



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

43rd PARLIAMENT, 2nd SESSION

Standing Committee on Access to Information, Privacy and Ethics

EVIDENCE

NUMBER 035

Friday, May 14, 2021

Chair: Mr. Chris Warkentin



Standing Committee on Access to Information, Privacy and Ethics

Friday, May 14, 2021

• (1300)

[*English*]

The Chair (Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC)): I call this meeting to order.

This is meeting number 35 of the House of Commons Standing Committee on Access to Information, Privacy and Ethics.

I'd like to remind committee members that today's meeting is going to be webcast and will be available via the House of Commons website.

Today we're studying the main estimates 2021-22, including vote 1 under the Office of the Commissioner of Lobbying and votes 1 and 5 under the Offices of the Information and Privacy Commissioners of Canada.

Today our witness to carry us through the first hour is Caroline Maynard, who is the Information Commissioner of Canada. We'd like to welcome the commissioner and turn it directly over to her to begin with an opening statement, and then we'll have some questions from members.

Thanks so much for being here.

Ms. Caroline Maynard (Information Commissioner of Canada, Offices of the Information and Privacy Commissioners of Canada): Thank you so much.

[*Translation*]

Thank you for inviting me to appear before you today.

It has been over a year since we last spoke, and I am pleased to be here to answer questions about my Office's portion of the main estimates.

Generally speaking, in the past, our figures have not changed that much from year to year. However, you may notice that this year there is an increase to my permanent funding. I received this as part of the supplementary estimates (B). This has made a significant difference to the Office of the Information Commissioner's operations.

[*English*]

In past years, the temporary nature of the additional funding granted to my office annually to address the backlog of complaints has prevented me from permanently staffing a number of positions on my investigations team. Year after year my predecessor and I were forced to request the funding anew.

Permanent funding has at last allowed me to adopt longer-term approaches to human resources planning in order to ensure stability

within my office and contend with the volume of complaints that we are investigating. We are capitalizing on this opportunity.

I have used this funding to begin staffing processes that, once concluded, will result in a net gain of 26 full-time equivalents, 21 of whom will be working in the investigations and governance sector. Some of these new employees have already started on investigations at the OIC. Others will soon be joining us. I look forward to welcoming them to my team.

Together we will continue to work to uphold the right of access, which is compromised due to the pressures we see within the system, a situation I highlighted even before the pandemic but one which I believe, with strong leadership and bold actions, including voluntary disclosure and proper information management, we can address.

[*Translation*]

I would just end with the assurance to you all that my Office's commitment to transparency and fair and efficient investigations endures. We could always do more with more resources, but we have proven to be innovative with what we have and we have demonstrated great adaptability, particularly in this time of upheaval.

It is a great source of pride to me that since the very beginning of the pandemic, the Office has been able to maintain its operations, and indeed continue to innovate, even as we all dealt with the restrictions imposed upon us.

This bodes well for the future of the organization.

[*English*]

I am happy to stay and I will answer the questions you have for me today.

Thank you.

The Chair: Thank you, Commissioner.

We're going to begin with Monsieur Gourde for six minutes.

[*Translation*]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Thank you, Mr. Chair.

Thank you for joining us, Commissioner. It is always a pleasure to have you here.

It seems to me that the last time we spoke, we talked about delays in processing complaints.

Has the situation improved in the last year, despite what we are going through?

• (1305)

[English]

The Chair: Commissioner, I believe you're still on mute.

Ms. Caroline Maynard: Sorry. I didn't think I put myself on mute.

[Translation]

I'm sorry.

Mr. Gourde, it's not better than before, but it's not worse either.

I am pleased that we have been able to keep up the pace at the Office. We have received over 4,000 complaints again this year and we managed to close 4,060 files, despite the fact that we have all been working from home since March of last year.

My goal was for the backlog not to increase. So I tried to keep the number of outgoing files equal to the number of incoming files. Ideally, we would have completed more. But as you know, while I have received additional resources, this has not necessarily been the case for the other agencies. Our investigations are actually limited by the speed at which those agencies can respond to our requests for representation. This year, our ability to close the files was impacted.

Despite this, I think we are on the right track.

Mr. Jacques Gourde: Based on your experience over the past year with the pandemic, do you think that telework will be possible for some members of your staff in the future?

Ms. Caroline Maynard: Yes, definitely. The pandemic forced us to adopt new ways of working.

We were fortunate that all my employees had access to their computers at home and everyone has been connected since last March. In addition, we have learned to live with new ways of working, including electronic signatures and electronic mail. Many documents are now sent electronically. This has made our job easier. We are realizing that we are able to work from home, and my employees have told me in several surveys that they would like to have that flexibility when we get back to normal in the next few months.

We will probably offer some flexibility, a hybrid work arrangement. Some days we will work from home and some days from the office. This will allow us to have some collegiality and to meet together. We miss that very much. The work itself and the efficiency of the employees have not changed.

Mr. Jacques Gourde: I thought I heard that there were 21 additional permanent positions. Did I understand correctly?

Perhaps the interpretation was playing tricks on me, I'm not sure.

Ms. Caroline Maynard: Yes, we finally received additional permanent funding last summer. That allowed us to plan to hire 27 new staff members, including 21 new investigators.

Mr. Jacques Gourde: So with these new hires, you will be able to do the work for the next five years, right?

Ms. Caroline Maynard: We hope so.

It's really something that I wanted to do. The temporary funding that we had for the last four years allowed us to hire consultants, but we had to let them go at the end of the year. We were not able to keep our employees because we could not offer them permanent employment. Our goal now is to retain our employees and train them to be part of our team for the long term.

Mr. Jacques Gourde: We know that training employees takes time. Once they are trained, they become an indispensable resource.

I have no more questions.

Thank you, Commissioner.

Ms. Caroline Maynard: Thank you.

[English]

The Chair: Thank you, Mr. Gourde.

Commissioner, I'm wondering if you can lift your microphone away from your face a little bit. That may reduce the static. Thank you, Commissioner.

Ms. Shanahan, we'll turn to you for the next round of questions.

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.): Thank you very much, Chair.

I just want to say that it sounds like you've had some good news, Madam Maynard, but I'd like to have a little bit more detail about how the additional funding is going to be allocated to help you complete your work.

You were mentioning in your response to Monsieur Gourde how the hybrid workplace has turned out to be a benefit and something to be considered. Is that going to alter some of your spending plans? Can you shed some light on that for us?

Ms. Caroline Maynard: We were going to be short in location for 27 new employees, so we were looking at having extra rental space. However, because of the hybrid possibility and the flexibility that telework and working remotely are giving us, we see that we won't need the additional rental space, so the money will be able to be spent on people and on innovation in technology.

We are definitely moving to a cloud environment at my office so that we can have easy access to all of our documents. We're scanning all the files so that we don't have paper anymore and so that people can work from home easily.

It also is going to give us the flexibility of hiring people outside of the national capital region, which is great, because we've always had difficulties recruiting in this field. Now we can have people in Toronto, Vancouver and London, Ontario. This has been a great opportunity for my office in terms of hiring and retaining all these people.

As for the \$3 million we received permanently, I was getting it every year for the last five years, but, as I said earlier, it was always a temporary measure. Now we finally are able to invest long term in our employees and in our infrastructure so that we will definitely be getting some long-term gain.

• (1310)

Mrs. Brenda Shanahan: That is very interesting.

You mentioned having less of a need to have employees in Ottawa itself, where we all know the rental market and the real estate market are heating up. As it is, though, with those other centres, is it possible that you could have employees in smaller centres and in rural areas as well?

I'm just throwing that out to you, because I think we're blue-skying a lot of ideas here.

Ms. Caroline Maynard: We're definitely looking at all of the different options.

Right now we're not looking at getting more buildings or rental space, because people are enjoying working from home. However, I am told as well that people are missing their colleagues, the coffee talk and the lunches, and being able to look to the colleague beside them for help sometimes. Right now it's a little bit harder. You have to call people. You have to send them an email or do a live chat.

We're looking also at using Zoom or Teams meetings—video conferencing, and all that technology—to help everybody learn and be more efficient and be happy working from home or at the office. I think having both will be a positive thing.

Mrs. Brenda Shanahan: Excellent. Flexibility is the key, I think.

I want to understand a little bit better. You mentioned that you received additional funding. I just want to clarify the amount. Was it \$4 million or \$3 million?

Ms. Caroline Maynard: [*Inaudible—Editor*] million.

Mrs. Brenda Shanahan: Pardon?

Ms. Caroline Maynard: It is \$3 million.

Mrs. Brenda Shanahan: We know that budget 2021 proposes to provide additional funding over the next five years. I have the amount of \$12.8 million, but maybe you'll correct me on that.

The idea there is to “support further improvements to the online Access to Information and Personal Information Request Service, to accelerate the proactive release of information to Canadians, and to support completion of the Access to Information Act review”.

I'd like to have your comments on that, particularly the access. Will there be increased online access, and will that benefit Canadians who are not necessarily in Ottawa to easily access that?

Ms. Caroline Maynard: My understanding is that the additional \$12 million was given to the Treasury Board, the department responsible for administering the Access to Information Act and the process and systems.

We didn't receive any of that money. It's for the government to better their system and improve their online request system. I don't know what the plan for the Treasury Board is with respect to the money specifically, but I know they are putting together a new portal where Canadians will be able to make their access requests, and they will also receive the documents through that portal. I think that's what they are looking into: making it easier for Canadians to get information.

I'm sure if you ask Minister Duclos and his team to tell you exactly what their plan is, they will be happy to answer. We didn't really receive any of the additional information on that.

• (1315)

Mrs. Brenda Shanahan: Certainly a new portal sounds interesting.

Chair, I'd like hear, if we have any time, just what—

The Chair: You are out of time, Ms. Shanahan.

Mrs. Brenda Shanahan: Ah, there you go.

The Chair: I apologize. You may get a chance to come back to that.

Madame Gaudreau, we'll turn to you now for the next six minutes.

[*Translation*]

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Good afternoon, Commissioner. I am pleased to see you again and, especially, to speak to you in French.

Today, we are fortunate to have a forum to talk about certain things.

I find it reassuring that your budget has been increased and that you have been able to hire 27 new employees, including 21 investigators.

I also find it interesting that you have been able to process 4,060 complaints that were backlogged.

You have now received funding, and performance is often said to depend on funding. In practical terms, in order to do as much as you can and ensure that backlogged complaints are processed, what is missing in your organization?

I know you have a number of suggestions for us, so I'll turn it over to you.

Ms. Caroline Maynard: We are working very hard right now on the processes to make sure that we limit the amount of time we spend investigating. We are trying to deal with complaints as quickly and as informally as possible. What will really help us is to receive fewer complaints. This can only happen if the government as a whole provides information to Canadians on a voluntary basis, without waiting for them to make access to information requests.

I will be submitting a special report shortly on access to information requests for Immigration Canada. This study has opened our eyes to the question of whether the access to information system is the appropriate platform for people to use to obtain information. Let me clarify that this is not just about Immigration Canada, but the government as a whole. There is no question that departments can provide information on a voluntary basis instead of waiting for requests. In fact, the access to information process should be a formal process to obtain more information after first consulting with the agencies.

In principle, government information should already be transparent and voluntary. This would certainly help the whole access to information system. It would reduce the number of complaints to my office and the number of access to information requests made to departments.

Ms. Marie-Hélène Gaudreau: Since I don't make access to information requests, I find the subject really interesting and it piques my curiosity. From what I understand, there is a barrier to access. You said that the government should share information on a voluntary basis. In principle, given that it's taxpayers' money, the information should be readily available.

What types of requests do you see consistently?

Ms. Caroline Maynard: Canadians are very inquisitive and they know their rights. Some topics come up in the news, such as how much money the government has spent to deal with pandemic issues or vaccine contracts. Of course, Canadians are curious about this. So they often make access to information requests about matters in the news.

When I meet with the ministers and deputy ministers, I tell them that their access to information teams know what topics come up frequently. Logically, when the same topic comes up two or three times, departments should understand that the information in question should be provided on a voluntary basis. For example, briefing notes are often requested. The titles are published, but the notes themselves are not. Therefore, why not post them voluntarily on the website?

My recommendations are along those lines.

• (1320)

Ms. Marie-Hélène Gaudreau: You use the word “voluntary.” I wonder why it has to be voluntary. I was part of a non-profit organization, and I have to say that we really had to open all our books and do some very specific analyses.

Does the Access to Information Act make it voluntary, when we are talking about taxpayers' money and public spending? Is there not a loophole and should we not be asking questions about the act and the obligation to disclose information?

Ms. Caroline Maynard: I use the word “voluntary” because part 2 of the act deals with proactive disclosure of information. I'm trying to distinguish between those concepts. I don't think the act should require us to provide specific information. I think the government can go beyond that and disclose information voluntarily without a provision in the act requiring it to do so. That is why I use the word “voluntary”.

Ms. Marie-Hélène Gaudreau: That is interesting.

Do I have any time left, Mr. Chair?

[*English*]

The Chair: You have just less than a minute, but you do have some time.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Okay. Thank you, Mr. Chair.

Would you have another recommendation for us, Ms. Maynard?

Ms. Caroline Maynard: The government could change a lot of things. Information management is one of them. I think there is delinquency in that regard.

Ms. Marie-Hélène Gaudreau: What do you mean by “delinquency”?

That word brings a lot of things to my mind.

Ms. Caroline Maynard: When we are told, in response to an access to information request, that there are 6,000 pages of documents on a particular topic, we have to ask ourselves: are there really 6,000 pages of information or are there 5,000 pages of copies and 1,000 pages that are really relevant?

The government definitely needs to manage information well, especially since we now work from home. It needs to document decisions well and limit duplication. It also needs to cut down on email chains, as we often see with access to information requests. These emails may contain a bit of relevant information, but the rest is not useful. If the government were to improve information management, it would reduce the time needed to respond to access to information requests.

Ms. Marie-Hélène Gaudreau: Thank you, Ms. Maynard.

Ms. Caroline Maynard: Thank you.

[*English*]

The Chair: We will turn to Mr. Angus now for the next six minutes.

Go ahead, Mr. Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you so much, Madam Maynard, for being with us today.

I want to talk about the changing nature of work in the civil service, with everyone working from home and working through Zoom meetings. Are there protocols in place to record what happens in a Zoom meeting, or is everyone just making whatever notes they think matter to them? How do we know that what happens in that meeting is transcribed so that it could be available for access to information requests?

Ms. Caroline Maynard: It's really up to the department. There is a policy right now in the government that there is no legal obligation to document what goes on during meetings. I don't think there is anybody taping videos, but there should be notes or minutes taken. It's the same as when we were working at the office and had a group of people in a meeting. At the end of the meeting, it was very normal to have minutes of all the discussions and of the decisions that were taken.

I am hoping that this is what the institutions are doing. We haven't had an investigation at this point on that subject, but there is no legal duty to document. It's really a policy within the government, and it's one of my recommendations in the next review of the legislation.

Mr. Charlie Angus: Whenever we have technological change, it does create loopholes. I remember that eight or 10 years ago, when people started to use PINs, I was told by political staffers that they only used PINs because they couldn't be tracked, so they never put anything in an email, only in a PIN. Now a lot of decisions are made during Zoom calls, so are you formally recommending that we should have a policy in place so that we can track what happened in meetings that were done on Zoom?

Ms. Caroline Maynard: I'm recommending, yes, that there be a duty to document any decision, whether by video, notes or minutes. The institutions and departments are making big decisions, bold decisions, and decisions that impact Canadians, so there should be a way to track those decisions, whether it's in writing or through different methods of recording.

Mr. Charlie Angus: Thank you for that.

Has the COVID crisis affected turnaround times in the department because people are not at work? Has that slowed down response times?

Ms. Caroline Maynard: We have definitely seen some delays caused by the pandemic. People don't have access to their offices. Especially for institutions that are working remotely and cannot access paper files, there have been some issues.

We also see problems with the speed at which you can access your computers and ATIP. Normally there are a lot of documents, even if they're electronic, so we have units telling us they have to work at night and on weekends, when there are fewer people on the server, and that made it very difficult for a lot of institutions to respond to their access requests.

• (1325)

Mr. Charlie Angus: Thank you for that.

As you know, I'm nine years into a fight with the justice department over the political decisions that were made with the St. Anne's Indian Residential School, and we still haven't received those documents.

It seems that whenever you have a report, every year there are certain departments that tend to be outliers with less willingness to turn over information. Are you seeing a change? Do you deal in particular with departments that are troublesome to try to get them to comply with the law?

Ms. Caroline Maynard: Yes, when we see that an institution is definitely constantly behind and there does not seem to be any improvement, I have the authority to initiate my own investigation. In the last two years I have done one with the RCMP, because they were having some problems. There's IRCC right now, Immigration Canada, and I'll be tabling my special report soon. I started one with Library and Archives Canada recently as well, because they are definitely having some issues, especially with classified documents and the lack of a system to deal with those types of documents.

I do not hesitate to initiate a systemic investigation when we see that we can maybe help the institution find solutions that are outside the scope of one particular complaint.

Mr. Charlie Angus: I thank you for that. It is really important that you are able to make those systemic investigations, because I know that RCMP has come up a number of times with red flags for non-compliance or very slow responses, so I'm glad to see that.

I'm interested in the issue of the percentage of cases that are immigration cases for ATI. You mentioned something earlier on, and I want to drill deeper into that. Should we be setting up an alternative system so that people can get information on their immigration file and are not using the access to information system and burdening it down?

The access to information system, I believe, should be about getting political information and for journalists. It should be for getting a broader picture on the details of how government operates, as opposed to dealing with individual files that people need help with. Is there a better system for them to get help?

Ms. Caroline Maynard: I don't want to give the scoop of my report that's going to be tabled in the next two weeks, but definitely we're looking at how to better serve those clients and whether the access to information process is the proper system to give these people the information they need.

Immigration has tons of really good solutions and plans. It's just a question of resources, as it is for anybody else, and the timing of those solutions. You'll see in the report that we came up with a long list of things they can do to better serve these clients outside of access requests.

Mr. Charlie Angus: I'll just end on this: Do we need a policy decision so we can move it into another realm, or would your recommendations be enough?

Ms. Caroline Maynard: I think the recommendations will be a good start. Because I'm going to be tabling a special report, it's going to be up to the government to decide whether they want to push it further. Immigration Canada and the minister are definitely on board. They were collaborating during the investigation, so they know what they need to do.

Again, it's just a matter of resources and how long it's going to take.

The Chair: Thank you.

We're going to turn to Mr. Carrie now for the next five minutes.

Mr. Colin Carrie (Oshawa, CPC): Thank you very much, Mr. Chair.

I want to thank the commissioner for your good work, particularly during the trying times we're all facing this year.

You mentioned something in your opening that I found quite interesting. You said that because of the pandemic, there have been some positive effects. As an example, you may not need further real estate and office space because of the efficiencies of people being able to work at home. I think [*Technical difficulty—Editor*] constituents and the people of Canada, the better it is.

I was just wondering if you are able to track these efficiencies. Can you give us an idea of how many more hours your employees are able to put towards complaints and resolution of issues?

• (1330)

[*Translation*]

The Vice-Chair (Ms. Marie-Hélène Gaudreau): Mr. Chair is not here, but as the vice-chair, I want to tell you that the interpretation was interrupted.

Mr. Carrie, could you repeat what you said? We will check to see if the interpretation is working now.

[*English*]

Mr. Colin Carrie: Thank you very much. I have been having issues with the Internet today.

Commissioner, can you hear me?

Ms. Caroline Maynard: Now I can, yes. It was very choppy, so it was difficult to understand your questions.

I think you wanted to know if we have ways to find efficiencies or how we calculate the efficiencies that were gained during the pandemic from working from home.

Mr. Colin Carrie: Yes.

Ms. Caroline Maynard: It's not something we've done specifically. We made sure our files were still moving. We were not actually looking at particular tasks yet, because we were still adjusting to working from home.

As I said earlier, two years ago, the maximum my office was able to do was about 2,000 to 2,300 files per year. Last year we did over 5,000 cases, and this year it was 4,000 while working from home. I do believe we would have been able to do more if our institutions had been able to respond to our requests. We were often stopped in

our steps forward because of the institutions' inability to work from home or their inability to respond to investigations because they didn't have the resources that we had in my office. When we saw that, we moved towards other files that were a little more complex or we reassigned files.

I think that in the next year we're going to see a huge improvement, because now the departments are all set up. They're working from home and have access to their files. A lot of them have also moved to digital documents instead of paper files. That is going to be really helpful in our investigations in the next year.

Mr. Colin Carrie: You mentioned as well that you're now able to recruit across Canada, versus close to your office. Are there any government policies that are hindering your ability to recruit across the country?

Ms. Caroline Maynard: No. We do recruit across Canada normally, but because of the type of work we were doing before, we were requiring people to move to Ottawa because the work was all on paper files in our office. We didn't have this idea of doing an investigation from home. That's why I was saying earlier that the pandemic has opened our eyes to all these opportunities. A lot of people, and I'm sure I'm not the only one, who earlier had said they couldn't do this work from home were now forced to do it; and it worked.

Now we don't want to go back. We have to move forward and we have to see how well we've adapted. I think we will be allowing people to work from outside of the national capital region, because it's going to be easier. We can still meet them on Zoom.

The only difficulty is the training. It's a lot harder to train people through Zoom, especially for our applications and specific tasks. We still have some limits as well with respect to secret files, but generally I think we're going to be able to allow a lot more flexibility in that field in the future.

Mr. Colin Carrie: Thank you very much.

[*Translation*]

Ms. Caroline Maynard: Thank you.

[*English*]

The Chair: Mr. Dong, we'll turn to you now for the next five minutes.

I do apologize, members. I was having a technical difficulty at the same time as Mr. Carrie. These are the challenges of working remotely, for sure. I'm sure everybody within the civil service is having similar experiences.

Mr. Dong, we'll turn to you for the next five minutes.

Mr. Han Dong (Don Valley North, Lib.): Thank you very much, Chair. I want to thank the commissioner for being here today.

Commissioner, in your 2019-20 report, you mentioned the target for investigating referrals or complaints as 270 days, and roughly 60% of the time your office would be able to meet that target.

Help me to understand it a bit better. For the 270 days, how many days on average does a person need to wait to be assigned to a caseworker?

• (1335)

Ms. Caroline Maynard: It really depends, because we do now have an early investigation resolution team. Every file that comes in is reviewed by somebody with a lot of experience, and we assign the files that we know we can resolve quickly right away.

When the file is more complex, when it's a large file—we have files with 20,000 pages of documents to review—those are a little more difficult to assign quickly. It can go from one week to three months. We do still have older files, top secret and secret files, that are a lot more difficult to manage, but we are trying to do it within nine months. That's the goal.

Mr. Han Dong: I'm asking these questions in the context of my constituency casework. In your opinion, would it be abnormal, unusual, to submit a complaint in November and still be waiting for it to be assigned in May? Is that normal or not?

Ms. Caroline Maynard: I hope not. We still have, as I said, 4,000 cases in our backlog, so one file out of 4,000 is sometimes.... We can't assign them all to our investigations. We have now 60 investigators. We're going to be hiring 21 more. I really hope, if you have a file like this, that you can contact our registry office and make sure that it's flagged to our team so we can assign it to somebody as quickly as possible.

Mr. Han Dong: That's helpful. Thank you.

I want to change gears a little bit. If someone wants to request information about themselves from the government, in this case the employer, is it best to do that through the Access to Information Act or through the Privacy Act?

Ms. Caroline Maynard: It really depends on what the person is looking for. I've seen a lot of people doing it through both, because you don't get the same information when you ask for your own personal information through the Privacy Act. If you ask for information, you're going to get probably more information than just your own personal information. Usually it comes with a lot more. It really depends on what the person is looking for.

Mr. Han Dong: Can you give some examples, some typical requests for either one of them?

Ms. Caroline Maynard: For example, in the grievance world where I used to work, if an employee would ask through the Privacy Act, they would receive just the information that's about that person in particular. However, if you do an Access to Information Act request about the decision that was rendered and that you're grieving, you may get the policy that goes around that and the discussions that took place at the meetings, so it's more than just the information about yourself.

Mr. Han Dong: I see. Can you give an example for the Privacy Act?

Ms. Caroline Maynard: That's exactly the one. If the person asks through the Privacy Act, I believe they're going to get only the information about themselves.

Mr. Han Dong: That's great.

You mentioned that the additional resources might help your office to clear up the backlog a bit. Can you expand a little bit on that?

Ms. Caroline Maynard: We're hiring 21 new investigators, and we've also started a development program within the office, so we're hoping that these people will stay for more than two years. Often we train them and they get all the knowledge, and then the institutions that are doing ATIP are looking for analysts, so they may come and get them.

Now we have a program in which the people are starting at the junior level, but within my office they can move up two levels within six years. With 21 new investigators, we can count on about 40 cases per investigator per year, so we're hoping that we're going to get through a big chunk of our inventory with the training of these new people.

Mr. Han Dong: The 270-day target will probably be improved with these....

Ms. Caroline Maynard: Yes, that's the goal.

Mr. Han Dong: Thank you very much.

The Chair: Thank you.

We'll turn to Madame Gaudreau now for the next two and a half minutes.

• (1340)

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you.

Ms. Maynard, in an article in *La Presse* on May 11, a reporter by the name of Marquis stated that access to information requests in French take longer to process than requests in English. I'm sure you've heard about this.

My two questions are very simple.

Are you aware of what was mentioned in the May 11 article about the commitment of the Royal Canadian Mounted Police (RCMP) to respond just as quickly in English as in French?

If you are aware, do you know if this is a problem elsewhere?

I am the poster child for togetherness. My colleague Mr. Fergus can attest to my concern for fairness. For me, it's not just a matter of legislation, it's a matter of fairness.

Ms. Caroline Maynard: I read the article too, Ms. Gaudreau.

I have not seen any complaints about that, but I would not be surprised if that was the case elsewhere. It is not always easy to find bilingual people, people who speak French in the federal government. Especially when it comes to finding people from a particular region, as we said earlier.

We really need to create positions and find employees who speak both languages.

Once again, it is very difficult to find people who want to work in access to information. It's a very demanding position. You're dealing with requesters who are eager to get the information, but you're also dealing with a department that doesn't want to respond, doesn't have time to respond, or has other more important things to do. It's not an easy job.

Service delivery in both languages has always been precarious in the government.

Ms. Marie-Hélène Gaudreau: I would actually like to have an overview of the situation. First, I read in an article in *La Presse* that the number of bilingual employees is very limited in the RCMP, and second, you confirm that.

I think that, in the interest of providing access to information in both languages, which is clearly stated in part IV of the Official Languages Act, I would like us to look at this issue. We have outstanding interpretation services and we do manage to work in both languages, and I think that is necessary.

Thank you very much for joining us, Ms. Maynard.

Ms. Caroline Maynard: You're welcome.

[English]

The Chair: Thank you, Madam Gaudreau. Thank you, Commissioner.

We're going to turn to Mr. Angus for the next two and a half minutes.

Mr. Charlie Angus: Thank you, Madame Maynard.

We received a letter this week from a Conservative MP, Mr. Kmiec, who said that he had 18 outstanding access to information requests to Global Affairs, Public Services and Procurement, Innovation Canada, and the Department of Finance that were being ignored. He said they disregarded his requests, they refused to acknowledge requests, and they declined to provide documents.

I'm trying to get a sense of whether that is a pattern that you're seeing. Are you dealing with these kinds of complaints more and more, or is this a one-off?

Ms. Caroline Maynard: We definitely see some complaints with delays in the government because of the lack of resources. I'm not seeing so much that they're not responding at all. Institutions have an obligation to respond within 30 days, and if they don't respond within 30 days, they have an obligation to tell you why and what the extension is that they're taking. If they're not responding, if there's a silence, you have a right to complain to my office within 60 days of the time that you know you haven't received a response.

Mr. Charlie Angus: I asked that because I am concerned. I know I've had Liberal governments and Conservative governments, and governments never want to actually have to respond to requests

because it means they sometimes have to reveal stuff that gets them into trouble. However, access to information is our lifeblood as the opposition. It's how we survive. It's the same as journalism: It's a fundamental of democracy.

Even though we are in a pandemic and even though we know that everybody's been stressed out, we need to make sure that we're dealing with compliance with the law. It is very important. I just want to get a sense that you're focused on making sure that people are complying and are not using COVID as a means to ignore access to information requests that may be politically sensitive.

• (1345)

Ms. Caroline Maynard: We've actually issued a report on an institution, Canadian Heritage, that had completely stopped its activities last summer after the pandemic, and we did our investigation right away. Luckily, it resulted in it reopening. We are keeping an eye on all the institutions to make sure they are respecting their obligations. I have made a lot of statements. I wrote to Minister Duclos to remind him of his obligation also as the administrator of the act.

I think that in a pandemic, it's even more important that Canadians receive the information that they're asking for, because we're all concerned with what's going on, so we need to make sure that we know where the money is being spent, where decisions are being made. The act is not something that you can ignore during a pandemic.

Mr. Charlie Angus: Thank you so much.

The Chair: Thank you, Mr. Angus.

We're going to turn to Monsieur Gourde for the next five minutes.

[Translation]

Mr. Jacques Gourde: Thank you, Mr. Chair.

Commissioner, do you have the discretion to accept or reject a complaint if it is unfounded, or does every complaint automatically lead to an investigation?

Ms. Caroline Maynard: As of 2019, I have the authority to refuse to investigate and to stop an investigation if I believe the complaint is frivolous or unreasonable or if it was made in bad faith. I must admit that I have not done so yet, because it is very difficult to determine at the outset. You have to investigate a little to see what the person wants and whether there is a link with what was received. You have to do some of the work anyway.

Mr. Jacques Gourde: Earlier, you also said that many complaints were related to the Department of Immigration. I think many of them are well founded, because we, in our constituency offices, have to work a great deal with the department. People have a lot of trouble finding their file through the red tape. I have rarely seen cases in my riding that have resolved themselves. It is very unfortunate because our offices have sort of become Service Canada offices. There are certainly shortcomings in that department.

Have you been able to identify any specific shortcomings?

Is it just a lack of training to help people at the beginning of the process, or is it just plain bad faith?

Ms. Caroline Maynard: I can't comment on that, but I can tell you that in terms of access to information, we certainly have found shortcomings in the information that has been provided to people who are applying for immigration or refugee status.

We are trying to work with the department to find easier ways for these people to access their personal information without having to go through the access to information system.

Mr. Jacques Gourde: I strongly encourage you to continue along these lines, because some situations are unfortunate. I have seen cases where files were delayed for six months to a year because a document was missing and had been misplaced by the department. Claimants had to send it again. In other cases, proof was required from the department, but it was in a document that was lost. The process is already lengthy. When you have to wait another year because a date, a certificate or some other paper is missing, it is very unfortunate.

Do you have anything to add about other shortcomings or areas of significant improvement?

Ms. Caroline Maynard: In government, as I said earlier, it takes people, ministers and leaders who believe in the importance of transparency, even with respect to information management. It takes people who take risks and give information voluntarily. Better information management would also be helpful.

Mr. Jacques Gourde: You are absolutely right. In the end, transparency and truth are always beneficial. It is so much easier to guide people when you have the right information in the first place. In my office, we can better advise people when we have the complete information.

Thank you very much for the work you are doing. Keep up the good work.

Ms. Caroline Maynard: Thank you very much.

[English]

The Chair: Thank you, Monsieur Gourde.

We're going to turn now to Ms. Lattanzio for the next five minutes.

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chairman; and thank you, Commissioner Maynard, for being with us today.

Through Bill C-58, passed during the previous Parliament, the Information Commissioner was given unprecedented new responsibilities and authorities, including the power to order institutions to release records at the end of an investigation when the commissioner found that the complaint was well founded. The commissioner now is also able to issue such orders on new complaints that cannot satisfactorily be resolved through informal resolution mechanisms that you also have in place.

Can you tell us how this is helpful to you and how it has improved your work and maybe even helped with the issue of delays in rendering decisions?

• (1350)

Ms. Caroline Maynard: I have to say that I have only intended to order the release or the treatment of a file twice so far. I've never had to go that far. People know that we have the authority. Just knowing that we can do it is a big advantage in our dealing with the institution.

The other authority we have now that is a tremendous advantage and that has had a huge positive impact is the publication of our reports. When we can publish a report that explains the position of the institution and our position, it really helps later on in guiding other requesters and institutions in understanding the act and understanding its application when they see files that are similar.

At this point, I actually prefer the authority to publish. As I said, I haven't used the ordering power. I will use it when I have to, but I prefer to resolve things informally if people are satisfied and you get the result you want faster that way. If I issue an order to an institution, the institution can then contest it in court, so there's another step, and it could lead to more delays. Therefore, I prefer if we can do it informally.

I invite you to go on my site and see some of the reports we've published. I think we're going to see more and more of those in the next year.

Ms. Patricia Lattanzio: Thank you.

With regard to the nature of the complaints, if I can call them such, could you give us an idea not so much in terms of percentages, because obviously I'm not looking into the specificities, but of what the first major complaint would be in this kind of category, or the second? Just give the committee an idea of the main complaints that you see on a yearly basis.

Ms. Caroline Maynard: Bar one, the main complaint is about delays, extensions, unreasonable extensions taken by institutions to respond to an access request, or people not receiving any response at all, as we were talking about earlier. I think last year we had 3,000 cases of complaints about extensions or delays.

Normally, again, we are able to get the institution to respond and to resolve these cases, but we need to look at why they are taking so long.

One key reason is consultations between departments. If you're consulting with another department, it doesn't have a timeline to respond to you. Often institutions are just waiting to get the response from another institution, and that's a huge problem within our act. That's something I have addressed in my submissions to change within the next legislative review. It's to add some timelines.

Ms. Patricia Lattanzio: Yes. That was what I was going to suggest, putting some sort of a timetable and prescriptive delays to help you in your investigations.

With regard to the recommendations, I went on the website and looked at some of the recommendations and amendments proposed. I'm citing the third one. I want to hear more on making the reporting requirements the same for all in-house lobbyist registrations.

I understand that there is a difference between corporations and organizations. I want to hear you a bit on that and how you see that amendment improving the process.

Ms. Caroline Maynard: I think you're referring to the recommendations from Commissioner Bélanger. The lobbyist commissioner is going to be coming to you after me.

Ms. Patricia Lattanzio: Okay, right. Sorry about that.

I'm going to go back to the publishing of the results of the investigations. When can we expect the next publication of all the investigations that you've carried on?

Ms. Caroline Maynard: One of the things in the act is that when I issue a final report, I have to wait 35 days before I can publish a report. It gives the institution some time to digest the report before it's public and is published on my website. That's something I also recommended that we remove in the next review of the legislation, because I think Canadians—the public and the institutions—should be able to see our recommendations or orders right away. We shouldn't be having to wait. Right now, at least, I have to wait. Every 35 days after a report is issued, we publish the reports in both French and English.

• (1355)

Ms. Patricia Lattanzio: Okay, that's it for me, Mr. Chair.

The Chair: Thank you, Ms. Lattanzio.

Commissioner Maynard, thanks so much for your testimony this afternoon. I thank you for making yourself available and I look forward to hearing from you again in the future. Thanks so much for answering the questions that we had.

Colleagues, I will suspend the meeting now to allow for Madame Bélanger to be added to the exchange, as well as other members. We'll call this meeting back to order right on the 2:00 mark.

Again, thank you, Commissioner.

[*Translation*]

Ms. Caroline Maynard: Thank you very much and have a good day.

Ms. Marie-Hélène Gaudreau: Thank you very much, Ms. Maynard.

[*English*]

The Chair: The meeting is suspended.

• (1356)

(Pause)

• (1400)

• (1400)

The Chair: I call the meeting back to order.

We have Madame Bélanger joining us. Thanks so much, Commissioner, for joining us for the second hour of this meeting. We'll

turn it over to you for an opening statement, and then we'll certainly have some questions for you as we review these estimates.

Madame Bélanger, we'll turn it over to you.

Ms. Nancy Bélanger (Commissioner of Lobbying of Canada, Office of the Commissioner of Lobbying): Good afternoon, Mr. Chair. I believe this is the first time we meet.

Committee members, thank you for the opportunity to appear before you today on the main estimates. I am pleased to speak to you about my office's accomplishments over the past fiscal year and our plans for this one.

I want to start by saying that I am so very proud of the way my staff responded with innovative thinking, adaptability and resolve over the past 14 months. Part of this success is due to thoughtful planning during our move in 2019, when we ensured we had the tools and commitment we needed to be a modern and mobile workforce.

That decision paid huge dividends when we suddenly shifted to telework in March 2020. As a result, my office was able to face its busiest year and deliver on the three areas of my mandate: maintaining the registry of lobbyists, ensuring compliance with the Lobbying Act and the lobbyist code of conduct, and fostering awareness of Canada's lobbying regime among all stakeholders.

[*Translation*]

I will begin with the Registry of Lobbyists.

When individuals, corporations, and organizations lobby the federal government, they must file a public registration that contains specific details about their lobbying activity. They must also report certain oral and arranged communications with high-level decision-makers in monthly communication reports.

The past year brought records in several areas. We saw the highest monthly average of active lobbyists and a record of 6,435 in March 2021. There were 2,457 new registrations. This reflects an increase of 41% from the previous fiscal year. With respect to monthly communication reports, we also saw record numbers with a total of 28,919 for the year.

Our activities to ensure compliance also increased: 28 preliminary assessments were initiated, almost twice the number of the previous year. During the last fiscal year, six preliminary assessments proceeded to the investigation stage and 12 were closed. I suspended three investigations after referring them to the RCMP. I also recently tabled one investigation report in Parliament. My office had 24 preliminary assessments and four investigations ongoing at the end of the last fiscal year.

[English]

On the outreach front, we shifted to a completely virtual model. The team averaged more than one presentation per week, reaching more than 900 stakeholders. I also participated in several virtual events at the international level to speak about the Canadian experience with lobbying regulation. As you know, many other jurisdictions view the Lobbying Act and the Lobbyists' Code of Conduct as models that they aspire to emulate.

While Canada's legislation delivers on the goal of fostering transparent and ethical lobbying, there's always room for improvement. Therefore, upon your request, I submitted a report called "Improving the Lobbying Act: Preliminary recommendations" to this committee in February. It outlines 11 areas where I believe that improvements to the legislation would enhance transparency, fairness, clarity and efficiency. I look forward to discussing these recommendations with you.

Last November, we launched a public consultation to seek input from stakeholders on potential changes to the Lobbyists' Code of Conduct. The office is currently revising the code for the purposes of further consultation. I expect that I will be able to refer to you, the committee, a new and updated Lobbyists' Code of Conduct and publish the final version in the Canada Gazette before the end of this fiscal year.

Other key initiatives for this year include enhancing the usability of the Registry of Lobbyists and making it easier to enter and find information. We will also explore ways to improve efficiencies in compliance work and expand awareness and understanding of the act and the code by using stakeholder feedback to help us focus outreach activities.

• (1405)

[Translation]

All of this work is being performed by a very small team of 28 employees. It is important to recognize that more often than not, they are asked to go well beyond what is required of their position.

My total budget is approximately \$4.18 million, excluding employee benefit payments. More than three-quarters of my total allocation goes to salaries and benefits, leaving me with an operating budget of about \$1 million. About half of that amount is spent to obtain corporate services, such as human resources, from other government institutions. The Office's budget has not changed substantially since 2008.

That is why I am pleased to say that we received a positive answer to our request for additional funding. Budget 2021 allocated a total increase of \$4-million over the next five years to help ensure that the Registry of Lobbyists and the Office's information management and IT systems remain modern, reliable, secure, and accessible. The increase will mainly serve to hire five additional information management and IT employees.

I would like to conclude my remarks by thanking each and every member of the Office. I want to recognize their dedication, professionalism and excellence in delivering on our mandate despite the challenges of the last year.

[English]

Thank you, and I'm happy to answer your questions.

The Chair: Thank you, Commissioner.

We'll turn to Mr. Carrie for the first round of questions.

Mr. Colin Carrie: Thank you very much, Mr. Chair.

I would like to thank you, Commissioner, for being here today.

I was wondering if you could comment on subsection 14.1(1) of the Lobbying Act. It recommends that a comprehensive review take place every five years. The last one was done in 2012, which means the review should have been done in 2017. It's almost four years later, and the review has not taken place.

I was wondering if you could comment on that, and if you think a review at this time is urgent.

Ms. Nancy Bélanger: I'm sorry, but I didn't hear the end of the question. Was the question if it is urgent? I didn't hear the last part of the question.

The Chair: Yes, that was the idea.

Mr. Colin Carrie: Yes, I asked if it is urgent.

Ms. Nancy Bélanger: When I appeared on my nomination back in November of 2017, I was asked to be prepared for recommendations on the review of the act by the spring of 2018. It's been three years since then, so I think it is very important that we seriously look at reviewing the Lobbying Act. If we wait until 2022, it will have been 10 years since it was looked at.

I think it is time. Some of the recommendations I'm making are the same as ones made in 2012, so I think it is important to start looking at this work.

I fully understand a lot more pressing issues have occurred in the last year, but with the will of Parliament, I think it would be wonderful, and I'm here to assist in that review.

Mr. Colin Carrie: Are there any recommendations you could share with us that you think are of a more urgent nature? If we had a review take place, would it allow you to allocate your resources, for example?

• (1410)

Ms. Nancy Bélanger: Do you mean to allocate resources to the implementation of the recommendations or to allocate resources to do the review? It cut out again.

Mr. Colin Carrie: I meant to allocate resources for the review.

Ms. Nancy Bélanger: We are ready to work with the committee on the review of the Lobbying Act. I've proposed 11 recommendations. These are preliminary. I want to hear what people have to say. I'm listening, and I'm looking at the reactions. There might be more recommendations, or we might tweak the ones we have submitted to you based on your feedback and your questions. These are not set in stone.

Do I have some that are preferred to others? This is a package deal. One affects the other, and the next one affects another. If we're serious about ensuring further transparency, clarity and efficiency, I think we need to look at them together.

Mr. Colin Carrie: Have you had a chance to evaluate any efficiencies your office may have been able to take advantage of during the pandemic? I'm assuming you have employees working from home.

Ms. Nancy Bélanger: We have a team of 28, with a very big mandate, so we're already extremely efficient. Working from home has probably helped us to be more digitized, with electronic signatures and being paperless. These are all very good things.

We are extremely productive, but at the end of the day, their productivity in the circumstance of working from home has a cost. People are tired. I'm not certain if we've gained that many efficiencies. You start a meeting, and someone's Wi-Fi turns off, and then somebody else leaves because their VPN broke down. Then you need to repeat everything that was said previously when they can join again. It's hard. It takes time.

It was a difficult year, but people are resilient. I am so proud of them. We were as productive, but on efficiencies, I'm not so sure.

Mr. Colin Carrie: How am I doing for time, Mr. Chair?

The Chair: You have just under a minute and a half.

Mr. Colin Carrie: Thank you very much.

Out of curiosity, what is the biggest complaint you hear about the Lobbying Act from actual lobbyists?

Ms. Nancy Bélanger: That's an interesting question. I don't think I hear complaints from lobbyists. They abide by it. There are 6,000 people who are registered.

I've heard a couple of grumblings since I tabled my recommendations, but I usually don't hear.... It's quite the reverse. In fact, I often get a nice email about our client services team and how people are there to help them in making sure they can register and fill out information. Sometimes we get a lot of questions about the technicalities of how to enter information, but we're there to help them. It's a very, very good tool, and people seem to be able to use it pretty easily as well.

I can't say that I really get complaints. It's a good question.

Mr. Colin Carrie: All right.

Thank you very much, Mr. Chair, and thank you, Commissioner.

The Chair: Thank you, Mr. Carrie. You did get through, but your connection was definitely a challenge. We'll hope that the remaining questions can be done without interference.

Mr. Fergus, we'll turn to you for the next round of questions.

[*Translation*]

Mr. Greg Fergus (Hull—Aylmer, Lib.): Thank you very much, Mr. Chair.

I hope my connection is good and my questions are clear.

First, Commissioner, welcome back. It's a pleasure to see you again.

The last time I had the opportunity to meet you, when I was Parliamentary Secretary, you proposed a departmental plan that included an increase in your budget.

In budget 2021, an additional \$4 million was allocated to your Office so that you could improve your IT capabilities and systems.

Can you talk a little about what you plan to do with that additional amount? How will you use the money to better serve Canadians?

● (1415)

Ms. Nancy Bélanger: I can tell you that the team was absolutely thrilled to see that these funds were given to us in the budget. We are in the process of finalizing the submission.

For this year the amount is about \$620,000 and for subsequent years the amount will be \$780,000. We will use the funds to hire five new employees. Currently, in the area of information management and information technology, we have three employees from the CS group, Computer Systems Administration, working on the Registry of Lobbyists.

We rely heavily on consultants, who are fantastic. However, we will need a few more staff to work on the registry to improve its accessibility and usability for those who need to report. Several things can be done to make the registry a little more user-friendly. So the funds will be used to hire five employees.

We also requested about \$158,000 per year to update our tools. We have a lot of nice things, but licences and computers cost more. Everything costs more.

This year, we requested \$175,000 to evaluate the possibility of using cloud computing, which the government recommends. We really can't afford it and I didn't even get the opportunity to evaluate it. We hope to be able to do that this year and then determine what the cost of using cloud computing would be.

We will be improving the Registry of Lobbyists and also trying to integrate our systems. We use three or four internal systems that are not really interconnected. So we're hoping that our staff can work on that to improve efficiency for those using those systems.

Mr. Greg Fergus: Madam Commissioner, you also mentioned the difficulties that your team had, much like all public servants and almost all Canadians did, when it came to quickly transitioning from working in the office—where you have all the tools at your fingertips—to teleworking. Almost overnight, people had to completely change their habits.

You talked a little about the difficulties you've experienced. What do you believe is going to happen when the stay-at-home order is lifted and people can go back to their offices, at least part time? Do you have any plans to accommodate people who will want to continue working from home?

Ms. Nancy Bélanger: Thank you for the question.

I, for one, am really looking forward to seeing my employees in person. You have no idea how much I'm looking forward to it.

People have found ways to work from home, despite all the challenges that come with it, especially for those with young children. We start our days not sure when they will end. I mentioned earlier that we've been very productive, and that's because we've been working longer hours to try to cope with the situation. We can't step out of our office to go discuss a case with someone, for example.

I had already put together a reintegration plan for September of last year. So I already have a plan, but obviously it's going to have to be updated as the situation progresses. I'm going to do what our public health officials tell us to do. They will say what is acceptable and what is not. I'm sure that arrangements will be made so that people can continue teleworking.

I will also ask people to come in to work from time to time, if only for mental health reasons. People clearly need to see people other than those they live with. Casting the slippers aside, seeing colleagues, discussing cases and getting things done are all going to do everyone good.

In a few words, we will have some telework, but I expect some people will also return to the office. I feel that's important.

• (1420)

Mr. Greg Fergus: I'd like to ask you a brief question.

[*English*]

The Chair: Monsieur Fergus, your time is up, but I'll allow you just a short question if you have one.

[*Translation*]

Mr. Greg Fergus: Thank you for your kindness, Mr. Chair.

Ms. Bélanger, do you believe that the tools available to those wishing to register with the Registry of Lobbyists have been improved as a result of the changes you had to make?

Ms. Nancy Bélanger: Yes. Over the past year, we've been able to make it a little easier to access the registry. People can now use a mobile device, while they used to need a computer. We've made improvements, but we have more to do.

We always listen when people ask us to improve this or that or get rid of something irritating. We can always improve little things. We continue to do that.

Mr. Greg Fergus: Thank you, Madam Commissioner.

Thank you, Mr. Chair.

Ms. Nancy Bélanger: Thank you.

[*English*]

The Chair: Thank you, Mr. Fergus.

We'll turn to Madame Gaudreau.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you, Mr. Chair.

Good afternoon, Ms. Bélanger.

I'm pleased to speak with you for a few minutes. This is the second time we've met.

Again, I think you need to have worked through more than one term of government before you can say you have experience.

So my questions are going to be more about operations. I will use an example. As parliamentarians, we meet people who, in some cases, have official lobbyist status. I have not read your 11 recommendations, but I know as we review the Act, much can be done to avoid all of the things that we've experienced over the past year.

What obligation do parliamentarians have to check who they are talking to? What steps need to be followed?

I know that, in principle, we have access to the registry to find out who we are dealing with and who we have worked with. Since I don't have enough experience with this, I'd like you to elaborate on it.

Ms. Nancy Bélanger: Thank you very much for the question.

Currently, the Lobbying Act does not require members of the House or any other designated public office holder to take notes or learn about lobbyists. However, I strongly recommend it.

When you're scheduled to meet with people, ask your staff to check the registry. It contains a lot of information about what these people are interested in. Among other things, it shows who they have met before you. That information can make you better prepared.

You're under no obligation, but certainly you are my first witnesses when I do an investigation. If I need to contact you to find out if a lobbyist or someone who should be in the registry is not, it would be really helpful if you have some information for me. If you have taken accurate notes, you could tell me who you met and when.

You are, however, required to respond to me when you receive some sort of automated form in which you are asked to confirm a meeting with a lobbyist who has listed the meeting in the registry for a particular month. So it's important that you keep accurate notes of who you are meeting with and when.

So, you have no further obligations except to respond to me when I contact you.

Ms. Marie-Hélène Gaudreau: I can be as careless as any other parliamentarian, however, in keeping track of my meetings with lobbyists. We are invited, or encouraged, to do it, but given that we are considering reforms to the Act in the future, we should think about an ethical way to do it, which would avoid any conflict of interest situation. I feel like there's some latitude, and it's easy to miss things that may be important.

Based on your expertise, what recommendations could you make for us about this?

Ms. Nancy Bélanger: The Office of the Commissioner is there to regulate lobbyists and the communications they have with you. Should there be a requirement in the Lobbying Act that you take notes and give them to me when I contact you? If you haven't taken notes, what can we do? Do I have the right to investigate that? Where does this obligation come from? You have to think about the consequences of putting this kind of obligation in the Act.

Should you be required to inform me when you meet with someone if you know they are not registered in the Registry of Lobbyists and maybe they should be? That's a question that comes up, and I haven't put it in my recommendations yet. I'm thinking about it and would love to hear your thoughts on it.

• (1425)

Ms. Marie-Hélène Gaudreau: All my life, I have been transparent, and my first big observation is that there are grey areas in this confederation. I have found that it's easy to slip through.

As I tell my kids, we need rules to tell us what to do and what not to do, because otherwise anything not specifically forbidden is considered to be permitted.

So we need to impose rules here too, in an effort to maintain voter confidence in a Parliament intended to be honest and neutral.

I look forward to your 11 recommendations, I will pay close attention to them, and I hope there will be a twelfth that will talk about reform to make sure that if we haven't done it, we will have to look at how to legislate it. At the end of the day, this is taxpayers' money, so we need to be worthy of their trust.

Ms. Nancy Bélanger: If I may, I'd like to add that many public office holders have already contacted me with concerns about these meetings with lobbyists. While there is no obligation, I will tell you that people have integrity and are committed to transparency. They let me know when they believe something has happened.

Ms. Marie-Hélène Gaudreau: That makes me feel better, and I'm very happy to hear you say that.

Do I have any time left, Mr. Chair?

[English]

The Chair: You have a few seconds. You're nearly out of time.

[Translation]

Ms. Marie-Hélène Gaudreau: Thank you very much.

Ms. Nancy Bélanger: Thank you.

[English]

The Chair: We'll turn to Mr. Angus now, for the next six minutes.

Mr. Charlie Angus: Thank you.

Thank you so much, Commissioner, for coming. It's a pleasure to have you back. I share your sense of urgency. We really need to get the government to direct our committee to look at the Lobbying Act.

Normally the questions I bother you with are questions of loopholes and gaps in the act, because we need clarification. For example, when Mr. Kielburger spoke to our committee, he said that it was legally impossible for him to register to lobby. We asked questions about the multiple meetings the Kielburger group had with government regarding the millions of dollars in contracts, and he said that as a co-founder volunteer, it was legally impossible; he couldn't register.

You sent me a letter on March 19 of this year confirming that there's nothing in the act to preclude someone like Mr. Kielburger, as an individual, from registering, and that he could do so for the purposes of transparency. Would that be a correct interpretation of the act?

Ms. Nancy Bélanger: Right now the act requires them to register. It's a requirement for someone who's paid either as a consultant or as an in-house lobbyist. However, if someone chooses to put their name forward transparently to say that they've lobbied, whether they're paid or not, there's nothing in the registry that would stop someone from being able to do that if they wished to do so.

Mr. Charlie Angus: Okay, so there was nothing to legally stop him. It was certainly possible.

The question of payment is interesting, because one of the arguments the Kielburger brothers used was that they were just volunteers and they didn't get paid, so they were like any other volunteer who knocks on an MP's door.

We just read the Conflict of Interest and Ethics Commissioner's report, and he states, "any decision made by Mr. Morneau that could further the private interests of WE would be made improperly since it would also further the interests of its co-founder, Mr. Kielburger." He goes on to state, "WE was the lone administrator of the CSSG and would have acquired a significant financial interest for its role. ... [The Kielburgers'] involvement in WE's day-to-day operations is so prevalent that the organization's interests are also those of its co-founders."

Would you say, from that interpretation of the Conflict of Interest and Ethics Commissioner's findings, that they would have been in a better position to register to lobby because of their direct financial interest?

Ms. Nancy Bélanger: I think it would be inappropriate for me to try to interpret that statement and then try to transfer it to the Lobbying Act. The Lobbying Act says that anyone who is paid as a consultant or is an employee must register. That's what the act says.

• (1430)

Mr. Charlie Angus: Okay. Then someone who had a direct financial interest may not need to register.

Ms. Nancy Bélanger: I would have to review those particular circumstances to decide if there was a payment.

Mr. Charlie Angus: One of the other things they told our committee was that they met government so rarely that there was no need to actually register to lobby, even though they had a director of government relations and they were hiring a manager of government relations.

Yesterday, according to the commissioner's report, Craig Kielburger's team was so familiar in the finance minister's office that they opened their conversation with staff with the term "Hey, girl". That suggests someone who really was comfortable on the insides of power.

Wouldn't it be better if these kinds of insider access were registered to lobby, because we would have no idea about these meetings if they aren't registered?

Ms. Nancy Bélanger: To answer your question, and I really want to stay away from talking about any specifics of the file—

Mr. Charlie Angus: I totally understand,

Ms. Nancy Bélanger: —because it would be inappropriate for me to do so, one of my recommendations is exactly that, about the significant part of duties. To me, if you have one conversation and that conversation is a registerable activity, it's lobbying. You should have to register, period.

The calculation of how many times someone talked to somebody and how long they talked, and whether that meant that it was a significant part of their duties, is an exercise that organizations and corporations have to do. It's an exercise that I then have to do to figure that out. It's just unnecessary. The burden of registering is not that high. It's not that difficult to register.

Mr. Charlie Angus: It's not that difficult.

I was interested, because you were saying that most lobbyists thank you. It's a pretty straightforward thing. For me, it's about a

level playing field and making sure that everyone has the same level of access, and not unfair access.

I know you don't want to talk about individual cases, but in November and December 2017, the finance minister held his budget consultations in the offices of WE, and they were promoted by WE. Mr. Morneau called on the parliamentary secretary to attend the meeting, and she asked why she needed to be there. This is all according to the findings. They said that "he", Craig, "has been [very] good to us,"—that's the finance minister's office—"so [we] want to keep him happy".

I found that to be extraordinary. It seems to me that the finance minister's office was setting up meetings to keep Craig Kielburger happy, yet none of this was registered.

Wouldn't that put other groups that are trying to lobby fairly, and filling out all the forms, at an extreme disadvantage?

Ms. Nancy Bélanger: Well, anyone who lobbies, in my view, should be registered. Once they are registered, they are subject to a code of conduct. The code of conduct specifically says that lobbyists should not be putting individuals with whom they have a relationship into a position that creates a sense of obligation.

These are rules that apply to lobbyists. When they are registered, they should be abiding by the code of conduct.

I have to say that I don't get that many complaints with respect to the code of conduct with respect to lobbying.

Mr. Charlie Angus: But if you ignored the rules and then were able to develop a relationship such that you could call ministers' staff "Hey, girl", and have meetings and say "We want to keep Craig happy", you're operating completely under the radar, and nobody outside the minister's office or that organization would know.

I guess that's my concern. How do we make sure that we have transparency and accountability across the board for everyone who plays in the public realm?

Ms. Nancy Bélanger: My answer to that would be that we change the act. We need to amend the Lobbying Act.

The Chair: Thank you, Mr. Angus.

We're going to turn to Monsieur Gourde for the next five minutes.

[Translation]

Mr. Jacques Gourde: Thank you, Mr. Chair.

Madam Commissioner, thank you for being with us today.

My question is about the record number of registrations in the Registry of Lobbyists this year. The pandemic has made it more difficult for lobbyists to meet with us, to meet with public officials, leaders, and public office holders.

What, then, might explain the record number of registrations?

Ms. Nancy Bélanger: I'm currently preparing our annual report. Over the course of the year, the lobbyists we've contacted have said that all parliamentarians have been very accessible.

Lobbyists had to change the way they worked, and they held a number of meetings with the Zoom platform. These meetings had to be recorded in the Registry of Lobbyists, because they were arranged in advance and oral presentations were made. The explanation I was given was that because members don't spend as much time travelling, they have become more accessible thanks to the tools in place for parliamentarians.

In addition, several groups had to talk to all of you about programs that need to be in place during the pandemic. People wanted to know what the priorities were and what was being done to ensure that Canadians survive the year, which has been very difficult for everyone.

• (1435)

Mr. Jacques Gourde: Have you made a list of the departments or agencies that are most popular in terms of lobbying requests?

Ms. Nancy Bélanger: Yes, we have.

The House of Commons is number one. That means that members of Parliament are approached by lobbyists most often most. The Department of Innovation, Science and Economic Development is number two, and the Department of Finance is number three.

I should note that the information is available in the Registry of Lobbyists. The list will also be included in our annual report, which we expect to release in the next month.

Mr. Jacques Gourde: Do you have any recommendations for parliamentarians? Is there anything we should pay particular attention to?

Ms. Nancy Bélanger: Of course, I would really like you to read the 11 recommendations I made and for us to have a chance to work on them someday.

I would also recommend that you take good notes when you meet with lobbyists and inform them of the rules that need to be followed, since they may not be registered and they may not know them. Tell them to call us. If they don't comply with the Act, they are committing a criminal offence. No one wants to be investigated by the RCMP. Tell them to contact us if they are not registered.

Mr. Jacques Gourde: Is the individual contacting us required to tell us that they are in the registry? Sometimes people who come to us are members of an association, and we can expect them to talk to us for five to 10 minutes a year. Afterwards, we find out that they were in the Registry of Lobbyists, but we didn't know it.

Are they required to tell us before they speak to us?

Ms. Nancy Bélanger: According to the Lobbyists' Code of Conduct, they are required to tell you who they represent, on whose be-

half they are meeting with you. If they are consultants, they are required to tell you who their client is.

If you're going to meet with members of an association, I recommend that you make sure that your team provides you with the necessary information about them, whether they are in the registry.

I also recommend that members of associations make sure they are registered if they are not.

Mr. Jacques Gourde: Thank you very much.

I have no further questions.

Ms. Nancy Bélanger: Thank you.

[English]

The Chair: Thank you, Mr. Gourde.

I'm going to turn to Mr. Sorbara now, for the next five minutes.

Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.): Thank you, Mr. Chair.

Good afternoon, everyone.

Welcome, Commissioner Bélanger.

I took a look through the 2021-22 departmental plan. I had a chance to read it over in the last little bit. Perhaps I will go from that angle, because I think my colleagues have asked other questions and I don't want to repeat.

On literally page 1 in the key highlights—and I'd like you to expand, if you could—it states,

enhancing the Registry of Lobbyists to make it easier to use—from entering data to finding information

compliance work that fosters [transparency] and

engage more Canadians

Can you expand on what that actually means or what the intent is, please?

Ms. Nancy Bélanger: Certainly. The registry is an automated system that, in the last year, wasn't really accessible through a mobile, so now we've done that.

When our registrants go into the system, they have to enter the data all the time. One of the things we're looking for is maybe having a system in which they could use the data they've entered before rather than having to re-enter information.

We are looking at possibly doing drop-down boxes of the names of designated public office holders. Right now, when they start typing a name, a name will pop up and they'll pick it, but then if someone misspells or something, there could be an error in the system in how a name is displayed.

We're looking at ways for individuals to be able to issue reports a little bit more easily. A lot of journalists use our registry, so we're trying to look for ways to enhance how they can report on the registry.

There are a lot of little things we can do to make it even more user-friendly, and that's what we're looking at.

If you want to me address enhancing awareness—

Mr. Francesco Sorbara: Please.

Ms. Nancy Bélanger: —in the last year, we have updated our registry. We're always looking for ways to improve our tools and the documents that we provide. We have just set up a little survey to ask people how they find our material, whether it's useful, and what else we can do.

We never say no to any invitation. I'm doing one at six o'clock in the morning at some point next week, I think. We never say no. We have done an average of one per week.

Because we're so small, we're trying to find ways to be more proactive, but it is so difficult, because we're much more transactional and reactionary than being able to be proactively out there. One of the priorities this year will be to come up with a communication plan so that we can possibly reach out to even more Canadians so they know the Lobbying Act and what we do, and they can use the tool of the registry to see who's talking to their members of Parliament.

There's always work to be done, but we have to take it one step at a time because we're still small. We do what we can.

• (1440)

Mr. Francesco Sorbara: I want to thank you for what you do. I can understand the 24 planned FTEs for the next three years, from 2021 to 2022 to 2023 to 2024.

I'm glad to hear of the increased digitization, at least for the information you would collect on that basis. This is my second term as a member of Parliament. Even in my first session—I sat on the finance committee—I think I was the third most visited MP at the time. I really enjoy meeting with stakeholders because I get to learn, right? You learn. You learn about issues. Whether they are mortgage brokers, chicken farmers or a business association, you do get to learn, and you understand the issues that different parts of the economy are facing, different sectors and everything. I've always thought of that aspect of being a member of Parliament, especially as a policy wonk or someone who likes to learn policy, as being very important, but there's a flip side to that, which is that these individuals, because of our roles, need to register.

I do find the balance to be a good one, if I can say that. My interactions, if I can personalize it, with the office have always been great—and I'm going to keep it that way, of course—and productive, but at the same time, all of us have a duty of responsibility to maintain as office-holders.

In terms of teleworking, because you comment on it in the departmental plan, how has it changed your work? Has it made it more productive? Are you finding your employees overworked or

stressed? We've been hearing, especially for professionals, that emails keep going at all times of the day.

Ms. Nancy Bélanger: With a team of 28 employees, you get to know your employees very well. They are so dedicated and so professional. Everyone needs to step it up. There is no depth; everybody wears a multitude of hats, but no one wears the same hat, so it's demanding on them. In order for them to be productive and meet the demand the way we had to this year, because on all fronts our numbers went up, they had to work extremely, extremely hard.

It has been tough to work from home, mainly because I think that these Zoom things, with the power outages and all that, become inefficient after a while, and people miss.... I feel that sometimes people don't bother calling an employee to possibly chat about something instead of—

Mr. Francesco Sorbara: Commissioner, my time is up, but I'm in total agreement with your final thoughts there.

The Chair: Thank you, Mr. Sorbara.

We're going to turn to Madame Gaudreau for the next two and a half minutes.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you very much, Mr. Chair.

Ms. Bélanger, of course we won't have time to talk about all the recommendations in a few minutes. However, I did analyze the Quebec recommendations on lobbying. I'd like to know what you think of the recommendations and if they inspired you in formulating your own.

• (1445)

Ms. Nancy Bélanger: Thank you for the question.

The recommendations did inspire me, in part. I have a very good working relationship with Mr. Routhier, Quebec's Commissioner of Lobbying. We keep in touch. I believe I have inspired him and he has inspired me.

Our lobbyist registration regimes are not quite the same. So we need to look at how we can each improve our own.

I looked at all the registration regimes across the country as a basis for my recommendations.

Ms. Marie-Hélène Gaudreau: As you have seen, I'm concerned with ensuring vigilance and neutrality.

In the 11 recommendations, is there anything that doesn't directly call for action, but invites further exploration to avoid any form of interpretation or subjectivity?

Ms. Nancy Bélanger: The Lobbying Act is intended to regulate lobbyist activities. One of the recommendations proposes that any activity or communication that meets the criterion defining what a communication is under the Act, for example, should be automatically recorded.

Currently, there is the issue of interpreting what constitutes a significant part of someone's duties. A subjective analysis takes place to determine whether the activity is indeed a significant part of someone's duties. I believe that should be abolished and replaced with automatic recording.

So that is a bit of a higher standard.

Ms. Marie-Hélène Gaudreau: I heard you say that you wish we could work together on the 11 possible recommendations. That resonates with me, because our role on a parliamentary committee can involve working on something for a long time. I won't go into what we went through with WE Charity. We said it was better to be proactive. Now is the time to act. So it would truly be an honour to continue working with you in the near future.

Ms. Nancy Bélanger: It would be an honour for me as well.

Ms. Marie-Hélène Gaudreau: It would be a pleasure.

[English]

The Chair: Thank you so much.

We're going to turn to Mr. Angus now for the next two and a half minutes.

Mr. Charlie Angus: Thank you, Mr. Chair, and thank you, Madame Bélanger.

Madame Bélanger, you said you have turned over three investigations to the RCMP. Is that the case?

Ms. Nancy Bélanger: I did, in that last fiscal year, and I actually just submitted one in the last month, so I've added another one. As of March 31, I had sent three to the RCMP, which makes 10 since my arrival.

Mr. Charlie Angus: In terms of the differences between the Conflict of Interest Act and the Lobbying Act, my concern is that the Ethics Commissioner found David MacNaughton of Palantir guilty of breaking the Conflict of Interest Act for multiple acts of lobbying. You found him not guilty. The Ethics Commissioner has revealed levels of lobbying from the Kielburgers that I think surpass anything we've ever known, but we haven't seen anything from the Commissioner of Lobbying.

Are you investigating, or do you just think we need to change the laws so that they actually have to comply with the law?

Ms. Nancy Bélanger: I can't confirm whether or not I'm investigating or where I am in my stage of reviewing that particular file. I don't believe that Commissioner Dion found that Mr. MacNaughton had been lobbying, because that's not in his power to decide. He said he had had communications with public officials—

Mr. Charlie Angus: They weren't allowed to speak to him.

Ms. Nancy Bélanger: Exactly.

The Lobbying Act says.... I didn't say that Mr. MacNaughton did not lobby. He did, but he's entitled to, up to a significant part of his work. What am I supposed to do? That's how the act has been—

Mr. Charlie Angus: No, I'm not arguing with your decision. I'm just wondering.

I have a question, then. Mr. Dion's interest with the Kielburgers and with their friendship.... We have that they were going to lunch. They were having family brunches together, but Craig Kielburger said he wasn't going to hang out at the Morneaus' house as a friend; he was going in a "professional capacity".

If that was someone who actually registered and followed the law, would we be able to see that on the lobbying register? We weren't aware of any of these kinds of meetings, engagements and outings that they had together.

• (1450)

Ms. Nancy Bélanger: When the Lobbying Act applies, the status of the relationship is irrelevant. If someone communicates and lobbies, they are supposed to register. The idea of the relationship—

Mr. Charlie Angus: What if they go out for brunch?

Ms. Nancy Bélanger: I was going to say that the idea is that once you're registered, you're subject to the code of conduct. The code of conduct actually says that you shouldn't be lobbying anyone with whom you have a relationship that could create a sense of obligation. The code would kick into force in relation to any personal relationships that come into play. It would have to look into them.

Mr. Charlie Angus: Okay. Thank you very much.

The Chair: Thank you, Mr. Angus.

We're going to turn to Mr. Kelly now for the next round of questions.

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): All right. Thank you, Mr. Chair. Thank you for having me here at the ethics committee.

Commissioner, I want to make sure I get this. You referred 10 investigations to the RCMP since you began, and you said three since.... Sorry; say that again.

Ms. Nancy Bélanger: I'm actually at 11. I did one in the first year, six in my second year, three in the last year, and I just did one recently.

Mr. Pat Kelly: Okay. Could you tell us how many investigations you have under way right now?

Ms. Nancy Bélanger: There are four.

Mr. Pat Kelly: Okay. You have four investigations currently under way.

We're here to discuss the estimates. Do you have the resources to conduct...? In a smaller office, the ability to manage investigations may be trickier. Do you have the resources to manage your current caseload? Do you have room if you suddenly had additional work?

Ms. Nancy Bélanger: In the last year we doubled the preliminary assessments. This assessment is that first stage of whether or not we go into an investigation. The workload is heavy, and I only have a team, with the director, of three investigators and two supports for the investigation team. One of them takes care of all the exemptions. It's a small team.

I am looking at the workload right now and seeing if I can move resources around to make sure that we can continue to be efficient. We are planning, in the next year, to map out our processes to see if there are some efficiencies to be gained.

Of course, an investigation is an investigation. We need to get the documentation. We need to do interviews. We need to analyze.

I have a great team of investigators and the staff in that compliance directorate, plus I have two wonderful lawyers who support them. Of course, I'm very much involved.

Could we have more staff? Obviously, but I'm limited in the budget that I have, and we move things around as much as we can.

Mr. Pat Kelly: Officers of Parliament are extremely important to parliamentarians. We've seen the Auditor General, for example, have to actually turn away work and not investigate areas that they deemed important. Have you got to that point? Have you been able to conduct all the investigations that are necessary and before you?

Ms. Nancy Bélanger: I'm going to answer yes to that. I have not turned anything away. I don't think I ever would. I would find... Some things would have to give, but we look into everything that comes in.

Mr. Pat Kelly: Okay. Thank you.

In this past year you combined the functions of different programs that were focused on the registry, including education and outreach, compliance and enforcement, into a newly unified registry service. How has this affected your operations?

Ms. Nancy Bélanger: It hasn't really affected my operations. What happened in the past is that our key results didn't really reflect the way that we did things, so we just amalgamated.

We have one program, and the program is to support and do the mandate that's required under the Lobbying Act. Then we have a few people who support that in corporate services. It hasn't really affected the way we run our business.

Mr. Pat Kelly: Okay.

How many full-time equivalents are dedicated to the registry service and compliance program?

Ms. Nancy Bélanger: In the registry client services, there are four. In the compliance, the registration team, there are six, so that's 10.

Mr. Pat Kelly: Okay, and....

Go ahead.

Ms. Nancy Bélanger: Then we have a team that takes care of outreach and all of the reports that are required by government. We're subject to all the same requirements as any other big department. Really, there are four people who are....

There are two finance people. Then we've allocated one support for IT. We've allocated four for internal services, and everybody else supports the program.

• (1455)

Mr. Pat Kelly: All right.

Mr. Chair, do I have any time left, or is that about it?

The Chair: You do have a bit of time left. You have approximately 30 seconds.

Mr. Pat Kelly: Okay.

With that, I think I'll merely thank the commissioner for her service to Parliament and leave it at that.

Ms. Nancy Bélanger: Thank you.

The Chair: Thank you.

For our final questions this afternoon, Ms. Shanahan, we'll turn to you. If you would like, you can split your time as well.

Mrs. Brenda Shanahan: Thank you, Mr. Chair. I'll take it up.

I do thank Madame Bélanger for being here. I remember that when I first became a member of Parliament, it was the lobbying commissioner at the time who was giving us orientation, and it was a little scary.

I believe this is in your recommendations. The idea of trying to allocate a certain portion of the time that somebody spends actually speaking to members of Parliament had something to do with proportionality. Otherwise, it's every person who walks into my office who is potentially a lobbyist, and like Madame Gaudreau, I would feel obliged to.... I mean, I want to know if you're registered or not.

Can you speak to us about that?

Ms. Nancy Bélanger: Currently, even if everybody we speak to is a lobbyist, that's okay. They have the requirement to register.

Right now what's happening is that organizations and corporations don't need to register if it's not a significant part of their work. In order to register, they need to calculate whether or not they've spent about 30 hours in a month preparing and meeting with you. For me, whether it's two hours, one hour or 10 minutes, it's the substance of that conversation that matters. That should be in the registry for transparency so that Canadians know who is meeting whom about what. If the threshold is that if you talk to them, you register, the obligation will be on them. It's not that difficult to register. You don't need to calculate whether you spoke to them 10 minutes, 20 minutes, a half-hour. You should take note of whom you met so that if I ever reach out to you to confirm the information, you have it at hand. However, the obligation is on the lobbyists to make sure that they are transparent about the communications that they have with Canadian decision-makers.

Mrs. Brenda Shanahan: You do mention the requirements and the difference between corporations and organizations. I believe that is in your recommendation 3, and that's what my colleague, Ms. Lattanzio, was curious about.

Can you talk about what your thinking is there?

Ms. Nancy Bélanger: Recommendation 3 is making the requirements the same, I believe.

Mrs. Brenda Shanahan: Yes, it is making the requirements the same between the two.

Ms. Nancy Bélanger: I don't always have the order of them perfectly in my mind, but yes.

The problem right now with the registry is that corporations do not have to list employees who lobby less than 20%. In other words, in the registry, an organization has to list everybody who lobbies, but a corporation does not have to list those who lobby less than 20%. What that means, the impact of that, is that those individuals who are not in the registry are not subject to the code of conduct of lobbyists, and that's a problem.

It's not difficult. It's just this: List all of the names of those who lobby on behalf of the corporation and organization. The organizations have to do that. I don't know why corporations don't. That's not a very difficult change to make.

Mrs. Brenda Shanahan: Okay. That's interesting.

One of your other recommendations—I forget which one it was—talks about the fact that you'd like to have more details about the activities undertaken by each registrant. What are you looking for there?

Ms. Nancy Bélanger: What I'd be interested in—and British Columbia has done this—is the monthly communication report. When in the month they say, “We've met with this particular designated public office holder”, it would be interesting to see whether this communication happened during lobby day. Was this during sponsored travel? Was there hospitality offered? Was this during a conference? Was it a meeting? They're details that could be in the monthly communication reports that would enhance transparency.

• (1500)

Mrs. Brenda Shanahan: That is important, I think, because that goes to my earlier question about the quality of the interaction. I can see going to a cocktail—if we ever can do that again—and just crossing paths with someone, and the next thing you know it's a thing, so I think there is a distinction there from someone who's presenting you with multiple briefs.

Ms. Nancy Bélanger: If a lobbyist takes the time to lobby you during that event in the evening, they should have an obligation to put in the registry that they lobbied you.

Mrs. Brenda Shanahan: Okay. In other words, they weren't just being friendly.

Ms. Nancy Bélanger: I'm sure they were, but....

The Chair: Thank you. Your time has now expired.

Commissioner, thank you for being here. We certainly appreciate you answering our questions. We're thankful for the work that you do and for continuing to report back to us. I thank you on behalf of our committee.

Colleagues, we will vote on the estimates at our next meeting, which is not this week, but in a week. The following Monday is a holiday, so it will be the next Friday before we can come together again, and we will have the Ethics Commissioner with us. Mr. Dion will join us for that meeting on Friday, May 28, at which time I would recommend that we vote on all the estimates, and that will allow us to report back to the House of Commons before the deadline.

Colleagues, if there is nothing further, I will adjourn the meeting.

Ms. Nancy Bélanger: Thank you. Stay safe.

The Chair: Thanks so much, Commissioner. We really appreciate it.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>