order, and you know that as well as I do. You just don't want me to ask the question.

The story went on to say:

Russell Ulyatt, Mr. Clarke's campaign manager, said they have more than 500 volunteers and "we don't have control over what they do".

So his campaign manager was Mr. Ulyatt.

In the story, it also said that Mr. Ulyatt's only comment was, "If the story is true, it's very unfortunate." He doesn't say it's illegal because it's the use of government property for personal or political partisan reasons. He doesn't say it goes against the RCMP rules. He simply shrugs it off as unfortunate.

It took about three seconds to find this when we Googled him online. Did you do any checking of his background to find out what his behaviour was, how his moral compass was set on issues such as this?

Mrs. Kelly Block: Mr. Chair, I certainly didn't Google Russell Ulyatt. I had references. I had his CV in front of me. I followed normal practices for hiring an individual.

Mr. Thomas Mulcair: You said to us before that he was hired full time. Did you know about his companies, and did you allow him to work his private business as well? Was that part of your employment agreement with him?

● (1140)

Mrs. Kelly Block: I did not know that Mr. Ulyatt owned companies when I hired him.

Mr. Thomas Mulcair: I mentioned before that the two of us have our offices on the same floor in the same building. I have had occasion to note that in front of your office, other than the traditional flags—which make it easy to pick out in the hallway which one is your office, because you have your provincial flag as well as that of Canada—there has sometimes been a very large Pitney Bowes machine in the hallway and some large documents on skids.

Mr. Greg Rickford (Kenora, CPC): I have a point of order.

The Chair: Mr. Mulcair's time is up.

I'll take your point of order, but I think I was about to get there anyway.

Mr. Greg Rickford: If his time is up, that's fine.

The Chair: Thank you.

Mr. Marcel Proulx: Mr. Chair, you wanted to stop one of the MP's questioning on that line, but what if this Pitney Bowes machine and all these skids of paper were used to print these confidential reports and—

The Chair: Well, Mr. Proulx, that's a good reach. I suppose the trees on the front lawn could have been used for that, too. Right now we're talking about—

Mr. Marcel Proulx: Maybe. Did he have a chainsaw in the office?

The Chair: —the ruling from the Speaker on the breach of privilege.

Mr. Marcel Proulx: What if he was printing these reports and spreading them out, sir?

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

Mr. Marcel Proulx: Thank you.

The Chair: Ms. Ratansi, you're up next.

Ms. Yasmin Ratansi (Don Valley East, Lib.): Thank you, Mrs. Block. I can share your disappointment when you have done research on your staff and it turns out he really does not know his job. You're here really to help us ensure that this doesn't happen again.

I'll ask you some brief questions. You said there was an e-mail from Ulyatt to your Shaw account at 7:30 p.m. What was the purpose of that e-mail, and was this before or after you knew you were going to fire him?

Mrs. Kelly Block: I had been shown the e-mail by Mr. Graefe. I got to the airport and I wanted to confirm with Mr. Ulyatt that he had indeed received the report. I also wanted a copy of the report. I sent him an e-mail asking him to confirm if he received the report and asking him to send me the report.

Ms. Yasmin Ratansi: So at 7:30 he sent you a report. You say you knew about the leak from your staff. I'm having a little difficulty here, so help me out.

You found out about the leak as you were leaving Ottawa.

Mrs. Kelly Block: Yes, as I was leaving my office at 5:45.

Ms. Yasmin Ratansi: Then you got onto the plane.

Mrs. Kelly Block: I got into the cab, I got into the plane, and while we were waiting to take off, I believed I needed to confirm with Mr. Ulyatt that he had received the report and that he needed to send me a copy—

Ms. Yasmin Ratansi: This was at 7:30 p.m.?

Mrs. Kelly Block: No, this was close to 7 o'clock Ottawa time.

Ms. Yasmin Ratansi: Why did you ask him to send it to your Shaw account?

Mrs. Kelly Block: I did not ask him to send it to my Shaw account. I received an e-mail back from him informing me that he had indeed received the report, that he had printed it and placed it in a binder, and that he would forward it to my home account.

I then e-mailed him back and asked him to please send it to my "block9" account, as I would review it at my office.

Ms. Yasmin Ratansi: Can you table those e-mails for us, please?

Mrs. Kelly Block: Yes, I can.

Ms. Yasmin Ratansi: Okay.

Everybody has been asking these questions, yet there's an elephant in the room. You, and only you, can help us with the elephant in the room. The elephant in the room is this: were you aware of all his activities? I ask because if my staff were to do to me what your staff did to you, I would take offence.

If my staff had boxes outside my office, I would ask, "What are those boxes for?" Would you not think it prudent for you as an MP to find out what those boxes were doing outside your office?

The Chair: Madam Ratansi, I'll say it again: we're here to look at the—

Ms. Yasmin Ratansi: I know. I am not on a witch hunt. I am just —

The Chair: Please let me finish.

Ms. Yasmin Ratansi: —asking a question.

The Chair: Please let me finish—

Ms. Yasmin Ratansi: I know.

The Chair: —and maybe you'll understand what I'm trying to say.

Ms. Yasmin Ratansi: Okay. It doesn't go against my time.

The Chair: Well, if you ask questions that are not relevant, they may.

My point here is, let's talk about the privilege.

Ms. Yasmin Ratansi: Okay.

Mr. Ulyatt, when he came here, said he had printed off the draft finance report for you and that you had asked him to send it to the Shaw account. Was he lying?

Mrs. Kelly Block: I did not ask Mr. Ulyatt to send that report to the Shaw account. I asked him to send me the report. He responded and confirmed with me that he had received the report and had printed it and put it in a binder for me. He also informed me, "I can send it to your home e-mail", and I e-mailed back and said, "No, send it to 'blockk9', which is my MP e-mail address.

• (1145)

Ms. Yasmin Ratansi: Therefore, really, Mr. Ulyatt has taken us down the wrong path.

My question then is, do you have any idea whether he printed any more reports and sent them out to anybody other than those five lobbyists?

Mrs. Kelly Block: To the best of my knowledge, after having had IT check their backup files for my computer, for Emrys' computer, and for Mr. Ulyatt's computer, those were the only e-mails that were sent.

Ms. Yasmin Ratansi: But how would we know? If you only gave a limit of two days and we do not even know what he did prior to that, and the heading was "Finance", it was a very limited review of the e-mails.

Why wouldn't you allow a detailed review by IT so you can assure yourself that this hasn't happened? If you're talking about breach of privilege and you really want to respect the institution, then you should allow that to happen.

Mrs. Kelly Block: Thank you very much, Mr. Chair. I will briefly answer that.

I did have IT services do a check of their backup files for my computer and Emrys' computer for 30 days. I did not feel I needed to go beyond that time because the report only came at a certain time of the day. Less than 24 hours later, my office had been secured, so he would not have had access.

The Chair: Thank you, Ms. Ratansi.

Mr. Menzies, your five minutes, please.

Mr. Ted Menzies (MacLeod, CPC): Thank you, Mr. Chair, and thank you, Mrs. Block.

Please forgive me if I slip and call you "Kelly", because you and I work together on the finance committee. Everyone around this table needs to understand how strong a member you've been on that committee for us.

I appreciate the fact that the chair tries to keep bringing it back to what happened and, most importantly, how we can make sure this doesn't happen again.

From everything you've said, and from everything I've read, you've done everything within your power to apologize for someone else's mistake, and I'm just not sure what else you could have done.

Going back to the finance committee, we listened to an awful lot of witnesses there, and I just want to share with the rest of the people

here the fact that Mr. Ulyatt may have written only one question for you. I watch you at committee writing your own questions as the witnesses give their testimony. So I guess I'm surprised that he even wrote one question for you, but I think that people here and the people listening need to understand the fundamental role you play in our finance committee, and most importantly, of course, in representing your constituents of Saskatoon—Rosetown—Biggar.

I'm sure all of us will be happy to get out of here and back home for Christmas—and I understand your son is coming back from Australia. So enjoy your Christmas with your son.

Mrs. Kelly Block: Thank you.

Mr. Ted Menzies: It's unfortunate we're going through a bit of a witch hunt here.

Mr. Proulx suggested he would know, he implied he knows, what his staff is doing every second of every working hour.

Mr. Marcel Proulx: No, I didn't.

Mr. Ted Menzies: Yes, you did.

The Chair: Please, through me. That will be good.

Mr. Marcel Proulx: Through you, Mr. Chair, he cannot decide what I think, and I never implied what he is saying I implied.

The Chair: I'm not sure what rule you'd like me to enforce.

Mr. Marcel Proulx: Would you please correct him?

The Chair: I don't think I'll let him carry on with his question.

Mr. Ted Menzies: I accept the correction because I recognize we do not know what our staff is doing minute by minute. When we're in Ottawa, they're in the riding office. When we're in the riding office, they're here in Ottawa.

I want to try to pursue...when you ask if anything good comes out of this. I respect your answer to Mr. Lukiwski's question, that any future draft or confidential documents coming out of any committee, whether it's a private member's bill, the drafting of a private member's bill, not be leaked before it's tabled in the House of Commons either.

How do we do that? Do we send it just to the MP account or do we put it in a sealed envelope and hand deliver it? I get your thoughts on this. Where do we go from here? This is what we're here to find out. I'm quite confident you did everything you could. You couldn't have stopped this person from breaching your privileges as a member of Parliament, but how do we stop this in the future?

• (1150)

Mrs. Kelly Block: Mr. Chair, I think that's a very good question. Mr. Lukiwski suggested those types of reports simply go to the member of Parliament. I've served on other boards and committees where documents are given to the members in numbered envelopes. Each document is numbered and they are turned in at the end of a meeting. I think this is a very complex issue. There could be a number of solutions, but I think in this day, with the type of technology we use, it becomes harder and harder to ensure that these kinds of documents remain secure.

Mr. Ted Menzies: Thank you.

Just going back to your proactive response to this, I think it was admirable that you took it upon yourself to contact all the members of the finance committee, and I understand they were very thankful you had contacted them. I'm not asking for a chronology of the time but just their comments. Did they appreciate the fact that you were put in a very difficult position by your staff member?

Mrs. Kelly Block: Mr. Chair, throughout the day I did speak to nine of the 11 committee members other than me. They called me as they received the message to do so. I would have to say that all members of the committee were very reasonable in their response to what I was telling them.

The Chair: Thank you, Mr. Menzies.

Madame DeBellefeuille, five minutes, please.

[Translation]

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

Ms. Block, I find your comments surprising in a number of respects. Was Mr. Ulyatt your only employee on Parliament Hill?

[English]

Mrs. Kelly Block: No, he was not. Mr. Ulyatt was my executive assistant. I had hired a legislative assistant. I've always had two staff members in my Ottawa office at all times.

[Translation]

Mrs. Claude DeBellefeuille: As I said, I found certain aspects of your testimony surprising. You seem to have no idea what your assistant does either before or after work, which country club he belongs to with certain lobbyists and so forth. That is quite surprising. You share certain details of everyday life with an assistant. For example, my assistant's son had a tough time when he got his shot yesterday. It is common practice to share that kind of information. Professional relationship or not, you still know a little bit about what is happening in your assistant's personal life. That is even part of the job. It is part of being a good manager.

You said you were not aware that he went to the same church as Mr. Mains or the same country club as Mr. Egan, or that he owned two companies. That is rather surprising. So in terms of managing your staff, you were pretty far removed from them. When it came to Mr. Ulyatt, you did not have a close employee-manager relationship. But we are not talking about some big company, you had just two employees.

Ms. Block, some odd things seemed to be happening in your office, but apparently, you were not aware of any of them. That leads me to wonder about a number of things. I will not go so far as to comment on your management style, which would not be very polite, but the fact that you are so disconnected from the personal lives of both of your employees is rather surprising to me.

[English]

Mrs. Kelly Block: Thank you very much for your question.

I did not know that Mr. Ulyatt attended church with Mr. Mains. I did know that Mr. Ulyatt attended church. I did not know that Tim Egan was a member of the Rideau Club, but I did know that Russell Ulyatt was a member of the club. I didn't ask Mr. Ulyatt who else were members of the club, or who he attended church with.

He was married recently. I was invited to his wedding. I knew his fiancée. I have met his mother.

There are things I do know, but when you ask if I knew that he attended church with Mr. Mains, I did not know that.

• (1155)

[Translation]

Mrs. Claude DeBellefeuille: Ms. Block, when you hire someone, you ask them for references. In response to other questions, you said that you went through the usual procedure, that you looked at his résumé and asked for references. If I understand correctly, no one alerted you to the fact that he had businesses, which could put you in an awkward position. Today, we are talking about a question of privilege, and we can say that you are in an unfortunate predicament. There are even media reports of other allegations and accusations regarding potentially inappropriate behaviour by Mr. Ulyatt when he was not working for your office. As everyone knows, Ms. Hamilton had very close ties to the Conservative Party. We know there was a network. We heard that in the testimony. No one cautioned you against hiring Mr. Ulyatt?

[English]

Mrs. Kelly Block: If I remember correctly—and I would have to go home and look through my files—he provided me with five references. I called all of those references, and he received positive references from all of them.

[Translation]

Mrs. Claude DeBellefeuille: You said you contacted five people. I will not ask you for their names, but I imagine they are people who are close to the Conservative Party. That is how it works with every party.

No one told you to be cautious because this man had two companies and that that could put you in an awkward position? It seems to me that people in my party would have sounded the alarm on that. Right now, you are in an embarrassing situation.

[English]

Mrs. Kelly Block: None of the references I called cautioned me on that issue.

The Chair: Thank you, Madame DeBellefeuille.

Mr. Mulcair, you have five minutes, please.

Mr. Thomas Mulcair: Thank you, Mr. Chairman.

I'm going to repeat my invitation to Madam Block to give priority to Parliament and the institution whose privileges have been breached by staying with us for the full two hours that she was supposed to. I will ask her to answer specifically the question I asked before, because she trailed off about presuming that Ulyatt knew.

Did she or did she not brief Russell Ulyatt on the importance of confidentiality of committee documents, and more specifically that those documents were the property of the committee? Did she give him that instruction personally, yes or no?

Mrs. Kelly Block: I briefed all my staff on the importance of confidentiality. We had many conversations about it. We had a retreat this summer and talked about confidentiality. Mr. Ulyatt knew full well that those draft reports were confidential.

Mr. Thomas Mulcair: I'm going to repeat my question. Did you or did you not brief Mr. Ulyatt on the importance of...? You keep talking about other staff. I want to know if you said that to Mr. Ulyatt.

Mrs. Kelly Block: Mr. Ulyatt was part of those meetings. Yes.

Mr. Thomas Mulcair: You briefed him. Who were the other people who were part of those meetings?

Mrs. Kelly Block: They were Emrys Graefe, my staff in my Saskatoon office, my staff in my Biggar office, and my staff in Rosetown.

Mr. Thomas Mulcair: Thank you. That's a clear answer to my question.

Mr. Chairman, I'll go back to the decision you want to render on our ability to go into other areas here.

In his sworn testimony before this committee, when I asked Mr. Ulyatt if everything else he did in his office was in accordance with the rules and instructions Mrs. Block had given him, he said, "To the best of my knowledge, yes. Everything else I would have done in her office was within the rules." So that's a clear answer.

This is going to be important for our work as a committee. We're dealing with one of the most important things we can do in Parliament, which is to protect our ability to work freely as members of Parliament to do the job we've been elected to do. That's what we're trying to do today.

The Chair: So far.

Mr. Thomas Mulcair: You're trying to tell me I can't ask questions about certain practices within Mrs. Block's offices, specifically having to do with mailings, palettes and skids of documents, and a big printing machine. You don't want me to—

The Chair: Mr. Mulcair, I am telling you that you cannot. It is being studied by another committee. It is the Board of Internal Economy. A spokesman for that committee is already in the public saying it's being looked at there. We have members of this committee, in public, saying it's being looked at there.

• (1200)

Mr. Thomas Mulcair: The only person I've ever heard say that is you, Mr. Chairman, so I thought those things were supposed to be kept secret. But if you're informing me—

The Chair: They are. The spokesman for the board—

Mr. Thomas Mulcair: —that the board is looking at this, then that's your—

The Chair: Mr. Mulcair, I love it when you ask me a question and then talk over me.

Mr. Thomas Mulcair: It's okay; you do the same.

The Chair: This committee tends to work in a fairly collegial manner for the most part. I don't know what other committees you sit on, other than finance, but on this one we tend to get along pretty well. So just show me the same respect that I'll show you and we'll be able to get through this.

The point I was making is that it is being studied at another committee. That is in the public. You showed Mrs. Block how to Google something and you could do the same. I'm suggesting that

committee is better suited to deal with that than this committee, because this committee has a workload that includes looking at a motion of privilege that was sent here by the Speaker.

I will entertain any question that's germane to the privilege motion, so please carry on.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): A point of order, Mr. Chairman.

The Chair: Yes, Mr. Reid.

Mr. Scott Reid: I'm sorry, I made this a while ago, but it was before you got involved in your discussion.

Mr. Mulcair has made...not the assertion but the implication that you are the only person who has made public that this matter is before the Board of Internal Economy. I think that public statement was actually made by a different member of the Board of Internal Economy.

The Chair: It was. I am not the spokesman for that board.

Mr. Scott Reid: Thank you.

The Chair: Mr. Mulcair, this is your time.

Mr. Thomas Mulcair: I am not on that board, so you just apprised me of the fact that this is being looked at elsewhere, but one doesn't stop the other, Mr. Chairman. Because for the very reason you said.... It's very nice to hear that you work so collegially, but this is an institutional matter. This goes to the very heart of our ability to work unfettered, as members of Parliament.

As the Speaker ruled, our individual privileges and our collective privileges as members of the finance committee have been affected by what happened here.

The Chair: Right.

Mr. Thomas Mulcair: We're trying to get to the bottom of it, and it raises serious questions of credibility and prudent administration.

Madame DeBellefeuille did a very good job on that before. Was the hiring of this person appropriate? And if you look at the jurisprudence from the Commonwealth countries that follow the Westminster models, as we do, you will understand that this is relevant to the privilege issue that's on the table before us.

Now if you want to sandbag that and stop me from asking those questions, I will not be able to talk over you. I'm going to have to listen to you. But I am trying to make you understand that it is clear to me that these issues go to a question of credibility, they go straight to the question of the administration of that office, and it plays right into whether or not Mr. Ulyatt was following instructions on this or any other issue. And I put it to you that it's relevant for the work of this committee.

I also put it to you that under the procedure and House affairs definition, when we talk about

[Translation]

[...] and report to the Speaker as well as the Board of Internal Economy, on the administration of the House and the provision of services and facilities to Members—

[English]

we're right in that subject as well.

So I don't see how, as chair of this committee, you can say that those questions are off simply because it's being looked at elsewhere. They might be looking at the same fact set elsewhere for a completely different purpose. I want to look at that fact set here on a question of credibility.

The Chair: I'm suggesting that the fact set we're looking at here is a motion of privilege on the leak of a confidential document from the finance committee. Those are the facts that were sent to this committee on the motion of privilege. Those are the facts that we'll need to look at. Those are the facts that so far we've spent three meetings looking at. At the end of the day, we will need to, hopefully if this committee agrees, come up with remedies on ways to prevent that from happening in the future.

Mr. Thomas Mulcair: Now you see—

The Chair: So I will suggest that's what we need to look at.

Mr. Thomas Mulcair: —that's the Conservative line here.

The Chair: Mr. Mulcair, your time is up.

Mr. Thomas Mulcair: That's the Conservative line, to say that we're only looking at the future. But actually our job is to look at the question of privilege and find out what happened. That's what I'm trying to do, find out what happened, and you're stopping me from doing it.

The Chair: Thank you very much.

That completes our second round and we're past the hour.

Mrs. Block, I thank you for coming today; you are excused.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): A point of order.

The Chair: Yes, Ms. Foote.

Ms. Judy Foote: Mr. Chair, before you excuse Mrs. Block—

The Chair: Well, I have done that already.

Go ahead.

Ms. Judy Foote: Well, I won't go there.

The point I want to raise, Mr. Chair, is that I really feel that my right as a member of this committee has been infringed upon by having Mrs. Block here for only one hour. She said she was only invited for one hour. I've spoken with our member of the steering committee, who was not aware that Mrs. Block was going to be limited to one hour and that was what the invitation was going to be.

I have questions for Mrs. Block. There are issues I would like to have addressed. I think it would be in her best interest to have them addressed as well. At this point I am not able to do that, and I really would like to know, as a member of this committee, who made the decision to limit the invitation to one hour. If it wasn't made by this committee as a whole, of which I am a member, and if it wasn't made by the steering committee—and we have a member on that steering committee—then I need to know, as a member of this committee, who made that decision. It certainly isn't a decision that is in the best interests of the members of this committee, of the institution as a whole, or of Mrs. Block.

• (1205)

The Chair: Mr. Lukiwski, on the same point of order.

Mr. Tom Lukiwski: On the same point of order, as I mentioned earlier, no member of Parliament is a compellable witness. Mrs. Block came here of her own volition. Whether she was invited for two hours or for 10 minutes is irrelevant. I don't know what the invitation said, but she has the right to determine how long she wants to spend here.

I would point out that most ministers, when they appear before a committee to discuss legislation, stay for one hour. I recall that the leader of the official opposition, when he talked about pay equity, stayed for only 40 minutes. So I don't believe anyone's rights have been infringed around this table. It was Mrs. Block's decision, the way I took her opening statement, and she said she'd be willing to stay for one hour. That would be her decision. She didn't have to agree to come here whatsoever.

Also I would point out that when we had a meeting with Mr. Ulyatt, who is the antagonist here, the one who actually leaked the documents, we had one hour. I didn't hear any complaints from members around this committee.

When we had the lobbyists here who received the confidential information, who refused to disclose that proactively, and one of whom actually put the information out to one of his clients instead of destroying it, we had four of them collectively for one hour. I didn't hear any complaints from any member at that point in time. So I completely reject Ms. Foote's argument that her rights have been infringed because Mrs. Block graced us with her presence for one hour.

The Chair: Madame DeBellefeuille.

[Translation]

Mrs. Claude DeBellefeuille: With respect to Ms. Foote's point of order, if I understood the simultaneous translation correctly, she asked you a question. She wanted to know who invited the witness to appear before the committee for only an hour. Was it you, Mr. Chair, who told her that her appearance would be limited to an hour? Did she tell you her preference? That is what Ms. Foote wanted to know, and I believe she was speaking to you, Mr. Chair.

[English]

The Chair: The answer is that the committee has asked the chair from time to time to do things as an individual, and one of them was to ask Mrs. Block about the e-mails. But as far as the invitation for today's meeting is concerned, I believe that came from the clerk.

Madame DeBellefeuille, had you finished?

[Translation]

Mrs. Claude DeBellefeuille: I do not understand your answer. Did you ask her to be here for only an hour? Was it at your request?

[English]

The Chair: It's the clerk's request always to witnesses.

[Translation]

Mrs. Claude DeBellefeuille: Would you like me to ask the clerk, Mr. Chair?

Did the clerk ask the witness to appear before the committee for only an hour?

The Clerk of the Committee (Ms. Angela Crandall): When I called Ms. Block's office, I spoke to her assistant. I told him that the committee wanted her to appear today and that the committee met from 11 a.m. to 1 p.m. We did not discuss the duration of her appearance, specifically. I did not specify whether she would be appearing for one hour or two.

Mrs. Claude DeBellefeuille: Unless the simultaneous translation was inaccurate, Ms. Block said that she was asked to appear before the committee from 11 a.m. to noon. The two accounts, hers and yours, do not line up. That is the impression I have.

The Clerk: As I said, when I invited Ms. Block, it was a very short conversation. Her office was totally amenable to her appearing, but unless I am mistaken, we did not discuss the duration of her appearance. I expressed the committee's desire to meet with her today.

Mr. Marcel Proulx: From 11 a.m. to 1 p.m.

The Clerk: I said that the committee met between 11 a.m. and 1 p.m. on Thursday. The conversation was not even five minutes long.

[English]

The Chair: Ms. Ratansi, and then Mr. Reid, on the same point of order.

Ms. Yasmin Ratansi: Yes, and it could have been important had the committee made a decision so we could avoid this in the future. I can appreciate, as a member of Parliament, that she cannot be compelled to come, but when she was invited, she agreed to come. She wanted to help with the study. It is important for us to ensure that the study goes well.

With the witnesses who came before, we reserved the right to call them back. With Mrs. Block, we can reserve the right to call her back, but she can refuse to come. I don't think it's fair to her either that she doesn't get the opportunity to clarify everything. So I think it is important that we do not mix apples and pears.

Yes, those two witnesses came and we gave them an hour each, but we reserve the right to call them back. Next time, I think the committee should be consulted as to how many hours a witness should stay. That way, we'll avoid this problem.

• (1210)

The Chair: Great.

Mr. Reid.

Mr. Scott Reid: I appreciate the solicitude that Madam Ratansi is showing for the well-being of our witness today, who came here, of course, of her own free will. I'm not sure I detected the same concern

for her well-being in the inquisitorial nature of the questions being thrown at her, notwithstanding the Speaker's observation that Mrs. Block had acted with the highest integrity and the fact that members from all parties had, or course, been consulted immediately by Mrs. Block, and at that point none of them had thought it necessary to act in that manner. So I appreciate the solicitude for her and hope that we all reflect it.

I want to mention, by the way, speaking of solicitude, on this point, Mr. Chair, when we talk, as the Speaker did, of everybody's rights and privileges as members of Parliament being violated, that includes every member of Parliament, including and especially Mrs. Block. As a member of that committee, her privileges were violated. She was an aggrieved party, and to see her being treated in a manner that suggests she is anything other than that is to me a disappointing spectacle.

The Chair: Okay. I've heard from most on this. It came out as a point of order. I don't see that a ruling needs to be made out of this. At this moment, I think we're finished with this point of order.

Mr. Marcel Proulx: Mr. Chair, on the same point of order, very briefly.

The Chair: Well, I just said we were finished, but go ahead, Marcel.

Mr. Marcel Proulx: Very briefly, Mr. Lukiwski said that he didn't hear us complain about the fact that the previous witnesses were here for only an hour. May I remind you—and I find it very insulting, Mr. Chair—we were sent an agenda as of 2:09 p.m. yesterday, less than 24 hours ago, saying that we would be sitting from 11 a.m. to 1 p.m., with one witness, Mrs. Kelly Block?

We were not allowed two hours with her. I find it very insulting that the committee would convene us for two hours knowing that the witness would be here for only one hour.

The Chair: Thank you for adding to the point of order I already said I had enough information on, but it was just great to get some more.

Do we have anything else for the committee today?

Mr. Ted Menzies: Merry Christmas.

The Chair: I would like to wish the committee a Merry Christmas. It's been a great session with you. We've done some good hard work, and we've got more to do.

I will see you all when we get back here. Please enjoy your time with your families.

We are adjourned.

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