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Thursday, March 10, 2011

—
Chair

The Honourable Joseph Volpe

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• (1530)

[English]

The Chair (Hon. Joseph Volpe (Eglinton—Lawrence, Lib.)): Order. Thank you, colleagues.

Monsieur Plamondon seeks the floor on a point of order.

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): With the consent of the committee, I would like the witness to be sworn in before she makes her statement, please.

[English]

The Chair: Is the committee in agreement?

Mr. Andrew Saxton (North Vancouver, CPC): Is that normal practice? We should follow normal practice.

The Chair: If the committee agrees, we'll go ahead and do it.

Do I see a consensus?

Some hon. members: Agreed.

The Chair: Okay.

Madame la greffière.

[Translation]

Ms. Christiane Ouimet (Former Commissioner, Office of the Public Sector Integrity Commissioner of Canada, As an Individual): I, Christiane Ouimet, do swear that the evidence I shall give in this examination shall be the truth, the whole truth, and nothing but the truth. So help me God.

The Chair: Thank you, Ms. Ouimet.

I was about to start with—

[English]

Mr. Andrew Saxton: Mr. Chairman, I believe there are some members of the press in the room.

The Chair: We agreed that they would be there for just a minute or two.

[Translation]

Pursuant to Standing Order 108(3)(g) and a motion adopted by the committee on Thursday, December 9, 2010 regarding the report of the Auditor General of Canada on the Public Sector Integrity Commissioner of Canada, we have appearing before us today Ms. Christiane Ouimet.

[English]

She is the former commissioner, Office of the Public Sector Integrity Commissioner of Canada.

By agreement of the committee, she is accompanied at the table by her counsel, Mr. Whitehall, but Mr. Whitehall is not a witness and is not going to be answering any questions. Madame Ouimet may consult with him as she feels the need to do so, but he is not answering any questions.

Secondly, I remind all colleagues around the table that the witnesses enjoy the same immunities that we would enjoy in Parliament. I think both Madame Ouimet and Mr. Whitehall understand what that means. There are no legal consequences to what Madame Ouimet may say.

Madame Ouimet, since the Auditor General delivered a rather harsh report in respect of the Public Sector Integrity Commission last December, Canadians have been waiting for about three and a half months to hear your side of the story. Please start.

[Translation]

Ms. Christiane Ouimet: Thank you, Mr. Chairman.

First of all, Parliament appears to have accepted outright, without any dispute, the Auditor General's report. The simple act of my being here today to express my serious reservations may perhaps be viewed as being inappropriate, but the purpose of my statement today is specifically to point out the significant flaws and mistaken observations that undermined my reputation personally and that of my office.

I am pleased to be here to discuss a report that, essentially, deals with labour relations and four of my decisions. I will focus specifically on the four decisions mentioned in the report. I would also like to talk to you about the rigorous approach, control measures and very detailed procedures that were implemented under my leadership.

To the members of the committee, I would explain that I have spent eight years serving Canadian public institutions. I myself have made decisions as part of an administrative tribunal, I have managed commercial fraud programs throughout Canada and I have led audit teams to improve organizations. When I was with the Immigration and Refugee Board, I developed the chair's plan to eliminate a backlog of 55,000 files. I received the honorary title of chief of aboriginal police in acknowledgement of my leadership. As the Associate Deputy Minister for Public Works, I reorganized a department of 14,000 employees at a time when the sponsorship file was an issue. I went back to my roots, at Agriculture Canada, to help needy farmers.

In 2007, with the support of the two Houses, I accepted the position of integrity commissioner. Today I am very proud to say that I have left behind a professional institution that has expertise in administrative investigations that is unique in Canada and has a staff of very high calibre individuals. When I left my position, 15 serious investigations were under way.

I must say, unequivocally, that I have serious problems with the report, which must be read bearing in mind the terms of reference that I will explain to you.

[English]

We took the legislation the way Parliament has given it to us. We took a very complex piece of legislation, and I had to institute an organization able to deliver the very complex mandate and have the procedures and the level of controls in place. I have produced a document at *l'Université Laval* that gives the genesis of the office, the complexity, the challenges.

Essentially, the act prohibited us from intervening if there was another process ongoing. We weren't there as a replacement of another organization or to implement court decisions. We were also limited in our action if there was a venue more appropriate. We had official languages complaints, we had privacy complaints, but we sat down with the appropriate jurisdictions—and rightfully so—if they said this was their jurisdiction.

We also had a long list of criteria to examine—good faith, whether it was sufficiently important—but in the end, we dealt with the disclosures that came to us, the reprisals, in addition to more than 100 disclosure regimes across Canada.

I should add as well that I think there's a profound misunderstanding of the work we were doing. The roughly 200 cases that keep being referred to were in fact subject to very extensive probes, what is called pre-investigations. In fact, my former deputy commissioner, who is an expert in administrative law, looked at the legislation. We had a duty of fairness to ensure that we did not prematurely launch an investigation and affect the reputation of people who are accused and raise expectations.

Essentially those probes involved interviews, documentary evidence, analysis of facts. We spent weeks, months, and occasionally years to look at those probes, and every one was documented thoroughly. At the end of the day, I am proud to say that there was consensus in all of the cases brought forward. I never had to overturn a single decision or recommendation.

I also implemented, from the first day I arrived, procedures to deal.... I fundamentally disagree that there were no procedures. I understand, Mr. Chair, that you got reports of all the procedures that were prepared by the institution. I haven't received a copy, but I'll give you just one example.

On December 13,

[Translation]

the procedures guide was completed.

[English]

It was very extensive, and while it carries the word *ébauche*, right in the body of the document it says:

• (1535)

[Translation]

“The rules contained in this guide are provisional.”

[English]

The “provisional” is because you have to gain experience.

Based on my extensive experience in managing investigations, the first thing you do is you have your rules of practice. We have checklists for every reprisal case because this was our exclusive jurisdiction. We had org charts. We had tracking systems. We also had, at my request, operational procedures developed. I hired a former senior official from the RCMP who had extensive experience in managing the policy that proceeded from my legislation. We had in fact consigned to that procedure a number of policies. For instance, how do you deal with senior officers? What are the timelines? Essentially, there was just about every possible tool that could be used. As I was leaving, similar to what I had done at the Immigration and Refugee Board, we had the mapping of how decisions were made and all the cross-checks that were done.

In addition, after decisions were made, I had quality control by my deputy commissioner, and also a former DG of audit, who did the review for file completeness. As a result of legal services reviewing files, we reopened the file, because we're not above making mistakes, but we wanted to make sure the process was solid.

One other major misconception: the tribunal. It was still early days, but I delegated under the act the review of every single reprisal case to my deputy commissioner to ensure that we had looked at them very carefully. There's a very stringent test under the act. There has to be a link between the reprisal and the disclosure. In the end, no cases met the test, but there's also one other important factor, and it's called conciliation. Under the act, conciliation is one of the venues that Parliament has given us. Most parties would prefer an informal conciliation process in order that their identity not be disclosed in front of a public hearing by the tribunal.

We compared very well. On checks and balances, I would refer to my presentation. Given that this is the accounts committee, we have exemplary financial controls and governance systems.

Very quickly, about human resources, when I took over, I inherited an administrative unit that had been operating for five years with its own way of operating. I was told that a few players were not very eager to have my leadership. In fact, there was somebody acting in the job who was very disappointed. And I was told in June that no briefing material would be prepared for me in August. The complainant who has gone into the news has indicated he became very furious on my appointment, regrettably. He refused to provide any information of substance on the investigations he had conducted previously and those that were before our organization. He had been promised an executive position without competition, like others. I must say that some members were very professional and very helpful. But at the end of the day, as a result of an exchange requesting information, he left, and the performance issue became a big concern. I could not give him performance...based on the advice of the human resources agency.

• (1540)

The Chair: I'm going to have to interrupt you there. I had indicated to Mr. Whitehall, and I'd already consulted with colleagues, that I would use the chair's discretion to give you a little bit of extra time. Now we've gone way over that extra time.

Thank you for your presentation.

Before I turn to questions, the document that you referred to is one that we received in our offices today. I understand that's for public consumption, if that is asked for. Committee members have received it.

I'm going to go to Mr. D'Amours for the first round. You have seven minutes.

[Translation]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you.

[English]

Ms. Christiane Ouimet: Mr. Chair, have all the members received our extensive statement and the attachments?

The Chair: My understanding is that yes, everybody has it in both official languages.

Ms. Christiane Ouimet: Thank you very much. This is very helpful. I apologize.

[Translation]

Mr. Jean-Claude D'Amours: Thank you, Mr. Chair.

[English]

Thank you, Madam Ouimet, for being here with us this afternoon. You quit. Why? Were you pushed out of your job?

[Translation]

You resigned from your position. Did someone push you to do this, or were there other reasons?

Ms. Christiane Ouimet: Mr. Chair, I was the subject of an unprecedented investigation that lasted more than two years. Every aspect of the organization that I led came under scrutiny and we answered every question asked. My email was reviewed, documents were delivered to my residence. I received documentation on December 22 and on December 29, and I was only given a few

weeks to respond. I received seven boxes of documents in June. I had to hire a lawyer in April in order to get the details of the allegations made against me. I was exhausted. It looked as though the process that had been started would never end.

In the interest of everyone, over the summer I consulted the chair of the Commission's Audit Committee. I wanted to obtain another position within the public sector. I had accumulated 28 years of service, I had only seven years of work remaining before taking my retirement. I tried to contact the Privy Council Office, which had absolutely no interest in wanting to meet with me. I continued doing my work, because I was determined to table my annual report and submit my initial cases of wrongdoing.

In August, I had to take medical leave. My family was not well and I was receiving threats, repeated threats that may have been linked to my position. Then I received, through my lawyer, a non-negotiable offer. I hesitated for some time, however, for reasons of health and because I had accomplished my mandate, namely to establish a professional institution, I decided to accept the government's offer to take an early retirement.

Mr. Jean-Claude D'Amours: Ms. Ouimet, you can understand that, for the people in the riding that I represent, where the average annual salary is \$26,000, half a million dollars is an amount that would take them more than 20 years to accumulate. From what I can gather, the government offered you a half-million dollars if you would leave and not bother them anymore. Is that right?

• (1545)

Ms. Christiane Ouimet: Mr. Chairman, I lost seven years of income, seven years of pension, my reputation and my health. All public employees, soon or later receive part of this compensation. The government made me an offer: clearly, they wanted me to leave my position. I accepted the offer and I must tell you, Mr. Chairman, that I was severely penalized.

Mr. Jean-Claude D'Amours: I do understand, Ms. Ouimet, that you may have had some penalties as far as salary and pension are concerned. However, someone who leaves his or her job voluntarily cannot receive such sums of money. This is a personal decision.

I am going to read a paragraph to you in English.

[English]

The departure agreement holds a gag

It says, "the parties shall not engage in any criticism against each other, personally or through another person including media representatives...."

[Translation]

I can stop there, I am sure that you read all the terms of this agreement.

[English]

What I want to know is, what is it that the Prime Minister's Office does not want you to say?

[*Translation*]

Ms. Christiane Ouimet: Sir, let me correct the facts. I did not leave voluntarily. I left because I no longer had the choice, for reasons of health and for the well-being of both the institution and my family. I would remind you also that, when I left my position, I was receiving death threats.

Mr. Jean-Claude D'Amours: However, Ms. Ouimet, if I recall correctly, included in the documents that we received from the Prime Minister's Office is a copy of a letter of resignation dated October 7. You are in fact the one who resigned, you were not shown the door. You yourself resigned on October 7.

Ms. Christiane Ouimet: Mr. Chairman, the document was signed without any initial negotiations. I accepted the wording as it was presented to me. Initially, I intended to pursue my career. I would like to assure all members of Parliament and you yourself, sir, that I am here to answer your questions and I am very happy to answer them.

Mr. Jean-Claude D'Amours: But why did you sign a confidentiality agreement? It is nevertheless curious that the government would give you half a million dollars and state that you are not entitled to speak to anyone about what you agreed to together, nor were you entitled to discuss any agreement that you reached. Do you feel that this is acceptable? If I understand what you are saying, the Prime Minister's Office required you to sign an agreement to remain silent. The government, however, is making comments left and right but you, unlike the government, must remain silent. You were paid half a million dollars to leave your position and remain silent, even though you handed in a letter of resignation.

Ms. Christiane Ouimet: Sir, first of all, I accepted the agreement because there was no option to negotiate. The wording was already determined. I do agree with you. I am not going to remain silent. I am going to speak and share the facts with you. I will answer all of the questions put by the committee. That is why I have come here and why I interrupted my vacation, which was intended to allow me to rest. I am prepared to answer all of your questions.

Mr. Jean-Claude D'Amours: Earlier, you mentioned that you had not received any information... Nonetheless, I would like you to explain something. When you met Minister Stockwell Day, the President of the Treasury Board, did you at that time or at any other time discuss any specific cases?

Ms. Christiane Ouimet: Let me explain what the obligations of all parliamentary officers and all those in charge of government agencies are. Parliamentary officers have the duty to hold meetings—and in my case, it was one meeting per year, in the presence of my senior counsel—for three reasons.

First, the minister in charge signs the transfers of funds and tables the Report on Plans and Priorities. In the past, we had problems obtaining our financial transfers.

Secondly, the minister, pursuant to the legislation, is responsible for promoting the legislation, for tabling a code of conduct, and for the five-year review. These are very important questions for the disclosure system.

Third—

• (1550)

Mr. Jean-Claude D'Amours: Could you explain, Ms. Ouimet, why you wanted to discuss certain cases with the minister?

The Chair: Mr. D'Amours, we must give the floor to Ms. Faille.

[*English*]

You'll get it in the next round.

[*Translation*]

Ms. Ouimet, wait a moment, because it is Ms. Faille's turn.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Thank you, Mr. Chair. You are talking about a non-negotiable agreement. Who imposed this agreement on you? With whom did you negotiate it?

Ms. Christiane Ouimet: First of all, I was not the one who negotiated it. The Privy Council Office insisted that it had to be done through third parties, people such as lawyers. I did not have—

Ms. Meili Faille: But who?

Ms. Christiane Ouimet: At the time, it was someone called Bruce Harris.

Ms. Meili Faille: Bruce Harris. All right.

[*English*]

Ms. Christiane Ouimet: He was my lawyer, Bruce Carr-Harris.

[*Translation*]

Bruce Carr-Harris, to be more specific, madam.

Ms. Meili Faille: And what about Mr. Whitehall?

Ms. Christiane Ouimet: No, not Mr. Whitehall.

Mr. Whitehall was my legal counsel during the Auditor General's auditing procedures. Mr. Bruce Carr-Harris negotiated this agreement with a government attorney, whom I do not know.

Ms. Meili Faille: Someone you do not know?

Ms. Christiane Ouimet: Someone I do not know.

Ms. Meili Faille: Could you give his name to the committee after having gotten it from your attorney? Could you do the research and give us the name?

Ms. Christiane Ouimet: All right.

Ms. Meili Faille: Thank you.

The Prime Minister spoke about your departure this morning. He said that the \$500,000 severance pay would help to save money and to quickly resolve the litigation. What is your answer to that?

Ms. Christiane Ouimet: I was not aware of this comment. I believe, if I take the example of colleagues who might have known similar or identical situations, that we do not necessarily get any support in this case. I had done my work. I received a non-negotiable offer and I accepted it.

Ms. Meili Faille: Therefore, you're aware of the fact that you participated in a manoeuvre to stifle the Auditor General's report?

Ms. Christiane Ouimet: Absolutely not, quite the contrary. I am here to deal with the Auditor General's report, which is basically erroneous. I was not able to make any comments about it because it was tabled when I was no longer in that position. My mandate was terminated. I was not in Canada, and I was devastated, madam, when I learned about this report with which I take strong exception. I am here to answer your questions. Thank you for giving me this opportunity.

Ms. Meili Faille: Thus, the agreement was negotiated between the attorneys. Could you tell us the exact amounts that you are going to receive or that you have received up to now?

Ms. Christiane Ouimet: I do not have these figures at hand. You have the agreements. You are probably in a better position than I am to discuss this issue. One part of this applies to all public servants, but you should ask the Privy Council Office for the details.

Ms. Meili Faille: You have no knowledge of how much you are going to receive?

Ms. Christiane Ouimet: The amounts have already been sent to my accountants.

No, I was not in a good condition. I was exhausted, madam. I had to rebuild my health. I am sure that you can obtain all this information.

Ms. Meili Faille: All right.

In 2007, you were questioned by the Committee on Government Operations and Estimates about your knowledge regarding your mandate. I was present.

Ms. Christiane Ouimet: Yes, exactly, madam. I remember.

Ms. Meili Faille: You answered that you were anxious to begin the investigations. I think that you also remember that.

What happened that made you abandon this objective to conduct the investigation quickly?

Ms. Christiane Ouimet: First of all, in the Canadian context, we are very similar to any new organization attempting to enforce new legislation.

Madam, as a new parliamentary officer, there was no advantage to my not going ahead with the investigations. To the contrary, my reputation as well as my office's reputation—and I was well aware of that, because I had directed investigation teams—was related to our work on the large files. The team that I had set up was not going to botch the work. After only three years, there were 15 investigations. If you get a copy of a letter addressed to the Senate clerk, Mr. O'Brien, you will notice that we were getting ready to table our first investigation reports. I tried to explain—and I am sorry if I was not clear—that we were conducting preliminary investigations, that they were very exhaustive and that they helped us to decide if we could carry on with the following phase of the investigation.

• (1555)

Ms. Meili Faille: Wait, let me interrupt you here. What do you mean by exhaustive?

I heard and I read that your investigations were botched up and that they were prejudicial to the whistleblowers. In many cases, the whistleblowers did not even have the opportunity of an interview with your department.

As far as we are concerned, we heard that you had filtered the complaints and that you had been prejudicial to whistleblowers. The Auditor General was clear about this. I do not understand what made you so reticent to do your job.

Ms. Christiane Ouimet: With regard to the observations made by the Auditor General, I basically disagree with them. I have never seen the least analysis or the least detail. These people reviewed 120 files and they kept 86 of them. During my interview, they referred to 7 or 8 of them, and then they kept 4.

Madam, in August 2009, I met people from the Auditor General's office. The investigation had already been going on for some time. I asked them if anything needed improvement and if our procedures were causing them any problems. This meeting was documented. The auditors had spent the summer in our office. However, they never told us about any problems whatsoever. I personally consulted the Office of the Auditor General regarding specific files. I personally sent one back. I assure you, madam, that in my professional work, I consider it to be my duty to study every complaint that is submitted. Our team has never disagreed. This is perfectly in keeping with the experience of many organizations.

Ms. Meili Faille: I will interrupt you at this precise point. You are painting a brilliant portrait of your career, but things did not always happen in that way, especially during your time with Public Works and Government Services Canada. In fact, several cases are currently being reviewed by the Department of Justice. Millions of dollars are at stake and there is litigation going on.

Ms. Christiane Ouimet: I do not know what you are talking about, madam. I have no idea.

[English]

The Chair: I'll have to ask you to pursue that in the next round.

Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you very much, Chair.

And thank you very much for your attendance today. Notwithstanding where we end up on the issues, I can't imagine this is easy, as an individual. This is not going to be fun today, but I do hope you leave here at least feeling you've been treated fairly—that's important—and if not, I know that Mr. Whitehall is here to help you assert your rights. But I do hope that, as tough as it is, you do feel that it's fair.

Having said that, I do have some tough questions. The first one is to set the stage, if you will. My late father, Leonard George Christopherson, taught me that money talks, even if it just says, "hush".

So the issue here on the one side is that it looks like, or at least an argument can be made.... The political allegation is that the storyline goes like this: you were selected specifically by the government to go into this position, and the secret directive was, make sure nothing gets out that hurts us. That would explain why there were so few investigations, why there were so few—in fact, zero—findings of any problems. And when it looked like the AG was onto this gig, then suddenly the government and you got together and decided you needed to get out of there. To make sure that the government's wish was achieved that everything that happened during the interim time didn't come out, there was a document signed that said you wouldn't talk about anything, and here is close to a half a million dollars to encourage you to honour that. That's the picture on the one side of it.

I have questions about the AG's report, but I'd like to ask you questions about your earlier answers, when you said that, yes, they—meaning the government—wanted you to leave. Can you tell me how that was conveyed to you?

•(1600)

Ms. Christiane Ouimet: This is a non-negotiable offer.

Mr. David Christopherson: I'm sorry, so there was one meeting? You were asked to come to a meeting?

Ms. Christiane Ouimet: No. I was never part of any meeting. Everything was done through counsel, and I have to say that I was very surprised. I sincerely thought I could continue to make a contribution, like I had done in my 28 years. Sir, I've never...this is part of who I am. It is also part of every member of the team that has worked with me, the majority of whom worked for between a year and three years, as opposed to a handful of discontented employees who worked merely a few weeks or a few months. And that happens. It was to be expected.

So, sir, when I accepted that job, just like I accepted any position across the government...I have always been known to be fair, to do what is right. I was told that I had a 100% batting average in the quality of my advice. I spoke truth to power, and I spoke truth to parliamentarians when I appeared before you.

Mr. David Christopherson: Because time is constrained, could you please just move to the issue around how you were approached? You were suggesting to me that you just got contacted out of the blue. You were sent documents, a package, you met with someone, a phone call, an e-mail?

Ms. Christiane Ouimet: It was my lawyer who phoned me and said, I just got the call and there is going to be a non-negotiable offer coming.

Mr. David Christopherson: But at that point, then, prior to that, there had been no discussion by you with anyone about your possibly leaving.

Ms. Christiane Ouimet: None whatsoever.

Mr. David Christopherson: Okay.

Ms. Christiane Ouimet: And the chair of my audit committee can confirm this, because he's the one who I approached, saying, I think it's time that I move on and I'd like to have another position.

Mr. David Christopherson: Did it ever occur to you, as an option, to say no to a non-negotiable deal? They can't physically force you to sign the document to go. But given your background,

and clearly you're a strong individual, why didn't you just stand and fight as the commissioner within...especially since you reject the whole report? Why not utilize all the powers and tools available in your department and the other central agencies to stand and fight if you've been wronged? Your whole department is about standing up for people who have been wronged. If you were wronged, why didn't you stand up for yourself?

Ms. Christiane Ouimet: In fact, I'd like to make a correction, because it was not after I was approached that the Auditor General started to look at my office. My office had been looked at for two years. And in fact the Auditor General has had contact with the Privy Council Office throughout this process. I don't know what was the nature of those discussions, but I explained, sir, that I took all of my energy to continue to do the job I had to do. But the process had to come to an end.

Mr. David Christopherson: I understand. I'm sorry. I know the audit was already under way.

Let me ask you another question tied to your looking at the audit. Back when I was a provincial minister, having dealt with the Auditor General, I would be given a draft report some months before for accuracy and any response on things. Did that ever come about? The AG makes the comment on page 13 of her report that she did offer you a chance to comment but you declined. I'm not sure of the timing of that, but it looks like it definitely came, if I'm reading this right, at least after. During the process there's usually a draft. So you knew what was going on. You knew you were having the interviews. Did you have any idea of the conclusions they were reaching along the way?

Ms. Christiane Ouimet: In fact, along the way I never knew what the issues were and what the allegations were.

Mr. David Christopherson: So why were you worried then?

Ms. Christiane Ouimet: I was worried because my staff were being called just about every week; there were requests for weekends. They looked at every financial aspect. They used every aspect. Quite frankly, they—

Mr. David Christopherson: You realize that's comforting to us because that's what we want them to do.

Ms. Christiane Ouimet: Well, it's not, if it's not in conformity with due process.

Mr. David Christopherson: Again, you realize you're not the first to go through this. Many, many deputies and department heads have gone through this.

Ms. Christiane Ouimet: I am told, and I've been told repeatedly, that this was a very special audit, unprecedented.

Mr. David Christopherson: Do you think you were treated differently?

Ms. Christiane Ouimet: Can I read you a note? It's been going on since September 2, 2009. I wrote to the Deputy Auditor General:

With respect to a future interview, I was informed for the first time last week that I would not have access to specific allegations. It is September. I still don't know about the allegations against me.

Up until June 2010 I received seven boxes of documents in my office, with no specifics. The institutional lawyer had to inquire as to what the nature was of those seven boxes. They repeatedly told us that they have never gone through a process like that, sir.

I manage audits. I've been CEO of Consulting and Audit Canada. I've managed investigations. I have never seen a process like that. I'm being very—

• (1605)

Mr. David Christopherson: Do you think it was unprofessional and unfair?

The Chair: I'll stop you there. You may want to answer that later.

I'm going to have to go to Mr. Saxton.

Thank you, Mr. Christopherson.

Mr. Andrew Saxton: Thank you, Mr. Chair.

Thank you to our witness for being here today, because this is the proper place, this is the proper venue, for us to address this very important matter.

Madame Ouimet, you were appointed in August 2007. Can you please outline the appointment process that you went through and concluded in your being unanimously appointed by Parliament to this position? What steps were taken? Where did you testify? How long did the process last?

Ms. Christiane Ouimet: First, I have to say it was an honour. It was an honour to be considered by both houses to be Canada's first Public Sector Integrity Commissioner. I looked at the legislation. I saw how complicated it was. The very nature of the legislation lends itself to a lot of complicated legal arguments, but as well it goes to the heart of your public institutions. My first reaction when I arrived was to write to parliamentarians.

I apologize, my lawyer always reminds me to answer the question.

I was appointed. First, I appeared before the operations committee—

The Chair: We don't make that rule, by the way.

Ms. Christiane Ouimet: I apologize, Mr. Chair.

Essentially, I was asked what my priorities were. I had prepared a statement and those priorities never changed: education, so that people know that we exist—and that is, in large part, part of the question Madame Faillie was asking. People didn't know we existed.

Mr. Andrew Saxton: Madame Ouimet, can I just go back to the original question? I'm interested to know the process that you went through when you were appointed to this position unanimously by

Parliament. In other words, did you appear before the government operations committee?

Ms. Christiane Ouimet: Yes, indeed.

Mr. Andrew Saxton: What questions were you asked? And did you have an opportunity to have an opening statement, for example?

Ms. Christiane Ouimet: Yes, indeed. I apologize if I'm not clear.

Yes, I did. In that opening statement I set out the priorities that I saw were important as a new agent of Parliament. Then I did appear before the Senate, and I had some direction and guidance from the Senate with respect to the mandate. Then, of course, there was a unanimous motion and I took office in August.

Does that answer your question, sir?

Mr. Andrew Saxton: Yes. Was there any opposition to your appointment, either in the House, the government operations committee, which was chaired by the opposition Liberals, or in the Senate?

Ms. Christiane Ouimet: None whatsoever.

Mr. Andrew Saxton: Thank you.

How many times, Madame Ouimet, did you appear before parliamentary committees while you were in your position, and which parliamentary committees did you appear before?

Ms. Christiane Ouimet: I asked to appear before the Senate committee, the finance committee, and the operations committee. I met as well with each chair. I must have appeared at least half a dozen times.

Mr. Andrew Saxton: And during your time before the committees, did you answer all the questions that were asked of you?

Ms. Christiane Ouimet: Absolutely.

Mr. Andrew Saxton: In your role as commissioner, how did you report to Parliament?

Ms. Christiane Ouimet: I reported to Parliament through my annual report, which tells the story of the challenges of my organization, and through the Report on Plans and Priorities. In addition, I tried to reach out to parliamentarians at every opportunity.

Mr. Andrew Saxton: Which committee was responsible for overseeing your position?

Ms. Christiane Ouimet: It was the operations committee. I think I appeared once before the ethics committee.

Mr. Andrew Saxton: And you also appeared before Senate committees as well?

Ms. Christiane Ouimet: Indeed.

Mr. Andrew Saxton: As with other officers of Parliament, there are a number of mechanisms to ensure the appropriate balance of independence. Appointment and reappointment is done by joint resolution of both houses of Parliament. The annual budget is first submitted to a parliamentary panel chaired by the Speaker of the House and then approved by the President of the Treasury Board or the Treasury Board cabinet committee. Treasury Board agents are required to publish performance plans and reports to establish an annual report on their operations. Did you comply with all those requirements when you were in that position?

• (1610)

Ms. Christiane Ouimet: Absolutely.

Mr. Andrew Saxton: Did the committees that you appeared before ever ask why you had so few disclosures that were being investigated?

Ms. Christiane Ouimet: They were interested in the reasons. But in every case, I sought out the help of parliamentarians so that my mandate would be better known. It is natural in the evolution of an institution to have fifteen investigations after three years. But they were interested in the work—I was never challenged on the specifics.

Mr. Andrew Saxton: Did you explain to them why there were so few investigations?

Ms. Christiane Ouimet: I think I did that in explaining the mandate, the complexity. I was reminded by many jurists that if the office erred in its first few years, if we were accused of undue process, if we did not render the right decisions, it would cause irreparable harm. For these reasons, we needed to make sure that we had quality control, revision, and consensus in all cases.

Mr. Andrew Saxton: Did the Standing Committee on Government Operations or any other parliamentary committee ever follow up with concerns regarding your office or your conduct after any of your appearances before them?

Ms. Christiane Ouimet: Never.

Mr. Andrew Saxton: Madame Ouimet, I think you can understand the gravity of the situation we're in. We're very troubled by the Auditor General's report. Would you like to comment on the Auditor General's report now?

Ms. Christiane Ouimet: I have looked at every single conclusion and observation, and if you read my written statement, I address every single aspect. It took two years, which, in and of itself, is very unusual. This is a very small organization of 20 people. There were teams of seven auditors showing up at our door. I've had to answer every question, and I have to say I was cross-examined during three days by four people: a head litigator from the private sector, the deputy auditor general, the head investigator—who in fact had an enforcement background. I don't think she's ever worked within an audit environment. And they used police techniques. There was also a representative of either legal or audit. I have never seen an audit such as that.

The institution was represented by counsel, and they were fully satisfied with all of the responses I provided. In fact, there were no probes or pre-investigation when that investigation was launched, and I don't think they had any experience with my own legislation. Hence, they left it mid-way.

I had to retain the services of Mr. Whitehall to get the specifics of the allegations against me because I took this very seriously. And quite frankly, to this day, whether it's financial management, whether it's a probe, whether it's governance, we had every aspect of the institution.... I knew we would be the target of criticism by the nature of who we are.

I hired experts on the legal side. I had a former Supreme Court justice work with us as my special adviser to look at the legal concepts, some of which are being challenged by the Auditor General.

I had the expert in Canada in administrative law as my deputy commissioner. We resorted to experts in procurement, human resources, to ensure we had the right approach. I had three former executives who came to work paid as officers because they believe in the mandate. In fact, on what we have done, even on the human resources, we were shown as models. We were invited to do presentations on the model. We have the most advanced financial controls in the public sector, as recognized by the Comptroller General. We've invested so much to make this organization above scrutiny from a management perspective, but as well from a legal, from a quasi-judicial, from an administrative—and my three annual reports, sir, speak for themselves. They tell the story.

In the second chapter I talk about the unique challenges of a small agency. I was not alone—

• (1615)

The Chair: Yes, I know you want to talk to those again—

Ms. Christiane Ouimet: I apologize, Mr. Chair. I am passionate. That is one of my—

The Chair: I appreciate that, but we are way over the limit. Mr. Saxton is one of those individuals who wants to be absolutely punctual, so I'm going to go to the second round, which is for five minutes.

Mr. Bains.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Thank you very much, Chair.

Most of our colleagues and I have been patiently waiting for you for three months. We're very glad to have you here before our committee to discuss the Auditor General's report.

I have an example here before me, an e-mail dated February 26, 2010, from the PCO, the Prime Minister's department, e-mailing you to say, "We would appreciate if you could advise PCO as to the status" of a complaints request.

In your opinion, is it normal practice to discuss cases with the Prime Minister's department?

Ms. Christiane Ouimet: Absolutely not, but I have to say I don't know which note this is. I've not had access to this.

Hon. Navdeep Bains: I will give you a copy of the e-mail afterwards, because I have limited time.

I have another example here now with regard, again, to a discussion about cases. I have an agenda meeting here with Minister Day. We asked Minister Day in the House of Commons if he met with you. First he said no, and then he came back and said yes, he did meet with you.

I have a copy here of the agenda of that meeting. In that agenda you indicate your third annual report, case volume, complexity, and trends, as you discussed today with us as well. Did you discuss any specific cases with Minister Day, and doesn't that undermine your independence?

Ms. Christiane Ouimet: Never was a specific case discussed with any ministers or any people outside the organization.

Hon. Navdeep Bains: Why would you request this? Why would it be on the agenda, and why would you request a meeting with Minister Day?

Ms. Christiane Ouimet: As I explained, the minister has responsibilities under the act, such as a code of conduct and a five-year review. And yes, our cases—we essentially lay it out in the annual report—are complex. But no specific case was ever discussed. My general counsel was in attendance at those two meetings and can confirm the same.

Hon. Navdeep Bains: The early e-mail I alluded to is one of many examples I have that I would be more than glad to share with you if I have the opportunity to do so.

Clearly, the Prime Minister's department, even Treasury Board, had a lot of communication with you and your department. The impression I'm left with, and it's very clear from the quote I just brought forward to you, for example, is that the government seemed to be interfering with your department and your independence. This is something that was raised as a concern in the Auditor General's report as well.

We're all discussing your severance agreement, and we're all asking why you accepted that and accepted the gag order. That was reinforced again by the Prime Minister, who said today that it was the cheapest and fastest way to make a change. Do you agree with his assessment?

Ms. Christiane Ouimet: What is the question, Mr. Chair? There are a number of issues you've raised.

Hon. Navdeep Bains: Well, first is about your independence. Again, we have many e-mails questioning the independence of your department. You say that you haven't discussed cases, but I have one example here, one of many, that you have discussed cases.

Second is the severance agreement. Why did you accept half a million dollars and the gag order, if one can put it that way? It was reinforced again by the Prime Minister today, early on in the scrum, when he said that this was the cheapest and fastest way to make a change.

Ms. Christiane Ouimet: With respect to independence, I jealously guarded our independence. In fact, I was concerned enough to ask the Office of the Auditor General to investigate a potential breach of confidentiality during my meeting, because I was concerned that issues concerning cases be discussed. I have not yet received a response, and I probably never will.

The only explanation, and you have to give me that e-mail so that I can properly respond—

Hon. Navdeep Bains: Sure, absolutely. I will give it to you.

Ms. Christiane Ouimet: Specifics of any case would never be discussed. There was one instance when a discloser went to complain to the Privy Council Office that he had not been attended to. This was referred back to the registrar, of course. Maybe they just wanted to know whether we had taken care of this, because they don't like to have disclosers knock at their door. That is the only instance I can remember. I would never discuss the specifics of any case with anyone outside the office.

Hon. Navdeep Bains: What about the question about the Prime Minister and his remark, with respect to your severance agreement, that it was the cheapest and fastest way to make a change?

Ms. Christiane Ouimet: I was not aware of his comments. He made his comments. I explained the reason I accepted.

• (1620)

Hon. Navdeep Bains: You're saying that you had no choice. You're saying that this agreement was brought to your attention and you had no choice.

You're an independent officer of Parliament. Why did the Prime Minister and his department get to decide? Isn't that something Parliament should decide?

Ms. Christiane Ouimet: You ask the Prime Minister. I explained my specific circumstances and why I had to accept.

Hon. Navdeep Bains: Again, there's a lot of discussion today about your disagreement with the Auditor General's report. The AG gave you an opportunity to defend yourself, to discuss her report, and you denied it, saying that you had sent a 10-page letter to the Prime Minister's department explaining why you were not agreeing with what she said. Why did you want to explain yourself to the Prime Minister's department and not to the Auditor General?

Ms. Christiane Ouimet: Okay. I think you're referring to an exchange in February 2010.

Hon. Navdeep Bains: That's correct.

Ms. Christiane Ouimet: That's correct.

Essentially, it is the Auditor General of Canada, to my surprise, who took allegations, which to this day are unfounded, to the Privy Council Office. I have never seen this in my whole career. It was the Auditor General who went on a specific disposition that...I think general information can be brought to the attention of Treasury Board.

Obviously, I had to respond to the Privy Council Office, because they had been in contact with the Auditor General since the very beginning. The response I provided was vetted by the members of my audit committee, by a DG of audit, and by internal controls. I was very surprised by the approach the Auditor General took instead of taking it to Parliament.

The Chair: Thank you, Madam Ouimet.

We'll go to Monsieur Plamondon *ou* Madame Faille.

Oh, I'm sorry, I have to go over here first.

We'll go to Mr. Kramp.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Thank you, Chair. I was feeling neglected.

The Chair: I didn't know where you were.

Mr. Daryl Kramp: I'm so small, I fade away.

The Chair: Such shrinking violets.

Mr. Daryl Kramp: Thank you, Chair. Welcome to our witnesses here today.

Madame Ouimet, of course, I recall the first time I met you. I served on the government operations committee during the vetting process when we first were given the opportunity to pass judgment on your capacity, capabilities, and your willingness to serve. It should be noted for my colleagues on the other side, in case they're concerned about the partisan nature, the chair of the committee at that time was a member of the opposition. The opposition carried the majority on the committee, but I can tell you that regardless of the composition of the committee that day, at that point a unanimous motion from government operations was put forward to endorse your position, based on the presentation and based on the testimony given.

That's all fine, but here I find myself a few years later saying that was then, this is now. This committee has always had a tremendous amount of respect for the Office of the Auditor General, and we respond primarily to the concerns and reports of the Auditor General. We've had no occasion in the past to doubt the veracity of those reports. So here we are today in a bit of a box, in that the Auditor General's report has been tremendously scathing of your conduct and yet your statements run contrary to that.

With the record you had, how did we get to that in the three years, to the situation we have before us now where we're faced with this difficult challenge? Tell me how and why you think we're in this position now where this committee is entrusted with following this up? Quite frankly, committee members want to know, and when there are dollars and cents involved and many allegations, I think Canadians deserve to know.

Ms. Christiane Ouimet: Thank you, Mr. Chair. I have to say that when the Auditor General looked at the area of expertise, my financial records, my public accounts, they found nothing wrong, and this is the area of expertise.

Outside the area of expertise of the Auditor General, the Auditor General is wrong, and I've explained in detail all the specific allegations. I did explain, Mr. Chair, what would put me in that position. I can answer every single aspect of the report.

And, sir, I recall vividly the one question you asked me when I appeared before committee. You asked me, what do you want to be remembered for? And my answer was, doing the right thing, and sir, I stand before you today in the firm conviction that I've done the right thing.

•(1625)

Mr. Daryl Kramp: Thank you. Then have you challenged or do you plan on challenging directly the allegations of the Auditor General?

Ms. Christiane Ouimet: There's no forum, unless the committee...and that is why I am extremely grateful to be here today. I really am. Thank you, Mr. Chair, for affording me the opportunity. I did not have the resources. I did not have the venue. The jurisdiction of the Auditor General is extremely broad, and I thought that throughout the process we, collectively and individually—and I'm talking about every member of my staff—had answered every aspect openly. Every time I came out of those three days of cross-examination, the institutional lawyer would say I'd answered every aspect.

So I invite every member of the committee to read my written submission carefully and to call upon other members of my team, who are extraordinary.

The act is working, perhaps not exactly the way you would have liked, or perhaps a little earlier, but with respect to serious wrongdoing, my imprint is on 15 investigations. My imprint is also on other investigations and probes that have been looked at and vetted and cross-verified.

Mr. Daryl Kramp: In your—

The Chair: Thank you.

On behalf of everybody, I appreciate your gratitude to the committee for having you here today. We did try to get you here earlier, but we appreciate that you're here now.

I'm going to Madame Faille.

[*Translation*]

Ms. Meili Faille: A little earlier, I referred to your background within the Public Service. I listed several situations when you were with PWGSC. However, you also mentioned that you worked for the IRB. Those years marked the highest rate of rejection of refugee claims.

You also contributed to the fact that the Refugee Appeal Division never saw the light of day. With this government, you gerrymandered organizations which at the time were operating in the area of immigration, that is, organizations which were helping people who were seeking Canada's protection.

This very protection seemed to have been missing within your own office when you were integrity commissioner. A little earlier, you said that investigators from the Office of the Auditor General came:

[*English*]

“My staff was called in on the weekend and evenings.”

[*Translation*]

Your lawyer called this harassment, didn't he?

[*English*]

Mr. Ivan G. Whitehall (Lawyer, Heenan Blaikie LLP): Are you asking me the question?

The Chair: If you took that as an interpretation, I think Madame Faille wanted to ask Madame Ouimet to seek her counsel before she answered.

[Translation]

Ms. Meili Faille: Did you hear the question?

Ms. Christiane Ouimet: There were several elements—

Ms. Meili Faille: A little earlier, you said:

[English]

“My staff was called on the weekend and evenings.”

[Translation]

Ms. Christiane Ouimet: I do not recall having said that.

Ms. Meili Faille: You said that people from the Office of the Auditor General called on weekends and evenings.

Ms. Christiane Ouimet: Allow me to be more specific. Documents were brought to my personal residence late one evening, despite the fact that I was always available at my office. I apologize for not speaking clearly.

Indeed, we often received documents on Fridays, at all hours of the day. The requests were very demanding. For example, we received documents on December 22 and December 29, with deadlines no longer than a few weeks.

Did you have questions on my background, Ms. Faille?

Ms. Meili Faille: You said something a few moments ago and you have just clarified the situation. You say that this does not concern you personally. You were concerned for your staff. You said that your staff was harassed by the Office of the Auditor General.

• (1630)

Ms. Christiane Ouimet: My staff worked extremely hard to respond to the many requests made with regard to every aspect of the way the office of the commissioner operated. The institution felt it was its duty to collaborate in any way it could, and I have documentation to prove this. My staff acted professionally and managed to respond to every question. The same staff continued to work and to operate within the institution. Staff members were all professionals of a very high calibre.

Ms. Meili Faille: That's what I wanted to clarify. Earlier on, when you said that your staff had been harassed—

Ms. Christiane Ouimet: I did not use that word.

Ms. Meili Faille: In the complaints we heard about, it was revealed that you often called people in the evening and on weekends, and that you expected your staff to get back to you within half an hour. I hope this was not the case, because the picture which the Auditor General painted of you leads us to give more credibility to the people who complained about the way you treated them.

Ms. Christiane Ouimet: If I may, madam, let me talk about the environment within the institution. I have tabled with you a detailed account of testimony from employees who worked with me for one or two years. You'll see that nobody responded to emails in the evening or on weekends. Further, the people who complained only worked for my office for a few weeks or a few months.

May I read some of the excerpts, Mr. Chairman?

[English]

“I cannot tell you how much I have enjoyed working with...you. Your exceptional—”

[Translation]

Ms. Meili Faille: We have those documents and those statements.

The documents contain exchanges which show that you conducted an investigation on your own employees. Can you explain to us the context within which this investigation was made?

Ms. Christiane Ouimet: First of all, employees were not being investigated.

Upon the recommendation of my audit committee, a risk assessment was done, as is done everywhere. This includes a physical analysis, and I must add that the last safety officer was very concerned about breaches of confidentiality. I hired a professional who assessed the risks. It cost just a few thousand dollars. He concluded that the institution's reputation was in jeopardy. That is very important. Essentially, that is what happened.

[English]

The Chair: Thank you very much, Madam Ouimet.

Mr. Shipley.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Thank you, Mr. Chair.

Thank you, Madam Ouimet, for being here.

The Auditor General concluded that complaints were founded and specifically that you acted inappropriately; that you mistreated and intimidated certain PSIC staff; that you took retaliatory actions against employees, including circulating sensitive personal information concerning health, character, and performance within the office and to outside parties; that you neglected to perform many of your mandated duties, including setting out proper procedures—you did touch on that—and handling disclosures and complaints under the Public Servants Disclosure Protection Act; and that you refused to investigate complaints in spite of supporting evidence.

Madam Ouimet, these are scathing accusations. In fact they're very disturbing. How do you respond to that?

Ms. Christiane Ouimet: First of all, I absolutely refute having being inappropriate or having inappropriate conduct with any of my employees. In fact, in her report, the Auditor General gives no indication, no explanation. Were there some discontented employees because they didn't get a promotion, or because even before they knew me they didn't want to support me? This is not unusual, Mr. Chairman. Lots of agency heads have been in that situation. When they arrive, they bring new leadership. They bring a new approach, and there is resistance among many colleagues.

I am firm. You can see my passion. I'm a francophone. I'm direct. I speak truth to power. Maybe some people didn't like it. But did I use inappropriate language? Absolutely not. In fact if asking somebody to do her homework is inappropriate, well then I asked somebody to do her homework. This is why. If you look at the testimony of 20 of my recent employees, how could they very spontaneously use that language?

I absolutely refute that I shared any personal information. In fact I was looking to my counsel for a copy of the letter that I received from the Deputy Auditor General in August 2009 indicating that they have no expertise, no jurisdiction, in the area of privacy. To my surprise, a few months later—in fact I was not aware—they used that. I would invite the Privacy Commissioner to look at the file. In fact we hired one of the top experts in privacy to assist. I have not shared any information. In my report I explain that an individual threatened legal action in 2008, and in 2009 documents were put together in anticipation of litigation. The problems existed way before 2009, and I have discussed them with a very senior former agent of Parliament.

I absolutely disagree that I acted in an improper way. Members of my audit committee have confirmed that as well.

•(1635)

Mr. Bev Shipley: I have to tell you that I have only been on this committee a couple of years or so. The Auditor General gives her report, whether it's about an agency, a department, or whatever. The recommendations come out. We've had reports that have not been very good and we have had reports from the Auditor General in which the agency or the department has actually had very good reports. But in every one of those there are some recommendations, and the agency or the department will say yes, we acknowledge, we will correct, we will do whatever. We say, okay, we want to hear back from you in a year or at some time so that we can actually check to see what you're doing.

I have to tell you, this is the only report I've ever witnessed on which there is a clear discrepancy between the opinion of the Auditor General and...this person being you, Ms. Ouimet.

I find that to be more than unique. I find it to be disturbing, because what we have now is two clearly different opinions about what has happened. This committee is going to have some very big struggles about how we're going to move ahead to deal with resolving that.

The Chair: Mr. Shipley, I want to be fair to Madame Ouimet. We've gone way past the time allotted, and if I asked her to entertain a comment or a response, it would be unfair if I had to cut her off.

So I'm going to ask Madame Ouimet to just hold that thought, and as we go through this I'll see whether we can give you ample time to respond to that comment, as opposed to a question.

Is that fair enough? Thank you.

Mr. Christopherson.

Mr. David Christopherson: Thank you very much, Chair.

It's interesting. You mentioned that you speak "truth to power". The reason we're here is that in this case you were the power. That's the whole issue we're faced with: what is the truth concerning the exercise of that power that we bestowed upon you when it was carried out?

When you and I were last talking, we were on the path of exactly how the offer came. I'd like to return to that, if I can, for just a moment. My understanding from the last thing you said was—please correct me if I'm wrong—that Treasury Board, I believe, but someone from within government, contacted your lawyer to advise.

Just in passing, I'm curious, does—

Ms. Christiane Ouimet: It was PCO, just to be clear.

•(1640)

Mr. David Christopherson: Does PCO have everybody's lawyer and their number on file?

Ms. Christiane Ouimet: No, the reason is.... Somebody referred to the fact that the Auditor General had written to the Privy Council Office. I had no choice but to respond. My lawyer was copied on that file.

Mr. David Christopherson: I see.

Ms. Christiane Ouimet: And at that time I wanted to explain *en français* and I had a francophone lawyer.

Mr. David Christopherson: That explains it. Thank you. I appreciate that.

So at that moment your lawyer contacted you by phone?

Ms. Christiane Ouimet: Yes.

Mr. David Christopherson: And he said what?

Ms. Christiane Ouimet: You have a non-negotiable offer.

I didn't know what the details were. I was shocked, I was surprised, I was exhausted, I was tired. This was contrary to my wish, my discussions with the chair. I've explained the extremely difficult two years that we had had to go through.

Mr. David Christopherson: But you knew what it was in regard to. It wasn't like wondering, why is this out of...? You knew that it was related to the AG's report. Did you assume that, or what?

Ms. Christiane Ouimet: PCO will keep their distance in whatever...you've seen it before. Of course, I had done my duty. I was intent on staying until the tabling of my third annual report, and I was convinced.... And probably the story would be very different today if I had had the opportunity to table my first case report.

Mr. David Christopherson: Well, why didn't you stay, then? You said you didn't leave voluntarily and that there were pressures on you. But as I understand it, the decision to leave was still yours.

One of the things about your position, and the reason we're going to this great length and expense, is that you're an officer of Parliament. Really, other than being the Clerk, you can't be any higher. And you don't have one boss; you have the House of Commons.

So this business that they.... How could they push you out? You're not hired by the government; you're hired by Parliament. So when you said you didn't leave voluntarily.... Do you feel that you were fired?

Ms. Christiane Ouimet: I felt that I had no choice—for the good of the institution, for the good of all agents of Parliament, sir. There were millions of dollars expended in this process in direct and indirect costs, probably bigger than my annual budget.

There were extremely difficult staff relations for my small unit, who are extremely professional. For the first time—in five years I had not taken a sick leave—I had to take the month of August.

Mr. David Christopherson: I don't have a lot of time in this round, so here are a couple of quick questions.

The Auditor General says in part in her report, on page 5: “These allegations”—against yourself, ma'am—“included statements to the effect that the Commissioner yelled, swore, and also berated, marginalized, and intimidated certain PSIC employees, and that she engaged in reprisal actions.”

On the same page, a little further, it also says:

Many of the current and former PSIC employees that we met with expressed concerns about the Commissioner communicating with PSIC employees in a disrespectful and unprofessional manner, including yelling, swearing, and also berating PSIC employees, at times in front of co-workers.

What is your reaction to those statements from the Auditor General?

Ms. Christiane Ouimet: It's not true. Mr. Desjardins was in fact very discontented. I spoke with the same tone and the same frankness that I speak with today. It was a small number of people. And people who have worked for me for years can attest that this is not my style, sir. In fact, I “*vousvoie*”; I used the *vous* for francophones among all of my staff. This is my style.

Mr. David Christopherson: So basically, you're completely denying all of that.

Ms. Christiane Ouimet: Maybe in the minds of people—

Mr. David Christopherson: Then our next step, Chair, has to be to bring in the Auditor General and have the two of them sit side by side.

The Chair: I'll ask you to make a recommendation later.

Let me go to Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you, Chair.

Madame Ouimet, let me quote from the Auditor General's report:

According to its 2007–08 and 2008–09 annual reports, PSIC received a total of 114 disclosures of wrongdoing and 42 complaints of reprisal in the first two years of its operation. During this period, out of the 156 files, [only] three formal investigations were conducted.

I put the word “only” in there.

I read your statement very carefully. We heard about charts, draft procedures, operating procedures, draft guidelines. It seems that you had everything going on except a finding of wrongdoing or reprisal that would protect whistleblowers. My question is, how could it be possible that your office received 156 complaints of reprisals and reports of wrongdoing and that not one of them was substantiated?

• (1645)

Ms. Christiane Ouimet: It is because, number one, the vast majority of the cases that we received did not fall within our mandate, or there was another process. This was simply because we weren't known. Of course, with the recent publicity, I can assure you that probably Canadians now do know about the integrity office, and I'm just sad that they don't get the right story.

Number two, there are disclosure regimes all across the system. A lot are captured by each organization.

Mr. Terence Young: Thank you. That's sufficient, because I read your statement, which covered that. I'd like to ask another question, if I may.

According to section 25 of the act you administered:

The Commissioner may delegate to any employee in the Office of the Public Sector Integrity Commissioner any of his or her powers and duties under this Act, except: (a) the power to delegate under this section; (b) the power to decide not to deal with a complaint filed under subsection 19.1(1)

—which is the section that deals with complaints related to reprisals. Yet we have a matrix from the AG that shows that no fewer than eight times, other staff members signed off, closing files.

The committee that was to oversee your operations was the government operations committee, chaired by coalition member Pat Martin, and I'll read this quotation, in case you haven't heard it before:

“I accept some of the blame for that as the vice-chair of the oversight committee that was supposed to be watching Christiane Ouimet. Report after report after report came by our committee without comment.”

Did the government operations committee ever ask you why staff were closing off files?

Ms. Christiane Ouimet: I don't recall that specific question, but I would have been happy to respond. No file was closed unless we had looked at every aspect, from a legislative perspective, from a factual...and even if we did not have jurisdiction, we would refer the matter, to try.... We had people help for social services.

Mr. Terence Young: I understand that, and yet on this chart there are files that you closed as decision-maker, and there are files that W. Watson closed, or some of the other members of your staff. But that appears to be against the act.

Ms. Christiane Ouimet: No, I don't think so. In fact, my understanding is that I could delegate decisions according to the act.

Mr. Terence Young: Thank you.

According to your 2009-10 annual report, you state upfront:

- our message is reaching its target audience;
- our stakeholders have a clearer understanding of our mandate;
- our collaborative relationship with organizations...is more firmly established;
- more people are coming forward....

Then, in a later part of that same report, you have a list of things that seem to say why you're not doing anything or why you can't do anything. For example:

- our jurisdiction is limited to the public sector as defined by the Act, which covers most, but not all federal public organizations and employees;
- we were not established to duplicate or interfere with other processes under other Acts....
- we are not an appeal body for decisions made under other processes;
- wrongdoing is defined broadly....
- we act on solid and dependable information, and if we do not have it we will work to obtain it.

My concern is that this was your message to your target audience, which is whistleblowers who need protection. It doesn't surprise me that they wouldn't want to come forward.

Again, my question is, did the Standing Committee on Government Operations and Estimates ever challenge you on all these red flags that were in your report that you actually were not accomplishing very much?

Ms. Christiane Ouimet: Sir, we implemented the act that you've given to my office. We had 15 serious investigations after three years. We were on the verge of issuing the report, and it is normal, looking at access and other organizations. We were evolving in a measured and appropriate way. All of the decisions were a consensus, based on review and quality control. I stand before you today with a clear conscience and say that I'm satisfied that every decision was made in the best interests of all parties' reasonable interpretation and based on the act.

Mr. Terence Young: Thank you, Madam.

But you know that you were supposed to be championing the—

The Chair: Thank you.

Mr. Young, your time is up.

Monsieur D'Amours, please.

[Translation]

Mr. Jean-Claude D'Amours: Thank you, Mr. Chair.

Ms. Ouimet, could you give us an explanation? When the security incidents occurred at your office, you contacted, if I am not mistaken, the RCMP deputy commissioner of operations, Mr. Tim Killam. The services of a risk assessment specialist were retained. They had been recommended by the Prime Minister's Office.

There is talk of independence. However, I wonder why the RCMP was involved in this matter, and why, at the same time, the Prime Minister's Office provided the name of a person to solve this problem.

• (1650)

Ms. Christiane Ouimet: First of all, the two issues are completely different.

Mr. Jean-Claude D'Amours: They dealt with the same section, Ms. Ouimet.

Ms. Christiane Ouimet: First of all, Parliament should be concerned if a breach of security and confidentiality occurs. In fact, the mechanism in question is confidential under the act. The Office of the Auditor General should be concerned about how well it is working, since confidentiality is at the heart of the act and breaches of security may occur. It is in everyone's interest.

As a small organization, we did not have the capacity to act.

Mr. Jean-Claude D'Amours: Ms. Ouimet, why did the Prime Minister's Office direct you to a specialist?

Ms. Christiane Ouimet: Because the staff was well placed and neutral. I am talking about a security matter.

Mr. Jean-Claude D'Amours: Let's continue, Ms. Ouimet, on another aspect of the problem. One of the emails mentioned earlier came from the Prime Minister's Office and said this:

[English]

...if you could advise PCO as to the status of his request.

[Translation]

This is a matter you addressed earlier. The Prime Minister's Office asked you to provide additional information on the issue. The name had been removed, but this is a specific case. I also have questions about another email. It came from Treasury Board. It says this: Ms. Marie-Josée Beauchesne, our director, wishes to revise the document ahead of time to ensure that it is consistent with the content of the workshop.

You were going to make a presentation. Why did Treasury Board want to revise your documents? If you were independent, Ms. Ouimet, why were these two federal offices interfering in your work?

You were an independent officer of Parliament. We agree on that. Everyone knows that. Why, in addition to having specific information, did the Prime Minister want to buy your silence? He acted the same way he did yesterday in the House of Commons. He concluded that he was above Parliament. He bought your silence for half a million dollars. The reason remains unknown. You say that it is because of the Office of the Auditor General, but why do you justify yourself with a letter from the Auditor General? You did not justify yourself to the Auditor General, in Parliament or to the people you are accountable to, but to the Prime Minister's Office.

The links are so obvious! There is no independence, Ms. Ouimet. What is more, the Prime Minister allowed himself to buy you out for a half a million dollars. That is how I see things. You were supposedly doing your job. That is at least what you are saying and what some members of government would appear to be saying. But the Prime Minister ignored the decision of Parliament and the Senate and decided to buy your silence for reasons we would like to know about. Those things have not been clarified.

Why did the Prime Minister want to buy your silence? If, according to your hiring, you were accountable to Parliament and the Senate, why was he the one who paid you half a million dollars? That makes no sense. There must be other reasons, and those are the reasons we want explained. Otherwise, you are directly accountable to Parliament.

[English]

The Chair: Thank you, Mr. D'Amours.

Mr. Daryl Kramp: Chair, this is like last week's allegation. The Prime Minister doesn't pay out. Let's cut the partisan stuff and just deal with the issue, please.

[Translation]

Mr. Jean-Claude D'Amours: Mr. Chair, the Prime Minister said today that it was the best way of solving the problem. He said that himself.

So why did these people want you to remain silent, Ms. Ouimet?

•(1655)

The Chair: Thank you, Mr. D'Amours.

I am reacting the same way I did following Mr. Shipley's statement.

[English]

To be fair, I want to give Madame Ouimet an opportunity to respond. You've consumed the time, as is your right, as Mr. Shipley did with his. I indicated then that I would give Madame Ouimet an opportunity to respond to a comment, and I think your intervention falls into that same category.

I'm taking a little bit of time, Madame Ouimet, because I want you to catch your breath. I only have one other intervener, actually another one afterwards, so I'm going to use the chair's discretion to give you ample time to respond to both the observation by Mr. Shipley and the observation posed by Monsieur D'Amours.

Do you want to do that now, Madame Ouimet?

[Translation]

Ms. Christiane Ouimet: I will start with the final observation. I was somewhat confused, I must admit, because there were a lot of aspects. I will, however, do my best to answer the questions.

First of all, I did not have access to those emails. I think that unfortunately, you are perhaps quoting them out of context. Questions were perhaps asked. I cannot assume that a whistleblower has already gone to the Privy Council Office. If there is an issue, the registrar will be able to say he is looking after it. That is my only...

On the other question, I did more than 150 presentations across Canada, namely in central organizations, to explain the act. I have no idea which presentation that was. I am an officer of Parliament. No one changes the substance of my messages, but as regard to the format, there may be... I would really need more details on that. Sometimes, Treasury Board has responsibilities vis-à-vis a human resources officer. Under the act, these people are responsible for preparing certain sections of a presentation. Never, ever, was the substance of my presentations changed.

As regards the third question, after only three years of service, the Government of Canada made me an offer which I accepted. I cannot add to that, as I am not familiar with what the Prime Minister said and I am not in a position to deal with that.

[English]

The Chair: For Mr. Shipley's comments?

[Translation]

Ms. Christiane Ouimet: I would ask for your indulgence. Mr. Shipley, I made some notes.

[English]

I apologize, sir. I just want to make sure that I understood correctly your question.

The Chair: It was your observation, more than anything else.

If you'd like to think about it for a moment, I'm going to go to Mr. Dreeshen, and then I'll give you a chance to come back.

Ms. Christiane Ouimet: It had to do with ministers, severance, and....

Mr. Bev Shipley: We'll come back to it.

The Chair: We'll come back to that, Madame Ouimet.

Mr. Dreeshen.

Mr. Earl Dreeshen (Red Deer, CPC): Thank you, Mr. Chair.

Thank you, Madam Ouimet, for appearing here today. I know we have met on the ethics committee, and I know you had spoken quite highly of your educational promotion of your department.

What I'd like to do is go into two different areas, point 13 of the AG's report and paragraph 36. I'd like to talk to you about human resources and what types of staffing issues had taken place. I have read all of the report you have given us. I've seen some of the types of commentary of your current staff and I know how they felt about you. But I guess the point is, going back to the original staffing situation that you were in...my assumption is that this is what the Auditor General was looking at, if the timeframe is accurate there.

I'll start with paragraph 36:

In our view, the allegations made by the complainants concerning the Commissioner's inappropriate conduct and interactions with PSIC staff, retaliatory actions by the Commissioner, and the failure by the Commissioner to properly perform her mandated functions, are founded. As previously noted, we have reported separately to the Chief Human Resources Officer at the Treasury Board of Canada Secretariat and to PSIC management on the allegations related to performance pay decisions.

I think in that there was the question about how someone went from one level of pay to another level of pay. Am I misinterpreting that?

•(1700)

Ms. Christiane Ouimet: I think it had to do with the performance pay of the individual who did not want to support me.

Mr. Earl Dreeshen: So that was on performance pay. Thank you.

Then on paragraph 13:

We found a high level of turnover at PSIC in the first two years of its operation. Between 5 August 2007 and 31 July 2009, 24 employees left the Office, which amounted to an average turnover rate of over 50 percent per year. This included the departure of the majority of staff in senior positions who reported directly to the Commissioner. The Commissioner told us that the level of turnover within PSIC was normal for a small entity.

I know that you addressed that, but if we take a look at what the Auditor General has said, she has reported the great number of employees who left with grievances regarding how they were treated. That was part of it. We're led to surmise from the AG's report that it was a hostile environment, and again I'd like you to be able to comment on that aspect of it.

So really we're taking a look at that high turnover rate. I wonder if you could start by dealing with that.

Ms. Christiane Ouimet: Certainly.

Let me be clear. I joined an office that did not want to support me. They had not even met me, and they had made it clear that they would not support me. And I am not unique. There was even a case study at the Canada School of Public Service reporting this.

I had to set a direction. I had to set up an institution. We were building the plane while flying it. In fact, I was even audited before I arrived, from April.

I wanted the support of all staff, but if people do not want to support me—they made their own decisions within weeks—I had a job to do. I did it with integrity, in accordance with all of the applicable policies. There was a key expert in human resources who knew all the complainants, who in fact has not been interviewed by the Auditor General, and who would confirm that I adhered to all of the policies.

In addition, we got training, coaches, special retreats. If you look at my written communication, I commend staff, but there is a direction, and if people don't like the direction, they are entitled to... I have read every single testimony, Mr. Chair, and while some people say it was a charged atmosphere, I personally was well treated. The two people who were allegedly marginalized were the first ones to phone me in my retirement and have been sending me thank you notes ever since. Some got promotions elsewhere because they deserved it. Two went on pre-retirement, and there were transitional team members who were not happy in their previous positions either, but the core group stayed with me throughout that period.

We have built together the institution that you have today, which will deliver on those 15 investigations.

I urge parliamentarians and pressure groups to help the whistleblowers who are currently being dealt with now so that the decisions can come, so that my institution—my former institution, I'm still passionate about the work I did because I invested in it professionally and personally—will deliver on the act. Perhaps it's not the perfect tool Parliament wanted, but it will deliver.

I am absolutely personally offended. I've treated people with respect, with dignity, and people—maybe in their own minds, as we each have our own perception—the vast majority of employees, which you saw in the written testimony and even in the testimony I read, enjoyed the challenges. I guarantee you this.

The Chair: Madame Ouimet, I have completed rounds for everybody.

We have some more time. I'm going to be very flexible on this part in terms of who I recognize. I've already been given an indication of at least one member who wants to raise an issue about going forward. When I get to that, I will do it.

I'm going to go to Monsieur Plamondon. I'm going to try to limit everybody to three minutes.

• (1705)

[Translation]

Mr. Louis Plamondon: I have a short question. I listened to your explanations carefully. I saw that there were personnel problems. You explained why. I also saw that the Auditor General tabled a report critical of your administration and you have attempted to respond.

You know, I think that in politics, as in life, perception is the most important thing. I am trying to put myself in your shoes. You worked in the public service for 28 years; you could have continued on another seven years and, suddenly, you receive an offer. You say

with some surprise that you received an offer resembling a buyout. It is as if they were buying your credibility and reputation for \$500,000. In your place, it seems to me that I would have thought that if the government was no longer satisfied with me, I would have given up the job; I would go and work elsewhere in the public service and complete my 35-year career properly to earn the pension and money owed me. By accepting the offer, it seems to me that you opened yourself up to a number of interpretations and rumours, and that you discredited the public service in general.

[English]

The Chair: Madame Ouimet.

[Translation]

Ms. Christiane Ouimet: Sir, it is with great regret that I listen to your remarks. I cannot accept the comments that you have made, not after 28 years of loyal service.

As an officer of Parliament, I could not have joined the public service. I worked closely with people like Mr. Côté, from Quebec, who is aware of my integrity. I worked closely with all officers of Parliament, who know me.

Mr. Louis Plamondon: Then why couldn't you go back into the public service?

Ms. Christiane Ouimet: It is impossible, unthinkable for an officer of Parliament to go back to the public service.

What I wanted—and arrangements had already been made—was to remain an “order in council” appointee in universities, and in exchanges. That is entirely acceptable.

Yes, I took a seven-year penalty, sir. You are attacking my very nature. I displayed great honesty, and I had the courage to leave. Do you know why? I was not well, I was exhausted. Two years of audit is unheard of, sir! I did not know what would happen when I accepted it. I had hoped to be able to table my initial report on wrongdoing. I ask that you refer to that. I did my job, and for the good of the institution, I accepted, sir. Because I had reached the point of burnout. What is more, my reputation—

Mr. Louis Plamondon: Five hundred thousand dollars!

The Chair: I will ask you to stop there, please.

I said that I would use my discretion as chair.

[English]

And part of that discretion is that we're going to be interrupted in about seven minutes by the first bell.

I know my colleagues will want us to, and because we're just down the hall—we're about two minutes or three minutes away—we'll probably go to about 20 or 25 after, if you don't mind, to be fair to everybody.

I'm going to go to Mr. Young.

Mr. Terence Young: Thank you, Chair.

Madame Ouimet, you've mentioned that all decisions that were in made in your office were made by consensus. But there's nothing in the act about decisions being made by consensus. According to the act, you, as commissioner, had to hear about and address the concerns and protect whistleblowers. You were supposed to be their champion.

In retrospect, do you believe you used your discretion to hear from...and address the issues and protect public servants who desperately wanted to do the right thing?

Ms. Christiane Ouimet: Mr. Chair, this is a very articulate statement.

I have on occasion met with disclosers myself—people who were in pain, people who understood that perhaps I could not help them but they wanted to talk to the commissioner. And every time I did so. Perhaps it goes to what Member Christopherson indicated, but part of the process—and there have been studies in Australia—is how they feel they were treated. This is absolutely crucial.

Part of the mandate is to treat disclosers with respect, with dignity, and to explain to them if we cannot help them. I have on many occasions met disclosers, and I would, if I were still in the position. I took their issues very seriously. It takes a great deal of courage, and I think we were getting to the point....

If you look at my last letter addressed to the disclosers, I called upon them to continue to come. They don't know what the end result is because I didn't have to.... You see it from one of my staff. I did have a genuine interest and commitment to help disclosers.

• (1710)

[Translation]

The Chair: Mr. D'Amours.

M. Jean-Claude D'Amours: Thank you, Mr. Chair.

[English]

Madame Ouimet, I think I have a better date for you. It's a letter that you received on July 12, 2010, from the Prime Minister's department, approving a raise for you and thanking you for your hard work.

I will read it exactly:

I thank you for your hard work and dedication in the past year, and wish you every success in the coming year in your service to Canada.

It was only when the AG's report came out that they decided to turn you down. It's surprising, because on July 12, 2010, they gave you a raise backdated to April 1, 2009.

[Translation]

Ms. Christiane Ouimet: First of all, Mr. D'Amours, you are mistaken about the context in which I received the letter. If you checked, you will realize that all officers of Parliament received the same letter. When I accepted the position of Integrity Commissioner, it was a lateral move, which means that I did not receive a performance bonus. What you are referring to—and once again, it is unfortunate that I have not been given these [*Inaudible—Editor*—is the salary increase that—

Mr. Jean-Claude D'Amours: But Ms. Ouimet, if the government was not satisfied with you and at the same time, it was preparing an offer for your departure, that is a bit—

Ms. Christiane Ouimet: I had not received anything at that point.

Mr. Jean-Claude D'Amours: But your discussions did, nevertheless, start at that time.

Ms. Christiane Ouimet: Absolutely not.

Mr. Jean-Claude D'Amours: But if we remember correctly, you made a number of comments about the letter that the Auditor General sent to the Prime Minister's Office, and it was before that.

Ms. Christiane Ouimet: There had been no exchanges with the Privy Council Office regarding my departure up to that point. There had not been any. That occurred in September. The letter you are referring to is a standard letter that all officers of Parliament receive. It is in no way personalized. I am sorry, Mr. D'Amours, but that is completely out of context.

Mr. Jean-Claude D'Amours: But, Ms. Ouimet, while the letter is not personalized, it is still addressed to you. At the end of the letter, it says:

[English]

I thank you for your hard work and dedication in the past year, and wish you every success....

[Translation]

I will stop there because I have already read it once. The situation is ironic.

[English]

The Chair: Madame Faille.

[Translation]

Ms. Meili Faille: Thank you, Mr. Chair. I am going to ask you the same question that I asked one of your former colleagues, a friend of yours, the Chief Human Resources Officer, Daphne Meredith.

Perhaps you have never found yourself in a similar situation. However, if the case were to arise, would you hesitate to denounce a colleague, a person with whom you had worked and proudly accomplished a number of things over the past 28 years?

If that were to occur, would you hesitate to denounce that person? Would you use informal means to contact her and inform her of the situation?

Ms. Christiane Ouimet: First of all, I would like to clarify that I was not friends with... I always maintain professional relationships. I am known for keeping my private life separate from my professional life.

Ms. Faille, in the past, I had been called upon to deal with precisely that kind of issue. So I don't know if you have a particular issue in mind, but my duty—as I am performing it today—is to share the facts and the truth to the best of my knowledge. It is also to ask parliamentarians for their help in restoring my reputation which has been tarnished by a report which is unwarranted and which does not explain—

•(1715)

Ms. Meili Faille: I simply want to add a comment. We have heard from members of your office, and no one challenged the allegations in the Auditor General's report. We heard from the privacy commissioner. No statements were made to contradict the views of the Auditor General.

Do you think that the Privy Council Office may have discovered something that would have caused embarrassment?

Ms. Christiane Ouimet: I don't know what the nature of your question is. My colleagues appeared here and answered along the same lines as me. They acted with integrity. If they had had any problems with my management style, I would not have received written evidence and statements that they had never noted anything unacceptable.

Ms. Meili Faille: At any rate, they were in no hurry to appear.

[*English*]

The Chair: Madame Faille, Madame Ouimet, we're going to wrap up in a moment or two.

I want to ask a couple of questions, if I might, and then I'm going to go to Mr. Christopherson, who has given me notice of a question he'd like to put before the committee about next steps.

Madame Ouimet, you strike me as a very professional, very prepared type of individual. You're not a person who would be an easy pushover, in my view, and you started off by indicating to all committee members something they already know, and that is that you are appointed by an order from both the House of Commons and the Senate, both houses of Parliament. You can only be removed for cause or by a similar order from both houses.

We didn't issue such an order in the Commons. Why wouldn't you resist any kind of movement to have you out of your position? The reason you have a seven-year appointment is that parliamentarians want you as their agent, not anybody else's agent. I'm at a loss to understand why you would have accepted any kind of a suggestion, a contract, an offer—I think you put it—that cuts you short of your contract four years before its expiry from people to whom you don't answer.

Ms. Christiane Ouimet: Sir, the first comment, when I made the opening statement that I have to rectify the facts...when I left I never expected the sort of report that was tabled before this committee. Had I known, sir, I would have stayed in my position. I had faithfully answered everything. I am shocked and absolutely...I find that sort of report appalling.

The Chair: That's why we wanted you to come forward. I think everybody wanted to give you a fair chance to address this.

Ms. Christiane Ouimet: And I'm grateful for that, sir.

The Chair: So—

Mr. Andrew Saxton: The bells are ringing. May I just bring to the attention—

The Chair: We've already dealt with them, Mr. Saxton.

Mr. Andrew Saxton: No, the bells are ringing, and I think you need unanimous support to continue, so if you'd like to seek that unanimous support, you're welcome to do so, but—

The Chair: We had them already a few minutes ago, Mr. Saxton. Just hold on to your horses, please.

Mr. Andrew Saxton: Mr. Chair, would you please ask the committee for unanimous support?

The Chair: We've already done that.

Mr. Andrew Saxton: I'm sorry. You have not asked the committee for unanimous support. Please ask the committee for unanimous support.

The Chair: I'm going to ignore that.

Madame Ouimet, I think Mr. Shipley and others have raised an issue that you—

Mr. Andrew Saxton: Mr. Chair, you cannot ignore a point of order.

The Chair: That's not a point of order. I ruled. Thank you.

Mr. Andrew Saxton: Yes, it is. The bells are ringing. The votes are going on. We've always abided by this. This is normal procedure.

The Chair: I think you were in the room when we dealt with this, Mr. Saxton.

Mr. David Christopherson: The chair already outlined what he proposed to—

Mr. Andrew Saxton: I'm sorry, he did not ask for unanimous consent—

Mr. David Christopherson: I've got the floor right now, Andrew.

The chair outlined that we would go as long as we could and a couple of minutes into the bells, that we would take a couple of comments and then he would come to me for a motion, and we'd be adjourning some time between 20 after and 25 after. Nobody said boo. I think we're still within the mandate that we gave the chair, that we gave ourselves, to continue for at least another six minutes.

•(1720)

Mr. Andrew Saxton: I respectfully ask that the chair ask for unanimous consent to continue. That's all we're asking for. It's a very simple question. It's something we do every time when the bells go off.

The Chair: Thank you, Mr. Saxton. I'm not going to do it.

Madame Ouimet, there are two other very brief comments, as I said. You must have received with insult the information that came before another committee yesterday that your successor may be subjected to a psychometric assessment. What was your reaction to that?

Ms. Christiane Ouimet: I was not aware. Whatever tool this Parliament decides is appropriate...and I can assure you, sir, that I performed my duties

[*Translation*]

conscientiously and sincerely.

[English]

But it will be up to the committee. I'm not involved in senior personnel issues, and I believe you probably know about private sector approaches in that respect.

The Chair: Madame Ouimet, you leave me with the last comment from Mr. Shipley that I wanted to build on, and I think Mr. Christopherson had already raised that type of issue as well. In your detailed responses to the questions of all colleagues, and I compliment you, you've raised a question for all of us, and that is that we need to look at the inconsistencies between the Auditor General's report and your responses.

This is a great challenge for all of us, and I say that only as a comment, because I know there's a question coming up. So you might want to reflect on that for a moment.

Mr. Christopherson.

Mr. David Christopherson: Thank you very much, Chair. I only need 60 seconds.

When we began, we started with the Auditor General's line. The Auditor General said in her report:

In our view, the Commissioner's behaviour and actions do not pass the test of public scrutiny and are inappropriate and unacceptable for a public servant—most notably for the Agent of Parliament specifically charged with the responsibility of upholding integrity in the public sector and of protecting public servants from reprisal.

And from Madame Ouimet today, we heard:

The Auditor General's conclusions constitute a serious and direct attack on my personal and professional integrity. They are ungrounded, and I utterly refute them. My commitment to the public sector is solid and long-standing, and I continue to fulfill my mandate with integrity and in the public interest.

My apologies. That was from March 10 of last year.

I asked Madame Ouimet whether she still feels that way, and obviously she does. To me, in the interest of Madame Ouimet's reputation, the integrity of the Auditor General's department has now

somewhat—well not somewhat—been placed directly in conflict, or in question, at least.

To me, Chair, what we need at our next meeting, at the next available meeting, is to have Madame Ouimet return and to have Madam Fraser. I am advised that in the last half-hour, through the “Kadyverse”, the Auditor General has made the statement that she stands by her report. We are so far apart on something that's very significant.

So I move that at the next available meeting we ask Ms. Ouimet to return, and we also bring in, invite, Madam Fraser to join us to allow us to start to get at the core of some of these questions.

The Chair: Mr. Christopherson, I think you'll be pleased to know that when I negotiated with Mr. Whitehall, on behalf of all committee members, I gave an indication that the committee might wish to extend the sitting or hold a subsequent hearing at which Madame Ouimet would be invited. I'm sure she would want to be present. I don't want to put her on the spot right now, but I'm assuming that it would still be acceptable.

Ms. Christiane Ouimet: We agree with what was agreed to. But I would like, for the benefit of the committee, to indicate that I stand by every fact. And in fact, the annual report, the report of the Auditor General, contains no details and no analysis, and in fact does not include the testimony of key people. I fundamentally disagree with the contents of this report and will be happy to continue to answer questions.

● (1725)

The Chair: On that note, Madame Ouimet and Mr. Whitehall, we want to thank you on behalf of all committee members. We're going to go away for a few minutes, because we have to go to our vote.

We will convene as the steering committee, I guess, to prepare for the following or subsequent meeting, where this is going to be the first order of business.

Thank you. The meeting is adjourned.

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