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Monday, April 30, 2007

—
Chair

The Honourable Shawn Murphy

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• (1530)

[English]

The Chair (Hon. Shawn Murphy (Charlottetown, Lib.)): I'll call the meeting to order. I would ask that all cameras leave the room, please.

I'd like to welcome everybody here. *Bienvenue à tous.*

We have a full lineup this afternoon, colleagues. I'll introduce the witnesses who are before us. Back with us we have Deputy Commissioner Barbara George; we have the assistant commissioner for technical operations with the RCMP, Assistant Commissioner Bruce Rogerson; again, Chief Superintendent Fraser Macaulay, who has been with us many times before; Staff Sergeant Mike Frizzell; criminal operations officer Doug Lang, now stationed in Winnipeg; and Denise Revine, a public service employee.

As individuals we have Rosalie Burton, former director general of human resources, Royal Canadian Mounted Police; retired inspector Paul Roy of the Ottawa Police Service; Normand Sirois, a retired member of the Royal Canadian Mounted Police, of CSIS; and Keith Estabrooks, a retired sergeant of the Royal Canadian Mounted Police.

Mr. Williams, you have a point of order.

Mr. John Williams (Edmonton—St. Albert, CPC): Mr. Chairman, we just can't handle this number of witnesses on a regular basis. In fact, I'm getting so squished here that if we squish any more I'll be sitting on your lap pretty soon, and I'm not sure I would like that very much.

I think we have to get a handle as a steering committee on witnesses who we can question adequately, then moving on to the next witness. To have a dozen people being questioned by a dozen people in two hours makes no sense whatsoever. I ask you as chair to make sure this doesn't happen again.

The Chair: Mr. Williams, I agree with you 100%; however, I can explain why it happens. It's because people make motions at the end of meetings, they get consent, and the motions are approved, and that's why they're here. I would prefer that those matters be left to the steering committee for determination and decision, but the committee has decided otherwise, and that's why they're here.

I agree with what you're saying 100%, and perhaps the next time somebody makes a motion, you or some other member of the committee might want to consider that.

Mr. John Williams: I'll just go on the record that the next time this committee asks for more witnesses, I will automatically deny

consent. Not that I'm trying to obstruct it, but I want the steering committee to handle it.

The Chair: That's good, Mr. Williams. I'm glad to hear it.

There are a number of witnesses who have opening statements; however, I have a few statements I want to make myself. They concern the application in the Federal Court of Canada trial division being made by Deputy Commissioner Barbara George. It involves the privileges of this House. It's an application that certainly concerns this committee, and it's one we're following very closely.

I would like to make a statement at this time pertaining to the legal privileges that apply to the hearings of this particular committee and all committees of Parliament.

In particular, I want to affirm on behalf of this committee that this committee insists on its parliamentary privileges; in particular, that testimony provided to this committee is not available for use in any other proceedings or actions elsewhere. It is of considerable concern to the committee that the Royal Canadian Mounted Police has commenced internal disciplinary proceedings as well as a criminal investigation for perjury against former RCMP Deputy Commissioner Barbara George, who has been and continues to be a witness before this committee. Our concern here is not limited to this witness, but applies to all witnesses who come before this committee.

We understand that these actions by the RCMP against former Deputy Commissioner George are based on testimony she has given to this committee. This, colleagues, is contrary to the law of parliamentary privilege and is not acceptable.

It is important that all witnesses before this committee be assured that the testimony they give to this committee cannot be used elsewhere against them. The credibility given to witness testimony and to this committee's proceedings as a result will be seriously compromised if witnesses can be intimidated by actions taken against them or by worries about actions that could be taken against them.

If the committee so instructs, I shall immediately convey these concerns by letter to interim RCMP Commissioner Busson and ask that she expressly assure this committee, by return letter, that the testimony of any individual before this committee, whether or not an employee of the RCMP, will not be used in any proceedings or action against the individual.

Those are some comments I'm going to make.

Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Chair, I would move, consistent with the statement you just read, that the letter you refer to be sent on behalf of this committee.

The Chair: Okay. Let's deal with that immediately.

Does he have unanimous consent?

Some hon. members: Agreed.

(Motion agreed to) [See *Minutes of Proceedings*]

The Chair: The letter will be out today.

Mr. Williams, you had a point.

Mr. John Williams: Yes, Mr. Chairman.

In view of the fact that this investigation is ongoing as we speak and has not been terminated, or we haven't heard back from Commissioner Busson, I would therefore think it only appropriate that we ask Ms. Barbara George to step down from being a witness at this committee today, until we have this matter resolved. I do not think it's appropriate that she be asked questions here today, in light of what is going on in other venues, until these are stopped. I would therefore move that she be asked to withdraw.

•(1535)

The Chair: Well, Mr. Williams, if I may speak to that, it's entirely up to the committee to decide, but I would certainly caution the committee against going down that road, because if this were to be the case, any witness who made an application would be excused from appearing or testifying before this committee.

The rule of *sub judice* does not apply to parliamentary committee proceedings, and the law of parliamentary privilege is clear and I believe is well understood. I don't see any real reason why she should step down from appearing before this committee.

Mr. John Williams: Mr. Chairman—

The Chair: But, again, if I may continue, Mr. Williams, it is up to the committee.

Mr. John Williams: Well, that's my point; it's up to the committee to decide.

The Chair: Yes, that's right; it's up to the committee to decide, not me.

Mr. John Williams: I made a motion that she should be asked to withdraw.

The Chair: Does Mr. Williams have unanimous consent to put the motion?

Mr. John Williams: Mr. Chairman, it can't require unanimous consent, because it would be 48 hours before we could discuss it, and she's sitting right at the table.

The Chair: Mr. Christopherson, do you want to speak to this?

Mr. David Christopherson: I would like to, Chair.

For the benefit of Mr. Williams and other members of the committee, the subcommittee met today at noon, which we have taken to doing and will continue to do every week while we're continuing these hearings to try to orchestrate all of this.

At that meeting we had Mr. Walsh, the parliamentary law clerk, and his senior assistant Mr. Tardi, who gave us a fulsome

presentation, and we had a chance to ask questions. It's not just coincidental that the letter that was just read is being forwarded to the RCMP commissioner.

For what it's worth, we—one of us from each party—collectively have satisfied ourselves that we are in a strong enough position, and for the reasons the chair has outlined and others, our recommendation is that we are clear to go and that we should continue with today's hearings, including hearing Ms. George.

The Chair: However, it's a committee decision, not my decision, so I'm prepared to put it to a vote.

(Motion negated)

Mr. John Williams: I have another issue.

The Chair: Okay, Mr. Williams.

Mr. John Williams: Yes, I have another issue, Mr. Chairman, and again it's what I consider a serious matter.

I understand that some lawsuits have been commenced by a witness against one of the members of this committee, and it seems to me there could be a conflict of interest in a member of this committee asking questions of someone who has launched a lawsuit against them.

I thought our law clerk was going to be here today and we could ask his opinion.

A voice: He is.

Mr. John Williams: Okay, we perhaps can ask him to come forward and give his opinion on the matter and go from there.

The Chair: The law clerk is here. In fact we have both of them here, Mr. Williams.

Mr. Rob Walsh (Law Clerk and Parliamentary Counsel, House of Commons): What's the question, Mr. Chairman?

The Chair: Before I go on, I want to introduce to colleagues and the witnesses Mr. Rob Walsh, who is the legislative counsel.

Welcome, Mr. Walsh.

Mr. Rob Walsh: Thank you, Mr. Chairman.

What's the question?

Mr. John Williams: The question, is that I believe there is a lawsuit by one of the witnesses against one of the members of this committee. It seems to me there's a conflict of interest in that particular member asking questions of a witness when there are other proceedings at another venue going on between them.

Mr. Rob Walsh: The term “conflict of interest”, Mr. Chairman, is used in a variety of contexts. One of those contexts is the code of conflict of interest for members of Parliament. That, however, deals with private interests, as against the larger public interest. A lawsuit, as such, isn't a private interest in the sense that the code contemplates members having private interests. However, is there some other kind of conflict of interest here? Obviously, members who are in lawsuits have a keen interest in that lawsuit and its eventual outcome. But I don't know that it's an interest of a kind that causes the member to be disqualified from participating in the proceedings of this committee, although it may be something that some members might think warrants some constraint or restraint by the member, given that the other side of the lawsuit is participating in the same proceeding.

There is the *sub judice* rule, which is a practice of the House. It's not a rule, as such, but it's a well-established practice of the House that members in debates or proceedings such as this do not comment on matters that are pending before the courts. That's out of respect to the judicial function so that it is afforded ample opportunity to consider those issues without any seeming interference by the legislative branch. Having said that, this is not to say that a member of Parliament who finds himself met with a lawsuit is thereby disqualified from participating in debates or proceedings pertaining to matters that relate to the subject matter of that lawsuit.

Fundamentally, the bottom line—sorry it takes so long—is that it's a matter of personal judgment and perhaps the personal preference of the committee as to whether this particular lawsuit warrants any intervention by the committee to the member.

• (1540)

The Chair: Mr. Williams.

Mr. John Williams: I would therefore suggest, based on that, that the member be given an opportunity to withdraw if he so chooses.

The Chair: Any member who wants to choose that can do so, Mr. Williams. It doesn't need the chair. However, I would think that if we allow this as a precedent it would be easy to get rid of members of Parliament, parliamentary debates, committee debates. I see it being more of a personal item. If the member thinks it appropriate that he not participate or not be here, then he or she would have to make that determination.

In accordance with previous practice of this committee, we will ask the clerk at this point in time to swear in the witnesses.

In the meantime, Mr. Christopherson, do you have a point?

Mr. David Christopherson: Yes. I have a suggestion, maybe a motion, that in light of the number of witnesses we have and in light of the fact that we all have to be here for bells at 6:30, we extend this meeting for one hour, up until voting time.

I want to also say I realize that this is a last-minute thing and no one should feel that this shows whether they're committed or not. But if people's schedule allows and we have to be here to vote, we could use the hour.

The Chair: I'm in the committee's hands, people.

Mr. John Williams: Ask the question.

The Chair: We need unanimous consent.

Is anyone contrary-minded? There's no one contrary-minded. Okay.

Hon. Judy Sgro (York West, Lib.): Mr. Chair, one moment.

One of our members has to leave at five o'clock. If there's an assurance that no motions are going to be placed, and no votes required—

The Chair: I can always adjourn until the member comes back. We'll undertake to do that, yes. We can assure the member there will be no votes if he's absent for an hour or half an hour.

Okay, if that's the case, we will continue the meeting until 6:30 or until the bells start ringing.

Let's proceed.

Mr. Keith Estabrooks (As an Individual): I, Keith Estabrooks, swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

[Translation]

Mr. Normand Sirois (As an Individual): I, Normand Sirois, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

Mr. Paul Roy (Ottawa Police Service (Retired), As an Individual): I, Paul Roy, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

• (1545)

[English]

D/Commr Barbara George (Deputy Commissioner, Royal Canadian Mounted Police): I, Barbara George, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

Ms. Rosalie Burton (former Director general of Human Resources, Royal Canadian Mounted Police, As an Individual): I, Rosalie Burton, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

C/Supt Doug Lang (Criminal Operations Officer, Winnipeg, Royal Canadian Mounted Police): I, Doug Lang, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

A/Commr Bruce Rogerson (Assistant Commissioner, Technical Operations, Royal Canadian Mounted Police): I, Bruce Rogerson, swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

C/Supt Fraser Macaulay (Chief Superintendent, Royal Canadian Mounted Police): I, Fraser Macaulay, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

Ms. Denise Revine (Public Service Employee, Royal Canadian Mounted Police): I, Denise Revine, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

S/Sgt Mike Frizzell (Staff Sergeant, Strategic and Operational Support, National Child Exploitation Coordination Centre, Royal Canadian Mounted Police): I, Mike Frizzell, do swear that the evidence I shall give on this examination shall be the truth, the whole truth, and nothing but the truth, so help me God.

The Chair: Thank you very much.

We have six of the witnesses who do have opening statements, albeit some are short. The first I'm going to call upon is Deputy Commissioner George.

D/Commr Barbara George: Thank you, Mr. Chairman.

Once again, let me begin by thanking the committee for the opportunity to appear this afternoon to address any concerns members may have about these important issues. Given that this is my third appearance before the committee and recognizing that there are several witnesses here today, I will keep my comments as short as possible.

There are three main issues I would like to address, two of which having arisen only after my most recent appearance before the committee. The first issue relates to the letter dated March 17, 2005, written over my signature and addressed to Great-West Life and tabled here on April 18, 2007. When the letter is read in its entirety, it is clear that its purpose was to seek the return of moneys that were improperly transferred from the pension fund to cover certain insurance administration costs. I would ask the committee to review the letter carefully, as the member for Etobicoke Centre and Sergeant Frizzell have implied that this letter suggests some wrongdoing on my part. This is not true.

Given the importance of this letter, I would like to read the first paragraph:

Dear Mr. Foley,

We are writing to you to advise that the RCMP has recently reviewed the agreement concerning the funding approval from both the RCMP Insurance Committee and the Pension Advisory Committee dated February 17th, 2003 concerning the cost sharing of insurance administration costs. This review determined that the agreement was entered into without appropriate authorization and must subsequently be reversed. The chairmen of both committees concur that the moneys paid to the Great West Life Assurance Company (GWL) to cover the pensioners' portion of Insurance Administration Outsourcing must be returned to the RCMP Pension Fund.

The agreement I referenced in that letter was signed on February 17, 2003, by my predecessor, Jim Ewanovich. I will table a copy of it here today.

Let me be clear that the letter I sent to Great-West Life was to correct an error that had been made by my predecessor, Jim Ewanovich. As a result of this letter, Great-West Life returned the amount requested, \$540,327.36 plus interest, to the RCMP pension fund. The return of the money was necessary, as Jim Ewanovich did not have Treasury Board approval or authority to use pension money to cover the insurance administration costs.

Mr. Chairman, the second issue I would like to address is my involvement in preparing the commissioner's response to this committee relating to the decision to return Sergeant Frizzell to his unit. Following our appearance before this committee on February 21, 2007, I communicated with Assistant Commissioner Dave Gork about Sergeant Frizzell. I have subsequently tabled a copy of the e-mail exchange between Assistant Commissioner Gork and me on

this subject. It is dated February 25, 2007. Contrary to what has been said to this committee, I did not personally draft any letters for Commissioner Busson's signature. Those letters were drafted by RCMP legal services. I did, however, speak with RCMP legal services and the commissioner about the possible content of the commissioner's response. In particular, we discussed the information I had been provided by Assistant Commissioner Gork. RCMP legal services advised against including the same on the basis of possible privacy concerns and because Assistant Commissioner Gork would himself be appearing before the committee on March 28, 2007.

In support of this, I am tabling a copy of an e-mail dated February 28, 2007, that I received from RCMP legal services on what we should and should not include in the commissioner's response. Further, I would respectfully direct the committee to the testimony given by Assistant Commissioner Gork on March 28, when he confirmed that he was here to supplement the commissioner's written response with his personal knowledge of the situation. Indeed, Assistant Commissioner Gork was clear that it was one of the main reasons why he had been asked to be here on that day.

The third and final area I wanted to address was the question surrounding Sergeant Frizzell's health at the end of June 2005. When I first appeared before this committee on February 21, I testified as follows, and I quote: "The best I can state is that when Sergeant Frizzell left, I understood he returned to his home division, which was A Division. I'm being careful with regard to the privacy concerns here, but I understand it was for health reasons."

● (1550)

The committee will note that this answer was given before I had been able to confer with Assistant Commissioner Gork, and before I had received the e-mail from him that I have tabled.

Mr. Chairman, I would like to table two additional e-mails that speak directly to this issue.

The first e-mail is part of an exchange I had with then Superintendent Doug Lang on June 20, 2005. I had written to Superintendent Lang at 11:16 that morning to ask what was being done about Sergeant Frizzell. By that point, I had been advised that he was being returned to his original workplace. I received an e-mail response from Superintendent Lang at 12:22 p.m., after he had served Sergeant Frizzell with the written order instructing him to return to his home unit. The e-mail reply reads in part:

We had a lengthy discussion regarding Sgt. Frizzell's obsession with the ongoing payments in the insurance program and the related behaviors he was displaying. It was strongly suggested to him that he seek counseling through the HSO, whereby the Dr/Client privilege would not be affected by his non-disclosure designation on this file.

The second e-mail that I would like to table, Mr. Chairman, shows an exchange between Doug Lang and Paul Roy, dated June 28, 2005. I was copied on the exchange at the time. The first note was from Paul Roy to Doug Lang at 9:46 a.m., and reads in part as follows:

Sgt Frizzell paged Sgt St-Jacques yesterday and by the sounds of it, was abusive and threatening of grievance and actions against Sgt St Jacques and the Ottawa Police—I am vacating the office in the next two days and really don't feel like dealing with this individual anymore.

Doug Lang wrote back at 2:29 p.m., and I quote again: “Mike” — meaning Sergeant Frizzell—“is ODS”—which means “off-duty sick”—“until July 11, and then will be AOL”—which means “away on leave”—“until August 8. I have inquired into his stability, and I don't want to aggravate any recovery.”

It was these comments from Doug Lang about Sergeant Frizzell's health and stability that led me to think that health issues might have factored into the decision to serve him with the written order of June 20, 2005. Again, at no time did I mislead or intend to mislead this committee. I was attempting to answer the committee's questions about events that had occurred almost two years ago, to the very best of my recollection.

In closing, Mr. Chairman, I would like to take a final moment to once again speak to the very serious allegation that I have perjured myself before this committee.

Last week the member for Etobicoke Centre attempted to introduce a report to this committee on that subject. I was pleased that a number of members indicated that it was premature and unfair to do so before I had been able to give my response to the comments made by the witnesses that day. It is now clear that the member for Etobicoke Centre has formed a biased view of these matters, even before having heard all of the relevant evidence. To the extent that he has repeated these unfounded allegations outside Parliament, he has been served with the appropriate notice.

Mr. Chairman, the committee's ongoing inquiry into these matters has devoted considerable time and attention to my conduct and actions. To that end, I think there are some key points that the committee must bear in mind. First and foremost, I was not in charge of human resources between 2001 and 2003, when the wrongdoing at issue was taking place. Moreover, I never ordered an unauthorized transfer of moneys out of the pension fund or insurance fund. I never circumvented RCMP or public service hiring policies to secure jobs for either friends or family. I never contravened Treasury Board or Public Works rules with respect to government procurements and contracts. I never used taxpayer money or pension fund money to pay for golf. I never interfered with the Ottawa Police Services investigation. And I never ordered anyone to remove Sergeant Frizzell from his assignment with the Ottawa Police investigation.

Thank you.

• (1555)

The Chair: Thank you very much, Deputy Commissioner George.

Mr. John Williams: Mr. Chairman, I've got a couple of points, if I may.

The Chair: You may.

Mr. John Williams: Number one—this is maybe a bit facetious—perhaps the law clerk could advise the legal services at the RCMP about a little course in parliamentary law so that they understand that for privacy and all that stuff we get what we ask for.

The second point is much more important. I mentioned to you and the clerk a week or so ago that if people are going to be tabling e-mails in this committee, in this venue, they should be given to the clerk, and translated, so that they therefore can be circulated in both official languages to us when they are tabled. Here we have a whole

bunch of e-mails being tabled again, I presume in one language only, and therefore they cannot be distributed to the committee members and we're left in the dark again.

Can the clerk please ensure, when witnesses are being summoned before this committee, that they're informed that if they're going to table any e-mails, they should be given to the clerk ahead of time and translated and available for distribution immediately when they are tabled? Please.

The Chair: Okay, Mr. Williams, your point is well taken.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Point of order.

The Chair: I'm just going to deal with Mr. Williams first, and then we'll go to you.

Your point is well taken. There are some protocol issues here, because some of these witnesses are coming up on short notice. Some of them don't have the wherewithal, especially retired members, to translate them. And of course we'll translate them; we'll do the translation. The clerk has indicated to me that they're not obligated to. But you're certainly right, it would be better if we did have them before the event.

Mr. John Williams: I would have the clerk instruct these witnesses that when they're summoned before the committee—and I mentioned at the beginning that there's total disorganization about bringing these witnesses forward—they should be given ample time to prepare and should be advised that if they're going to table anything that it be given to the clerk and translated by this committee, so that all committee members get it in both official languages when it is tabled. That shouldn't be a big thing to ask for.

The Chair: Somebody else over here had a point, I thought.

Mr. Borys Wrzesnewskyj: Point of order.

The Chair: Mr. Wrzesnewskyj.

Mr. Borys Wrzesnewskyj: For clarification, it was just stated that I had attempted to move a motion in the last meeting on perjury. In fact, it was a notice that at a future date—and of course dependent upon testimony that comes before us—I may be tabling a contempt of Parliament motion, or I'll use the—

Mr. John Williams: Mr. Chairman, I object to this.

Mr. Borys Wrzesnewskyj: —proper proceedings, just for clarification purposes.

Mr. John Williams: Mr. Chairman, I object to this. No member of Parliament has the right to table a motion of contempt of Parliament, and therefore he was totally out of order. He used that terminology again in a public meeting with witnesses before this committee. And as I said, I gave him the opportunity to withdraw, and I would certainly encourage him to do so.

• (1600)

The Chair: I'll remind members that the way any contempt of Parliament would work would not be this committee; actually, it would be the House. The committee could make a recommendation to the House to deal with it. That's all this committee could do.

I would ask all members to please be temperate in their remarks dealing with allegations such as these. This is a parliamentary committee. We follow the rules of fairness. I believe that we have to be a little more temperate in some of our remarks dealing with this type of language.

Assistant Commissioner Rogerson, do you have a few opening comments?

A/Commr Bruce Rogerson: Yes, I do.

Before I commence today, I'd like to thank the committee for allowing me to come before you to at least present what I believe happened in and around June 15 to June 20. However, before commencing, I'd also like to emphasize that reporting on one's ethical behaviour is never an easy task and sometimes it comes with severe repercussions. Unfortunately, in most cases there is never a win-win solution.

To help address that situation, in my role as the appropriate officer here in headquarters Ottawa, I took it upon myself in January 2007 to send a memo to all headquarters employees as it relates to section 37 in the RCMP Act in matters of code of conduct and reporting on ethical behaviour.

Within this section it states that "It is incumbent on every member", in subsection 37(e), "to ensure that any improper or unlawful conduct of any member is not concealed or permitted to continue".

My memo also encouraged the notion of being able to come forward with concerns around such behaviour by stating "It is equally as important to ensure that these individuals are treated with respect and continue to perform without fear of reprisal or being branded a 'whistle-blower'".

I have a copy of that memo with me.

[Translation]

It is available in both official languages.

[English]

With respect to the proceedings, I would like it to be known that I'm neither pleased nor am I supportive of certain actions I've witnessed during these proceedings today. In this regard, the RCMP is an organization that holds very high standards for it and its employees to adhere to, so much so that we have developed a mission, vision, and values commitment statement whereby at the very foundation you will know what our core values are: integrity, honesty, professionalism, compassion, respect, and accountability.

Having stated this, I want to assure the committee that my responses to your questions will be both fulsome and provided to the best of my knowledge. To ensure I do not move off topic and to keep my role in context dealing with the removal of Staff Sergeant Frizzell, I have taken the liberty of listing in this personal statement what I believe transpired during the period from June 15 to June 22, 2005.

I also have taken the liberty of validating this information with Superintendent Jim Newman and Chief Superintendent Doug Lang. I brought with me all relevant unvetted material. Therefore, to

facilitate your review, I trust the following statement will finally identify and help clarify this very troubling and confusing situation.

On February 21, 2007, I was informed of the information provided to the Standing Committee on Public Accounts. However, as to the response given by Deputy Commissioner Barb George as to how Staff Sergeant Mike Frizzell was removed from his office, I felt there was a more accurate answer.

In this regard, I recalled a cell phone discussion with Deputy George herself whereby we discussed Sergeant Frizzell's removal. She wanted Frizzell removed because he had left an unprofessional harassing phone message on her subordinate's phone message manager. During the conversation, I informed her I was not in a position to remove him, as he did not report to me, and that Assistant Commissioner Dave Gork was in a position to remove, as he did not report to me. With that, she stated that was all she needed to know.

This cell phone conversation happened while I was returning from a national police services retreat, and Jim Newman was in the vehicle with me at the time. To confirm this, I checked my cell phone records, which showed her office number, 613-993-3445, being contacted by me at 16:09 on June 16, 2005.

In addition, since it was my direct report, Superintendent Doug Lang, who was involved in the removal of Frizzell from his office a few days later, and since Frizzell's office was situated nearby, I had first-hand knowledge of when and possibly why it was done: due to a harassment allegation. Although Lang informed me of his actions, that it was taken care of, and that Frizzell was leaving, I did not have any knowledge of any formal written order at the time. I thought Frizzell's removal was simply related more to the harassment allegation by Deputy Commissioner George.

Given what I knew, I requested a copy of the standing committee minutes for the February 21, 2007 meeting. In addition, while at the senior management team meeting on February 22, I mentioned to Assistant Commissioner Darrell LaFosse that I had concerns with what was stated surrounding Frizzell's removal. He informed me at that time that Deputy Commissioner George had also contacted him, and Chief Superintendent Fraser Macaulay was aware of same.

Upon reviewing the February 21, 2007 standing committee minutes, I sent an e-mail dated February 26 to both Chief Superintendent Lang and Superintendent Newman highlighting the questioning surrounding Frizzell's removal and the responses as provided by Deputy Commissioner George. I worded this message to ensure I was not leading them in their own recollection of the facts as I knew them to be. It read as follows:

To Jim and Doug: FYInfo, I have attached the most recent minutes from the Public Accounts Committee on the Pension overview. You will note that there were considerable questions surrounding the removal of S/Sgt. Mike Frizzell and, more specifically—who ordered him to be escorted out, etc. I have highlighted the sections surrounding this area as you two may be called at a later date.

The committee is meeting today to see if it will hear from several other people including Frizzell who will most likely answer the questions surrounding his removal—he knows who was involved beyond just the two of you.

I trust you kept good notes as this issue seems to be heating up instead of cooling down.

Regards,

Bruce.

Superintendent Newman responded in his e-mail of February 27, noting:

Bruce, I guess she forgot about her phone call to you while we were returning to Ottawa from our retreat.

Doug Lang responded in his e-mail of February 28:

Bonjour Jim et Bruce, If anyone wants I have an electronic copy of the written order we served on Frizzell at the request of A/Commr Gork and D/Commr George—it says it all.

As his e-mail showed Deputy George's clear involvement, I sought further clarification from Lang, as his recollection contradicted her response surrounding the issue that she did not know who served the order.

• (1605)

I therefore sent another e-mail to Lang requesting further info as to who actually was involved. I said:

Thanks, Doug, your previous e-mail stated the order came from both A/Commr Gork and D/Commr. George however, the memorandum of 2005-06-20 does not mention her. I know she called me just prior to this. Could you clarify please.

His response in the e-mail clearly stated:

Yes, I can.

I spoke with Deputy George on the phone during this period (before the order was prepared), who provided me further details of Sgt. Frizzell's continuance of this investigation after he had been asked to stop and what she had deemed as continued harassment of one of her employees by Sgt. Frizzell (it was the lady Mike Jeffrey went to work for). I received no formal order from either A/Commr Gork nor Deputy George, just requests from both to ensure this situation was rectified, and A/Commr Gork's direction that it be served on Sgt Frizzell in the form of a written order. I advised both when it had been formally served.

Doug.

This, to me, showed she knew exactly who served the order on Frizzell.

On February 28 I called Chief Superintendent Fraser Macaulay to reaffirm his version of how Frizzell was removed from his office and of being present with Assistant Commissioner Darrell LaFosse when he was called about Frizzell. He confirmed this info and stated he was to speak to the commissioner and would be discussing Frizzell, along with his own situation, with the commissioner herself, and that anything I had would help. As a result, I sent him the e-mail on March 1, 2007, that you already have before you, surrounding what I knew to be the circumstances surrounding Frizzell's removal.

On March 8, I sent a draft statement surrounding the information concerning our involvement to both Chief Superintendent Lang and Newman for their review and feedback with respect to what I've just previously stated. I also included the standing committee's key questioning points surrounding Frizzell's removal.

On March 9, Newman responded:

Good morning Bruce I have reviewed the document you have prepared, I do not have anything to add. I never made notes following your discussion with her while in the vehicle. If memory serves me correctly I mentioned that I thought it was inappropriate for her to discuss this issue with you as you were the Appropriate Officer for HQ, that at some point in the future you maybe seized with the file. In relation to serving the member I accompanied Doug as a witness, then I tried to explain that the criminal investigation was finished and that an internal would probably commence. That's it that's all. I may have made notes but they are buried with the rest of my stuff in storage.

Doug Lang responded to the same information I reiterated to the committee today: Bruce, I have no problem with anything you have documented. It is an accurate representation. Doug.

On April 15, 2007, I was interviewed by Chief Superintendent Bob Paulson concerning my knowledge of these events.

At this time he also produced three e-mails, one dated June 15, 2005, from Deputy Commissioner Barb George to me outlining her concern, along with an attached transcript of the phone message left on Rosalie Burton's phone, and one dated June 17, 2005, from me to George whereby I acknowledged her phone call of June 16 and asked if she wanted me to still look into the matter. The third e-mail was from George to Doug Lang during the same period outlining that she had a conversation with Assistant Commissioner Dave Gork about Frizzell.

I commented on the first two; however, I had no knowledge of this third e-mail, showing that George did in fact have direct contact with Gork himself surrounding Frizzell's removal.

My administrative assistant also recalls when Deputy George's office called looking for me in June, 2005. As she needed to speak to me immediately, my assistant gave her my office page number and my cell phone number, which led to my calling Deputy Commissioner George on June 16, which is how I called Deputy George on that same date. This would coincide with the e-mails mentioned above of June 15 and June 17.

I've since talked to Doug Lang, and he acknowledged that Barb George had called him on the morning of June 17 with respect to Frizzell's behaviour.

In summation, the aforementioned info is how I understood things to have been done. Deputy George was actively seeking Staff Sergeant Frizzell's removal because he was harassing one of her employees. Based upon what I've become aware of, this was accomplished through her direct liaison with both Assistant Commissioner Dave Gork and Superintendent Lang shortly after contacting me on June 16.

Whether or not it was Inspector Paul Roy, George, or Gork, who actually directed Lang to serve the order on Frizzell seems to have confused the issue here. Also, whether one was seeking that Frizzell cease and desist, be stopped, and/or removed has complicated the matter as well.

• (1610)

The fact remains that the formal removal of Frizzell commenced between June 15 and June 20, 2005. Chief Superintendent Lang's actions were no doubt influenced by Deputy Commissioner George's direct and clear involvement in Frizzell's being served such an order. In this regard, as mentioned, he was contacted by her directly, along with others, during this exact same timeframe. He consulted with them on the order, he served the order, and, when executed, advised them when it was done, which showed that Deputy George also knew about the order and who served it.

I look forward to your questions.

The Chair: Thank you very much, Assistant Commissioner Rogerson.

The next opening statement is from Rosalie Burton.

Ms. Rosalie Burton: Mr. Chair, honourable members, thank you for the opportunity to appear before committee today. I welcome the opportunity to provide the facts as I know them and the actions I took.

My actions were both transparent and proactive throughout my tenure at the RCMP, and they were guided and supported by the values and ethics code of the public service. As a result of the reorganization of the human resources team, I became the director general of human resources systems and strategies, effective April 1, 2004. Among my many responsibilities was the National Compensation Policy Centre. I was in that role for 18 months. With regard to the timeline concerning my role, the facts are as follows.

Prior to my arrival, three events had already taken place: one, the RCMP internal audit of the pension plan had been concluded; two, the director of the National Compensation Policy Centre, Dom Crupi, had been sent home by the chief human resources officer; three, a criminal investigation that I later learned was called Project Probity had been launched.

Upon arrival in my position, I learned that the pension and insurance administration had been outsourced, based on incomplete and poorly written business cases. What I found was the governance model was not clear. These committees often directed work, requested research, and made other decisions without necessarily reflecting the National Compensation Policy Centre overall work plan. I had concerns about the insurance program, so I called for an internal audit. I disclosed to Barb George and Paul Gauvin my concerns with respect to the insurance program. They, along with the senior management team, supported my request.

Mike Gaudet, executive assistant to the chief human resources officer, Barb George, suggested that I contact Staff Sergeant Mike Frizzell and share my concerns with him in support of the work of the criminal investigation team. I did so. I made this call to Mike Frizzell on December 15, 2004, and he came to my office on December 20, 2004. I advised him that I had concerns and some information with regard to the pension and insurance program. Mr. Frizzell then asked if he could tape-record what became a three-hour conversation. At the end of it, he told me how he had presented then-past Commissioner Murray and the senior executive team with the RCMP core value statement, and that I epitomized those values.

I gave him the letter of agreement dated February 17, 2003, that was signed by Jim Ewanovich as chair of the pension advisory committee and Deputy Commissioner Pierre Lange, chair of the insurance committee that authorized what I believed was inappropriate funding of insurance activities. I also gave him a sketch of how I believed the funding flowed between Great-West Life, Morneau Sobeco, and the RCMP.

On January 5, 2005, I sent Mike Frizzell an insurance backgrounder paper that I had asked a policy analyst to prepare to help with understanding how insurance administration had evolved to this state. My next encounter with Mike Frizzell was on March 9, 2005, for a "life insurance/pension administration charges" meeting chaired by Deputy Commissioner Paul Gauvin. Several decisions were taken.

One was to "convene the insurance committee to request reversal of prior agreement related to the insurance administration paid by the pension plan". I did this on March 15, 2005.

Two, I was directed to "present a letter to the insurance committee and the pension advisory committee chairs requesting reimbursement of the amounts paid to date from the pension plan to Great West Life". The matter was to be resolved prior to fiscal year end.

I did not do this because it was not unanimous consent to reverse the moneys by the insurance committee at the March 15 meeting. Instead, I did speak to Barb George, outlining that authority to conduct this cleanup needed to be clearly directed by the commissioner. To my knowledge, the only letter that was drafted was by Denise Nesrallah, director of finance, asking Great-West Life to reimburse the moneys to the RCMP pension fund. The letter says, "Chairmen of both committees concur that the moneys paid to Great West Life Assurance Company to pensioners' portion of insurance administration outsourcing must be returned to the RCMP pension fund."

•(1615)

Great-West Life replied on March 23, 2005, confirming the refund.

I was also directed to initiate

discussion of insurance administration costs to be paid out of appropriation to begin as soon as possible with Treasury Board Secretariat. Once resolved, if appropriation is to begin paying for the administration, discussion and decision to be made as to our ability to apply the resolution retroactively.

As a matter of information, I initiated those discussions with Treasury Board as early as June 2005.

Mike Frizzell attended this March 9, 2005, meeting. As the minutes indicate:

Inquiry was made as to our ability to speak to key individuals in order to obtain clarification concerning the insurance outsourcing. Confirmation was obtained from Mike Frizzell that his interview with Mr. Crupi is planned for Monday, March 14, and any discussion should take place after that date. Mike Frizzell stated that he would likely be in a position to respond to Mr. Gauvin's questions following the interview.

I advised Deputy Commissioner Lange, chair of the insurance committee, that an emergency insurance committee meeting was necessary to share the scope of the RCMP internal audit and what we had learned to date.

The deputy chaired that meeting. I spoke to the scope of the audit and said that the draft audit findings were expected in April, 2005. I also explained that there had been a decision taken in February, 2003 between the chair of the pension advisory committee and the chair of the insurance committee that allowed moneys to be taken from the pension plan for insurance outsourcing, and that this decision should be reversed.

There was no motion made at this meeting, and I reported back to Barb George that the commissioner would have to be the one to direct who had the authority to undertake this activity.

On March 21, 2005, I sent Mike Frizzell the internal audit draft report of insurance plans. It supported the concerns I had shared with Mr. Frizzell on December 20, and with my superior when I requested the audit. I know Mr. Frizzell received it, because he called me to confirm that it had come from me.

The last time I heard from Mike Frizzell was in the voicemail he left me the first week of June, 2005, alleging that deceit and corruption was ongoing in the insurance program and that senior management knew about this.

This was a serious allegation, and I immediately called the senior authority on the investigation, Inspector Paul Roy, and asked his advice. He advised that they were in the report-writing phase of the investigation, that Chief Bevan would be briefed in a week, that the RCMP commissioner would be briefed June 24, 2005, and that the RCMP senior executive committee briefing was scheduled for June 27, 2005.

He advised me that Mike Frizzell was probably not speaking on behalf of the investigation and that this could be the result of some personal fallout, and he recommended that I not accept Frizzell's suggestion to meet.

I followed his advice. I subsequently reported the voicemail and my actions to my superior, Barb George, who assured me that I had done the right thing.

My responsibility in insurance was to prepare the management action plan, which consisted of corrective administrative actions to the RCMP internal audit.

To do this, I initiated an actuarial review conducted by the Office of the Superintendent of Financial Institutions to ensure the longevity of the insurance plans. I requested a legal opinion to determine authorities to administer the insurance program. I contracted a study on the group life insurance administration framework by Mercer Consulting Group. I obtained the first-ever audit of the group life financial statements. And I initiated discussions with Treasury Board Secretariat officials regarding governance and authority on the insurance plan, on June 20, 2005.

To undertake this work in accordance with government policies and procedures, there was a working period that included the following actions on my part. Between June, 2005 and October, 2006 the National Compensation Policy Centre prepared statements of work and requests for proposals, reviewed and evaluated bids from contractors, and provided regular briefings to the RCMP audit and evaluation committee, the RCMP human resources council, and the RCMP insurance committee on progress to date.

•(1620)

On October 30, 2006, I updated the RCMP insurance committee on the management action plan, and it was up to the committee to take action on the studies and information provided.

My comment to the insurance committee was that from what I had seen from the draft of the Office of the Auditor General's report was that there would be no surprises and that the corrective actions were recognized by the Auditor General.

The file was reassigned by Assistant Commissioner Kevin Mole from me to an Inspector Tony Pickett after that meeting. He told me it was not a question of competence, but that I was a risk because, to use his words, "the RCMP does not own you". That was the end of my involvement.

I welcome all questions and queries from this committee, and I want to assure members of this committee my full cooperation in this and related investigative processes.

The Chair: Retired Inspector Roy, do you have an opening statement? Please go ahead.

Mr. Paul Roy: Thank you, Mr. Chair and members of the committee.

On February 21, 2007, Chief Vince Bevan appeared before this committee and committed the Ottawa Police Service to full and complete cooperation with this committee. The Ottawa Police Service remains committed to assisting this committee in their deliberations. I share that commitment.

I wish therefore to make a very brief opening statement to assist the committee with issues that remain outstanding from my last testimony. I also wish to point out that at my last appearance, I was asked to prepare a written response to questions surrounding my involvement with Staff Sergeant Frizzell, who was at the time of the investigation a sergeant. I am submitting a detailed brief to you in that regard.

I wish to make only two points in my opening remarks, the first about the independence of the Ottawa Police investigation and the second about Sergeant Frizzell.

With respect to the independence of my investigation, I will not repeat all the comments I made in my opening statements delivered before you on April 18, but I stand by what I said then. I would like to emphasize that I was in charge of this investigation and reported to Chief Bevan, not to anyone in the RCMP. I only contacted Assistant Commissioner Gork when I had administrative matters to deal with. Nobody from the RCMP, at any rank, or indeed from anywhere else, attempted to influence me in any way.

Normally in policing, an officer reports to a superior. That superior is responsible for the officer both administratively and operationally. For example, Sergeant William Sullivan of the Ottawa Police Service worked on this investigation, and he reported to me administratively and operationally. In situations in which officers are on secondment, they report to one supervisor for operational matters and report to another supervisor with their parent organization for administrative matters. This was the relationship I had with Sergeant Frizzell. He was responsible to me operationally for work related to the investigation, and responsible to his superiors at the RCMP for administrative matters such as leave, discipline, and other employment-related matters. This is not an unusual situation in policing. I went to Assistant Commissioner Gork for all administrative issues regarding the RCMP officers assigned to this investigation. For operational decisions, I gave the orders directly to the RCMP officers assigned to my investigative team.

As to my interaction with Sergeant Frizzell, during the investigation there were a number of situations that arose. While he and I agreed on many issues, we also disagreed on many other issues. I consulted with Chief Bevan on this, and he encouraged me to raise these issues with Assistant Commissioner Gork, which I did. I provided details in my written submission.

Sergeant Frizzell was not “prematurely removed” from the investigation. With the delivery of my report to Chief Bevan on June 17, Project Probita was finished. The order dealing with Sergeant Frizzell, signed by Chief Superintendent Lang, was dated June 20, after the delivery of the final report to Chief Bevan on June 17.

By June 20, 2005, the date of the order, the investigation was over, and most of the rest of the team had returned to their regular duties. Only seven persons out of the 23 involved in the investigation were left, and they were just wrapping up.

I welcome any questions you may have.

Thank you.

• (1625)

The Chair: Thank you very much, Mr. Roy.

We're now going to hear from Mr. Normand Sirois, retired RCMP, CSIS.

Mr. Normand Sirois: Mr. Chairman, committee members, my involvement with the RCMP pension plan was in relation to requests made under the access to information legislation. Following the conclusion of the audit report in October 2003, understandably some people were interested in reading that material. To that effect, we received several requests regarding the RCMP pension fund documents.

I was assigned to review two specific requests regarding the audit report itself. The Ottawa police summary report was the object of another request.

I look forward to answering your questions regarding this matter.

Thank you.

The Chair: Thank you very much, Monsieur Sirois.

Lastly, we're going to hear from retired Sergeant Keith Estabrooks.

Mr. Keith Estabrooks: Mr. Chairperson, committee members, I'm a retired sergeant with the Royal Canadian Mounted Police, having served in the force for 35 years and five months.

For my last twelve years, I was posted to the RCMP's access to information and privacy—ATIP—branch, located at headquarters in Ottawa. For my first six years in ATIP, I was an analyst and reviewer; for the last six years, I was a senior NCO in charge of disclosures unit.

ATIP branch received several requests for specific portions of the RCMP pension fund documents. First was a request for the audit portion. Superintendent Christian Picard was the OIC, and the reviewer was my colleague, public servant Normand Sirois.

My involvement with the RCMP pension fund files was a little later and concerned a request for the Ottawa Police summary report document. This document was approximately 50 pages long and written by OPS Inspector Roy. The OIC at that time was Superintendent Pierre Lavoie.

I'm currently employed by the RCMP on a casual, short-term contract in ATIP branch, because of my expertise in the access and privacy field. Six senior people have left the branch recently, so there has been an extensive loss of corporate knowledge.

I look forward to answering your questions, based on my knowledge of the ATIP work done on the RCMP pension files I worked on.

• (1630)

The Chair: Thank you very much, Mr. Estabrooks.

Now we are going to the first round of questions by members, for eight minutes each. The first member is Mr. Wrzesnewskyj.

A point of order, Mr. Williams?

Mr. John Williams: As a point of order, can we be assured, Mr. Chairman, that you will exercise your authority as a chair to ensure that the member does not use inflammatory terminology, such as perjury, contempt of Parliament, and all those things that are totally irrelevant at this point in time?

The Chair: Mr. Williams, we'll see how the hearing goes.

Mr. Wrzesnewskyj.

Mr. Borys Wrzesnewskyj: Thank you, Chair.

On February 21, in a question to Deputy Commissioner Barbara George—it was a simple question about whether she was involved with Mr. Frizzell's removal—the answer was clear: “I can state with absolute finality that it was neither Commissioner Zaccardelli nor me who had anything whatsoever to do with, as you say, the removal of Sergeant Frizzell”.

We've heard a lot of testimony since then, but last week we heard from Assistant Commissioner Lafosse, who was contacted, and he stated before this committee that Deputy Commissioner George requested of him to have Mr. Frizzell removed. He directed the deputy commissioner to Assistant Commissioner Bruce Rogerson.

Today in the opening statement, we heard his recollections that in fact Deputy Commissioner Barb George contacted him. She initiated the contact; she clearly wanted Mr. Frizzell removed.

There's something else that's puzzling, because in subsequent testimony Ms. George also stated and raised the issue of Mr. Frizzell's harassing investigation techniques—I guess they date back to January of that year—with two witnesses. That was subsequently referenced as one of the reasons to have him removed.

Assistant Commissioner Rogerson, you said that during your phone conversation with the deputy commissioner, she asked for Mr. Frizzell to be removed. But she referenced a phone call message that he had left—which we heard here, as it was played into the record—about his concerns that insurance funds were being used improperly.

Was it clear to you that in fact when she asked for Mr. Frizzell's removal, it was that particular phone call that spurred her to place the series of communications?

A/Commr Bruce Rogerson: Yes. It was not only the phone call. On June 15, I was not in the office. She had sent me an e-mail with the attached phone message that had been left on Mrs. Burton's phone, and she wanted to contact me. Her office actively contacted my administrative assistant, who provided my pager and my cell phone numbers.

As a result of receiving a paged message on the afternoon of June 16, I called her directly. It was surrounding the professionalism—and the harassment of one of her people. It related to the phone message that she'd sent me on June 15. That was when I directed her to Dave Gork; I was not empowered to remove Mike Frizzell at the time.

Mr. Borys Wrzesnewskij: Thank you, Assistant Commissioner.

Chief Superintendent Doug Lang, did Deputy Commissioner Barb George take part in building the removal order of Mr. Frizzell with you?

C/Supt Doug Lang: Absolutely not.

Mr. Borys Wrzesnewskij: Did you have any discussions or communications with the deputy commissioner about his removal?

C/Supt Doug Lang: Yes. On or about June 17, I received a phone call from then Assistant Commissioner George, advising me of the same circumstance of the complaint regarding Rosalie Burton's voice mail.

Our discussion at that time was that she was not directing me to do anything. We had a discussion about the circumstances. She wanted something done; she wanted this matter looked into. But in the course of our conversation, she was not telling me to do anything. She was making a complaint to me about Mr. Frizzell's behaviour and asking that I look into the matter.

I took steps after that.

•(1635)

Mr. Borys Wrzesnewskij: Thank you, Mr. Lang.

Assistant Commissioner Rogerson, during other discussions here in committee, we heard the term “punitive transfers within the RCMP” used. Do you believe that there are punitive transfers within the RCMP?

A/Commr Bruce Rogerson: Absolutely.

Mr. Borys Wrzesnewskij: Mr. Rogerson, I understand that you were a whistle-blower during the 2001 OPP investigation, and you were the subject of such a transfer. Could you outline the circumstances?

A/Commr Bruce Rogerson: Quite frankly, in the spring of 2001 I questioned our behaviour with respect to the acceptance of gifts such as hockey and rounds of golf. That came about after a meeting with the Canadian Association of Chiefs of Police at which we

talked about the ethical behaviour of police forces and the fact that we should not be participating in same.

I took that information and shared it with my own senior management team upon returning. I said that until we get this matter resolved, we've got to get a little more clear direction as to policies surrounding that issue. I then shared that information and talked to our ethics advisor in June, who advised me that I was correct. He provided me with some information, and he told me that there is no grey area, and such behaviour should not be accepted.

I shared that information with a number of senior managers within Ottawa. The first email I got back was from my boss's office, telling me to clean out my office. The second email I got was from another senior executive officer, commending me for trying to bring this matter to a resolution.

Having done that, I met several individuals who came to me and talked about their concerns around sole sourcing of contracts and also the continuance of the behaviour. I reiterated my concerns around that behaviour. I went to the Treasury Board and public works and ethics policy with respect to acceptance of gifts such as golf and other aspects.

Again I reaffirmed to myself that this was inappropriate behaviour. It was not necessarily that anybody was being coerced, but the fact of the matter was it was the perception of us participating in such event. I brought the matter to my boss of the day. He told me that in his previous life under Andy Scott—as an advisor to Andy Scott and the Solicitor General's office—he had it under direct authority from the Treasury Board ethics advisor that such participation was permissible, and it's no wonder the RCMP is stuck in the dark ages.

However, I took it upon myself to again issue another email to all senior managers, including my employees, not to participate in same. Having said that, I had brought to my attention the following week that people were going to continue such behaviour. That following Monday, as we had usual Monday morning meetings, I informed the management team that I was no longer accepting anybody's behaviour; if they continued, I would initiate a code of conduct investigation myself. I was overruled by my then supervisor, who said he saw nothing wrong with such behaviour.

Having said that, with all due respect, I did go see Chief Superintendent Barb George, who is a very compassionate person. I explained my situation, and she understood. I said, “Look, I've come forward. I'm going to be in trouble.” Then you saw the letter that Ron Lewis refers to, in which I was chastised for attempting to correct such behaviour without going through my immediate supervisor.

I then left on language training in September 2001. Ron Lewis and the group took this information before the national executive committee, which was co-chaired by Jim Ewanovich and Commissioner Zaccardelli. Between the two of them, they said it was a round of golf and a hockey game, and to get over it. I thought at that time that I had corrected the behaviour in the force.

In terms of whistle-blowing, I would say that a whistle-blower is someone who blows the whistle for the troops to go out of the trenches into the line of fire. In my terms, I blew the whistle; I jumped out of the trenches to keep my people and their careers intact, so they would no longer continue in such behaviour.

However, I would say that by October I was brought in by the OPP. They wanted to discuss this and other sole-sourcing contracts. I was fully transparent with them. I discussed everything that was brought forward to me. They commended me for my ethical behaviour and the fact that my integrity was not for sale.

However, shortly thereafter I was told that I was being held personally accountable for the OPP investigation and the follow-up. By December, I was eliminated from the senior management team of the RCMP. I was also told I could no longer go back to my position as the senior full-time financial officer.

You'll have to excuse me here.

In the following year I was accused of fraudulent leave, unauthorized travel, being incompetent for my job. I received no performance pay and I was effectively fired.

• (1640)

By May 2002 I was offered a position leading a project in the force, which was a staff sergeant's duty call, where I stayed until February 2005. So is there punitive? Yes.

When Mike Frizzell came to see me at the beginning of the pension investigation, I warned him that if they could do this to an assistant commissioner with an unblemished record for 29 years, they could do it to anybody.

But I'm still here; I'm in front of you. My integrity is not for sale. I represent 99.99% of the officers in this organization, including those in headquarters. Our civilian members are excellent people. We have the best and brightest in technical operations.

We have a handful of people who need to be dealt with, there's no doubt about that.

But to respond to your question, that is how I was treated for the last four years.

Mr. Borys Wrzesnewskyj: Thank you, Mr. Rogerson.

The Chair: Thank you, Mr. Wrzesnewskyj.

Thank you, Assistant Commissioner.

Mr. Sweet, do you have a point of order?

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Yes. "Immediate supervisor" and "boss" were mentioned on a couple of occasions. For the record, could we please have Mr. Rogerson name these people?

The Chair: Mr. Rogerson, did you catch the clarification the member is looking for?

A/Commr Bruce Rogerson: The only people I dealt with during that stream were Deputy Commissioner Gauvin and Barb George. In the previous year, when I was provided with a performance agreement for the first time in my career, she said that I was

incompetent, I didn't understand the complexities of the organization, and perhaps I should go elsewhere.

I also dealt with Deputy Commissioner Leoppky, who was trying to accommodate me with another position.

The Chair: Mr. Williams, and then we're going to hear from Mrs. George.

Mr. John Williams: For the record, Mr. Rogerson talked about his "boss", as Mr. Sweet mentioned. I want you to name exactly who that person was. Also, you talked about your "then supervisor". Was that the same person, or somebody else? If so, please name that person.

A/Commr Bruce Rogerson: My immediate supervisor at all times was Mr. Paul Gauvin, the chief financial officer.

Mr. John Williams: When you referred to your boss, was that also Mr. Gauvin?

A/Commr Bruce Rogerson: Yes.

The Chair: Deputy Commissioner George, I'll allow a comment from you. Go ahead.

D/Commr Barbara George: I recall quite vividly the afternoon that Assistant Commissioner Rogerson came into my office. I was the chief superintendent at the time, in charge of officer staffing.

He came in, and I could see that he was quite agitated. He's a very tall man, so it was difficult for me to look straight up and speak to him. I wanted him to sit, but he wouldn't.

In his hands he had a great many papers, and he wanted to show me that he had this correspondence going back and forth for several weeks or months, in which he had voiced his concerns regarding certain actions or activities that had taken place within the corporate sector.

I remember his telling me, "You know, Barb, I'll tell you right up front that I actually took one of these hockey tickets. So I'm implicating myself here, but this has to go forward, because it's not stopping."

I listened to Assistant Commissioner Rogerson and said, "Well Bruce, you have to go down to the commissioner on this and give the commissioner all of this information to get something looked at."

For his own reasons, he did not want to do that. I said, "Bruce, I'm seized with this now, so I will go down to the commissioner with these papers." He was agreeable to that. He gave me all the papers, all the correspondence, and he left.

As I said, he was visibly upset. I took the papers down to Commissioner Zaccardelli. I presented him with the papers. I gave him a brief overview about what the papers contained and what Assistant Commissioner Rogerson had communicated to me. At the end of this, that was it; I handed it over.

Shortly thereafter, the OPP investigation commenced. I believe that investigation was called Wapiti. I wanted to add that this was the commencement of the OPP's Wapiti investigation.

•(1645)

Mr. John Williams: I'm sorry that I keep having to interrupt like this, but we're into the proverbial "he said, she said" bit right here. This is a committee doing an investigation. We're here to put testimony on the record. We're not here to have a quasi-informal trial of one person saying something and then allegations being rebutted by somebody else.

We have to fix this, Mr. Chairman.

The Chair: Mr. Williams, on the problem with this line of questioning, this investigation has to deal with the report of the Auditor General, and we are getting into issues I would classify as not even remotely concerned with the report of the Auditor General. We have some serious issues. How they were dealt with goes to the lack of some oversight of internal organizational behaviour—our allegations about the lack of internal organization behaviour. But if we start going down these roads at every meeting we're going to be here for a very long time.

However, I didn't interrupt the questioning, and I'm certain it was difficult for Mr. Rogerson to put this on the record. It is a serious issue, but I again urge members to stay focused on the issues we're dealing with. I also urge members to keep their questions short. We do not need two-, three-, or four-minute preambles. I'm urging all the witnesses to keep their answers brief and to the point so we can stick to the issues.

Mr. Wrzesnewskij is out of time.

Monsieur Laforest.

[Translation]

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Thank you, Mr. Chairman.

I would like to welcome all of our witnesses.

I have a question, Ms. George. You are the RCMP Deputy Commissioner for Human Resources. Can I presume that, in a certain way, official languages falls under your department?

D/Commr Barbara George: Yes.

Mr. Jean-Yves Laforest: Have you ever heard of a system of consultants who help officers pass their language test so that they don't have to sit their written French tests?

[English]

The Chair: Monsieur Laforest, I'm sorry, I'm going to interrupt here. We're trying to deal with the auditor's report about the pension insurance administration. Your concerns may be very serious about official languages, certain people passing their language tests, and certain people not passing them, but as chair I totally fail to see the relevance of where this is going, unless you can explain it.

[Translation]

Mr. Jean-Yves Laforest: Mr. Chairman, I know that the RCMP has an official languages policy and that its members must be bilingual. Since the beginning of our discussions with representatives of the RCMP, none of the officers and people who have testified have ever spoken French. I say this with respect for the people who wish to express themselves in their mother tongue. Normally, they should answer us in French. However, I have never

heard them do so. I am asking this question because I received an e-mail on the issue, which was also sent to Ms. George. I would like to ask her a question on this matter, to find out how she would react.

•(1650)

[English]

The Chair: I ask you to be very brief on that issue. If you have a concern, I urge you to seek an audience with the official languages committee. Give a very brief question on that point.

[Translation]

Mr. Jean-Yves Laforest: Ms. George, I'm asking you whether you have ever heard of this. It seems that your teacher, Ms. Rundle, helped officers to make it easier for them on their French tests. What did you do about it?

[English]

D/Commr Barbara George: Could I have some more clarity around that, please? You're explaining that we've had people come in as lunch-box teachers, or we've had classes set up in-house. There are many different ways the RCMP allows its members to take French-language training.

[Translation]

Mr. Jean-Yves Laforest: Do you know Mr. Gord Hadley—

[English]

The Chair: No, Monsieur Laforest. Order.

[Translation]

Mr. Jean-Yves Laforest: —who is responsible...?

[English]

The Chair: Let's move on to the next issue, Monsieur Laforest. We can deal with this off topic later on.

[Translation]

Mr. Jean-Yves Laforest: Mr. Chairman, I believe this is a relevant issue. I object to your not letting me put the question. I am asking Ms. George to answer a question about an e-mail she received.

[English]

The Chair: How is it relevant? I will allow it if you can explain how this is relevant to the issue.

[Translation]

Mr. Jean-Yves Laforest: From the beginning, we have talked about the situation within the RCMP and the fact that some people intervene to prevent others from climbing through the ranks. Some people were removed from their position, and others could have climbed the ranks more quickly. The language issue is important because it is a basic requirement for being promoted, as it is in many departments.

I am asking Ms. George whether there was favouritism with regard to official languages and promotions. This issue is not only one of official languages, but it also affects the RCMP.

[English]

The Chair: A brief comment, Mrs. George.

D/Commr Barbara George: For certain positions in the RCMP, we have language profiles, and prospective candidates must meet whatever the language profiles are. The RCMP will accommodate as far as possible to allow the candidate—

[Translation]

Mr. Jean-Yves Laforest: Ms. George, you received an e-mail from Mr. Gord Hadley informing you of certain things. Let me repeat his words: "—of abuse, not to mention cheating concerning official language training and passing exams—". Mr. Hadley pointed out that you yourself, Ms. George, had Ms. Rundle as your teacher and, according to the e-mail, she helped many officers pass their tests. What did you do after you received this e-mail?

[English]

D/Commr Barbara George: The teacher you're speaking of, Madam Rundle, has had tens, if not hundreds, of RCMP members and public servants throughout the government.

We have to go down and pass public service oral and written exams, as does anybody else.

She's an extraordinary teacher, and for anybody to come in and say that there was cheating there, I absolutely reject that. In fact, many deputy commissioners have used and are still using her services. She has many teachers in her school.

[Translation]

Mr. Jean-Yves Laforest: Did you respond to Mr. Gord Hadley when he told you about these allegations of cheating? What did you do in your capacity as human resources director? This seems to be a fairly serious situation. You did nothing. Today you are saying that you do not agree with the allegations. I am asking you what you did when you received this e-mail in September of 2004.

[English]

D/Commr Barbara George: If I could recall, I would have sent that over to the official languages branch and possibly to the central region to look at those allegations. They should have been looked into.

[Translation]

Mr. Jean-Yves Laforest: Did you receive an answer from the Official Languages Commissioner?

• (1655)

[English]

D/Commr Barbara George: If I were back in my office, I possibly could get a response to that.

[Translation]

Mr. Jean-Yves Laforest: I would like you to provide us with an answer to that question, please.

My second question is for Ms. Burton. On April 18th last, Ms. George stated, and I quote:

In June 2005, Ms. Rosalie Burton told me that some members of her staff were being aggressively interrogated by Sergeant Frizzell. In fact, it was my understanding that at least two staff members were so upset after their interviews with Sergeant Frizzell that they had to be sent home.

Can you tell us who these two people were who were sent home after having been interrogated by Sergeant Frizzell?

[English]

Ms. Rosalie Burton: Yes, Mr. Chair, there are two people who come to mind right away. The first one was Liette Bellemare, who was the acting director of the National Compensation Policy Centre. She's the one who went home distraught, in tears, with employees running out of the building after her.

I had been at a meeting in another building, and they came running up to me when I pulled into the parking lot. I agreed to call her at home. I called her that evening to make sure that she was okay. They were concerned that she wasn't in any condition to drive. That was around April, maybe mid-April.

The second name was Jeff Hutcheffon. Before that, he had turned to me and said, "This is not an interview, Rosalie, it's an interrogation." So he would have been the second one.

But I want to be very clear that I did not know at any point which of my employees were being interviewed and by which investigators. I didn't have a schedule. I don't know who did the interviewing.

[Translation]

The Chair: Thank you very much, Mr. Laforest.

[English]

Thank you, Mrs. Burton.

Mr. Poilievre, you have eight minutes.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Rogerson, you indicated that Mr. Gauvin was your boss, and that prior to his position with the RCMP, his role was in the political office of then Solicitor General Andy Scott. Is that correct?

A/Commr Bruce Rogerson: I'm not sure if it was just prior, but it was recent.

Mr. Pierre Poilievre: Okay. You spoke about his response to you on your complaints about members of his office accepting gifts, etc. You said something to the effect that this participation was permissible, and he learned that in Mr. Scott's office. Is that correct?

A/Commr Bruce Rogerson: Yes. He informed me that while he worked as an advisor to Mr. Scott, he called the Treasury Board ethics advisor. He said that there was nothing wrong with what we were doing, with respect to its perception.

I should go further. He also pointed out that since the contract to provide those services with the company, offering these gifts in kind, was signed by Treasury Board, there was also no conflict of interest.

Mr. Pierre Poilievre: The contract was signed by Treasury Board.

A/Commr Bruce Rogerson: To my knowledge, for our new financial systems, yes.

Mr. Pierre Poilievre: With which firm?

A/Commr Bruce Rogerson: At that time, it would have been SAP.

Mr. Pierre Poilievre: SAP, and that's an acronym for...?

A/Commr Bruce Rogerson: That's what they call themselves, SAP. They're a German firm and provide the financial systems for a number of agencies.

Mr. Pierre Poilievre: All right. Thank you for that.

Mr. Roy, I have an exchange between you and Mr. Fitzpatrick before this committee on April 18. It goes as follows: "Did Ms. Burton ever contact you during the investigation and suggest that Sergeant Frizzell was being a bit too aggressive and abusive in his investigation?" Mr. Roy, you responded: "Yes, she did".

Ms. Burton, why did you think it was appropriate to comment on Mr. Frizzell's behaviour in the investigation to the head of that investigation? Why did you think it was your role to do that?

Ms. Rosalie Burton: As I outlined in my opening statement, my contacts with Mr. Frizzell.... When I received the voice mail and then asked advice on what I should do with it, Inspector Roy offered—well, I read it—that he probably wasn't speaking on behalf of the investigation, and this was probably some personal fallout. He suggested that I do not take the meeting that was requested.

He went on to say that he had been having problems with that guy. I said "The stress of this investigation is tearing apart the policy centre. I can't keep the employees together any longer; there are people running off-site."

• (1700)

Mr. Pierre Poilievre: Did you not think it inappropriate for someone in your position to intervene with the head investigator of a police investigation into the practices of an organization over which at that point you had control?

Ms. Rosalie Burton: Actually, Mr. Chair, I thought it most appropriate that I call the lead authority, because the voice mail indicated that there was serious ongoing corruption in senior management in the RCMP. If I cannot go up, where do I go?

Mr. Pierre Poilievre: No, wait a second. Excuse me; you're changing the subject. Your intervention to Mr. Roy was not about corruption. According to his testimony here, your intervention was about abusive and aggressive behaviour, and—

Ms. Rosalie Burton: Mr. Chair, I seek to clarify that.

Mr. Pierre Poilievre: —that's what Mr. Roy testified before this committee. So I don't want to hear any new tangents.

You contacted Mr. Roy about the alleged behaviour of Mr. Frizzell. I want to know why someone in your position, whose department was being investigated, would think it appropriate to contact the head investigator about one of the people on that investigative team, who suspiciously was removed soon after.

Ms. Rosalie Burton: I would like to go back. I contacted Inspector Roy because of the voice mail; I relayed the voice mail to Inspector Roy, and I asked his advice. First it was about the voice mail alleging that there was ongoing corruption in the RCMP, not about compromising an investigation.

Where do I take a voice mail like that or an allegation? Superiors

Mr. Pierre Poilievre: Mr. Roy did not say that you contacted him about corruption. He said that you—

Ms. Rosalie Burton: Mr. Chair, that clarification would have to be sought from Inspector Roy.

The Chair: Continue on with the answer, if you want.

Ms. Rosalie Burton: Thank you.

I receive the voice mail and there are serious allegations about continued corruption of senior management in the RCMP. In my place in the hierarchy, senior management means the commissioner and the senior executive committee. There's only one layer left. Where do I take that?

Mr. Pierre Poilievre: I have a point of order.

Ms. Rosalie Burton: Mr. Chair, I need to complete this.

The Chair: Point of order, Mr. Poilievre.

Mr. Pierre Poilievre: You can put my clock on hold; this is a separate intervention.

I'm not asking whether she relayed information about potential corruption to the investigator. That's not my question. I know the clock is running and I know that might be someone's objective, but my objective is to ask why she would talk about the comportment of a particular investigator to the investigative team and why someone in her role would find that kind of intervention appropriate. She is not answering this question; she is running the clock down.

I ask that she either answer it quickly, because she's had plenty of time to do so, or that I be allowed to move on to my next question. I'll allow her to take her pick.

The Chair: Ms. Burton, do you understand that question?

Ms. Rosalie Burton: Mr. Chair, I'll respond directly to that question.

The comportment was brought up by Inspector Roy, not me. The conversation evolved to that. It was Inspector Roy who suggested he was having problems with him. He wasn't speaking on behalf of the investigation. I did not initiate the part of that conversation about the comportment of Mike Frizzell.

Mr. Pierre Poilievre: Thank you very much.

For the record, it does say in Mr. Fitzpatrick's question, "Did Ms. Burton ever contact you during the investigation and suggest that Sergeant Frizzell was being a bit too aggressive and abusive...?" His intervention does indicate that you made the suggestion about Mr. Frizzell.

This is important, because it would indicate that you were making interventions that may have led to the eventual removal of Mr. Frizzell from this investigation.

Ms. Rosalie Burton: Mr. Chair, I have never suggested—

Mr. Pierre Poilievre: No, that's not a question. I'm sorry—

Ms. Rosalie Burton: —or requested that Mike Frizzell be removed from an investigation, nor do I presume to have the authority.

Mr. Pierre Poilievre: Okay. That wasn't my question.

Mr. Roy, why was it that Mr. Frizzell was removed? We've heard a lot of different stories. What is the final version?

Mr. Paul Roy: Mr. Frizzell worked on the investigation right up until the end, which was June 17.

Mr. Pierre Poilievre: Ms. George, you indicated that he was removed for health reasons, and then you told us he was removed for his behaviour. Which is it?

D/Commr Barbara George: I didn't tell you he was removed for health reasons. I told you I—

Mr. Pierre Poilievre: Why was he removed?

D/Commr Barbara George: They asked me about....

This is very important. Your words can bury somebody, so let's be very careful here, sir.

Mr. Pierre Poilievre: Why was he removed?

D/Commr Barbara George: They asked me why I thought he was removed. I thought it had to do with health reasons. I read you the e-mails in my opening statement, okay? I read you the e-mails.

Mr. Pierre Poilievre: Why was he removed? Tell me now. Why was he removed, according to your knowledge as of today?

• (1705)

D/Commr Barbara George: I have two answers for you. One came from the document that—

Mr. Pierre Poilievre: We'll add both of them to the list.

D/Commr Barbara George: Yes, you may.

One came from the document that Assistant Commissioner Gork had signed by Chief Superintendent Doug Lang, and it cited various reasons. That was attached in the letter.

I'm listening now to the head of the investigation, Inspector Paul Roy, who tells us that he was not removed. In fact he was sent back to his home base, along with the other 16 or 17 investigators, upon completion of his report.

Mr. Pierre Poilievre: So you're saying he wasn't removed now—period?

D/Commr Barbara George: This is what Inspector Roy is saying: he was not removed from the investigation.

Mr. Pierre Poilievre: Okay. We have heard that he was removed for health reasons. We've heard he was removed for harassing behaviour. And now we're hearing that he was not removed. I'm sorry, but this is becoming very hard to follow.

D/Commr Barbara George: Well, it is, particularly since people cannot get an answer out straight.

Mr. Chair, may I please speak?

The Chair: Pierre, you're out of time.

I'll allow you to finish the answer and then we'll move on.

D/Commr Barbara George: Thank you.

On February 21, when I was asked why I thought.... This was two years ago. I didn't have the document in front of me. I remember Doug Lang telling me that he was ODS, off-duty sick; he was mentioning the doctor. I thought that, under stress, he had gone home.

Then the document comes in from Assistant Commission Gork, who thinks that he has been removed for various reasons. It's stated right there in that document. I listened to retired Inspector Paul Roy, who said he was not removed; he was simply sent home at the end of the termination of the investigation.

I'm not involved in either aspect of it, and you can take your pick as to which one it was. I would tend to go with retired Inspector Paul Roy.

The Chair: Thank you very much.

I have one question following up from that examination by Mr. Poilievre.

Ms. Burton, you testified that you were interviewed for three hours by Staff Sergeant Mitchell?

Ms. Rosalie Burton: On my initiation, yes. He came to my office on December 20.

The Chair: When you were here before, the question was asked of you: "Did you find the investigation harassing when he was questioning you?"... "He did not interview me as a witness...."

Ms. Rosalie Burton: Yes, Mr. Chair. I was never advised that I was being interviewed as a witness or anything to that effect. I initiated contact with Mike Frizzell and asked him to come and see me. I had information for him. I had documentation to give him. So he did not indicate that I was a witness or any other terminology that has been used in this committee.

The Chair: Aren't you playing with words here? The question from Mr. Fitzpatrick—

Ms. Rosalie Burton: I did not find his behaviour harassing, no.

The Chair: Let me read it to you. The question: "Did you find the investigation harrassing when he was questioning you?" Your answer: "He did not interview me as a witness, sir".

Ms. Rosalie Burton: That was my understanding, Mr. Chairman, that he was not interviewing me as a witness. I would assume that he'd tell me if I was being interviewed as a witness. I don't know. I'm not sure what their procedures are.

The Chair: Okay.

Mr. Christopherson, for eight minutes.

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

Thank you all again for taking the time to come forward.

The reason it's crucially important for us, for a public inquiry, or for somebody to get to the bottom of these particular issues is because it speaks to whether or not there was an attempted cover-up. If there wasn't, we need to get a whole lot of people's reputations back, and if there was, that's in some ways a bigger problem than the initial crime. I think President Nixon would have something to say about how that can collapse around you.

So we have to get to the bottom of whether or not these transfers were done as punishment, to take people away from finding out things, or whether it was just the regular course of business. It matters incredibly.

Ms. Revine, I appreciate your coming back today. Let me set this out. You're currently working from home...full pay, full benefits, full everything, except you work at home most of the time instead of the office.

Ms. Denise Revine: That's right.

Mr. David Christopherson: That's correct, and it's been like that since when?

Ms. Denise Revine: Since June 2005.

Mr. David Christopherson: Are there other people who are in the same work situation?

Ms. Denise Revine: Not that I'm aware of.

Mr. David Christopherson: Do you expect this to continue forever?

Ms. Denise Revine: At this point I've been diagnosed with PTSD, so it will continue for at least two years.

Mr. David Christopherson: Okay. So we're getting into the health issue now, and that's my segue. I'm trying to be as respectful as possible. If at any time you think we're crossing the line on your privacy or on health, stop answering. Okay?

Ms. Denise Revine: Okay.

Mr. David Christopherson: I have great respect for your rights in this matter.

When asked about your removal from where you were before, we had Deputy Commissioner George say:

Ms. Revine had health issues. I believe that on her doctor's orders she has been precluded from working within the office, and I believe there are issues there. We have accommodated her, and, as I said, she has been working from home.

That would of course lead one to believe that the attempt was there to do you a favour, to accommodate an identified health issue.

Now, just to keep things interesting, of course, we have Rosalie Burton, who stated the last time she was here, when I put a direct question to her on this issue, and I again quote: "She was declared surplus."

On the one hand, we have a senior officer saying it was to help you out because of a current personal situation. We have another person, responsible for the restructuring, in which the music stopped and you didn't have a seat to sit down on, and your version.

Would you bring us up to date again as to what you believe happened to you and why?

• (1710)

Ms. Denise Revine: Okay.

On January 5, 2004, I provided a report to Staff Sergeant Lewis. It was a 16-page report that wasn't attached to the letter.

On February 16 I received an e-mail from Assistant Commissioner Gork. He was requesting the names of individuals who had received a copy of the above-noted report. A copy of the draft of the report that I'd prepared had apparently turned up somewhere, and he wanted the names of people who had contributed to the report. I said I wouldn't provide the names unless there was an investigation.

February 27 I was invited to attend a meeting on HR restructuring. At the meeting there were 25 to 30 directors. Rosalie Burton flew

in—she was at the time on language training—from Quebec City. She flew in from there just for the day. I was the only one whose name wasn't on the overheads, so that was my first inclination that maybe there was something better for me, but I wasn't sure.

When she returned from language training, April 7, 2004, Rosalie Burton informed me that I no longer had a job in the RCMP. From that day on, she excluded me from all management meetings and asked that I turn over all my responsibilities to Mr. John Hartin, an employee she had seconded into the RCMP from Treasury Board. She asked that I concentrate all my efforts on finding employment.

Mr. David Christopherson: Were you advised that this happened because of the restructuring?

Ms. Denise Revine: She told me it was for budget reasons.

Two weeks before that, I had seen an e-mail from Deputy Commissioner George—and I have a copy of the e-mail—saying that we would be hiring people with new thinking skills and analytical skills, so I challenged that. I said, "How can that be?" She said, "It's just the way it is. There's no money." So I said, "You can't just pick somebody and tell them they no longer have a job; there are processes." She said, "Well, I'll go down and see personnel."

So on April 22 she called me to her office and then served me a letter that you should have in your binder—

Mr. David Christopherson: I probably do somewhere.

Ms. Denise Revine: Yes, probably somewhere. The letter basically informed me that I was to go to the Public Service Commission, and that looking for work elsewhere should become a priority.

Mr. David Christopherson: You mean outside the RCMP, but within the Canadian government?

Ms. Denise Revine: Outside the RCMP.

Mr. David Christopherson: I'm really tight for time, so have you got the essence of what you need to say across, or do you need—

Ms. Denise Revine: I think so. The health part kicked in later.

Mr. David Christopherson: That's the only other question I wanted to ask. When did you first raise the issue of anything to do with your health with any superior in the organization?

Ms. Denise Revine: I know you want to make that link. This coincided with the criminal investigation, and because I'd been a key informant, I participated in that a fair amount. I also had to now confront looking for work outside the Public Service Commission after 33 years in the organization. I was hurting. There was a lot going on.

• (1715)

Mr. David Christopherson: Did you have a lot of questions in your mind as to why this was being done? Were you starting to think —

Ms. Denise Revine: There's no question in my mind that it was related to this.

Mr. David Christopherson: I need the words. Related to what? What do you think happened, and why, in one or two sentences, Denise?

Ms. Denise Revine: The first thing that happened was when Fraser was removed, and he told me about it, and he said, "You'd better get out, because Ewanovich is coming after you next." That was in August of 2003. Burton was a friend of Ewanovich, and basically it just happened.

Mr. David Christopherson: Okay.

I'm going to give you an opportunity to respond, Ms. Burton, but I did want to ask something.

Chief Superintendent Macaulay, Denise Revine reported to you?

C/Supt Fraser Macaulay: Yes.

Mr. David Christopherson: Could you just give us your thoughts and what you know of the issue of Ms. Revine no longer being employed with the RCMP?

C/Supt Fraser Macaulay: The first time she heard about it was after I had left. As she said, she called me the day she had been in that meeting, and there was no job for her on the wall.

Mr. David Christopherson: Was there any other involvement by you in this?

C/Supt Fraser Macaulay: Well, in the discussion we had with Mr. Ewanovich, he made it clear to me that they would be looking to push Denise to Treasury Board. That was his quote.

Mr. David Christopherson: I see.

I don't know if courts allow this, and I'm not a lawyer, far from it, but let me just ask you this. In your opinion, do you believe she was removed for those reasons, or do you believe it was a legitimate...? Is that possible?

The Chair: What he knows, Mr. Christopherson.

Mr. David Christopherson: Okay.

C/Supt Fraser Macaulay: What I do know is that the workforce adjustment process was not followed. There is a public service reverse order of merit process that was highlighted and asked about, and it wasn't followed.

The Chair: That's fine. You're out of time, David.

Mr. David Christopherson: Mr. Chair, at some point Ms. Burton should be given a chance—

The Chair: Yes, we will get back to her.

Mr. Wrzesnewskyj, you have eight minutes.

Mr. Borys Wrzesnewskyj: Thank you, Chair.

When I finished off in the last round we heard there was a punitive transfer of the whistle-blower. There was an OPP investigation, we've heard previously, as a result of which Mr. Gauvin and Mr. Ewanovich had to take ethics training. But internally, we've now heard there was a punitive transfer. Mr. Rogerson, just for clarity, the commissioner was...?

A/Commr Bruce Rogerson: The commissioner of the day?

Mr. Borys Wrzesnewskyj: Yes.

A/Commr Bruce Rogerson: It was Commissioner Zaccardelli.

Mr. Borys Wrzesnewskyj: Thank you.

Mr. Estabrooks, was there anything unusual about the process around the access to information request for the Ottawa Police investigation, and what were these?

Mr. Keith Estabrooks: Unusual in what circumstance, are you asking, in time or in...?

Mr. Borys Wrzesnewskyj: From the usual process that would take place for an access to information request.

Mr. Keith Estabrooks: The usual process is that something of only about 50 pages would probably take us 30 days—60 days legislated under the act. You can apply for an extension, but no extensions were applied on this. What I noticed was that it took a long time to do this. It took approximately, for 50 pages, about nine months or more to process.

Mr. Borys Wrzesnewskyj: You had mentioned that legislatively it should have been 60 days, yet this was delayed for nine months. What would have caused those delays?

Mr. Keith Estabrooks: Well, we had numerous...I don't know if you should say interference, but we had a lot of "heads up" going out. We had things like legal opinions, where it went to legal for approximately six months and it sat there. It was returned after the six-month time period. It came back down and I think it stayed in our office approximately a week and it was sent back for a second legal opinion. Surely one legal opinion would suffice on 50 pages. But it just seemed that everything was a stall tactic from the beginning, when it started.

My colleague Norm Sirois had looked at the file originally, having been asked to do an informal request. I believe he could probably answer that question under the previous OIC, who was Superintendent Picard.

The officer under whom I was serving at the time when I was asked to look at this request and process it was Superintendent Pierre Lavoie. I had looked at it, reviewed it, being a senior member. I had approximately 12 years of experience with this kind of file. He didn't quite agree with what I was going to release, so I was removed from the file. In the long run it was passed to another reviewer, but at that time I was told he was going to do it, along with the lawyer from the Department of Justice, who has been Louis Alberti. They decided what the final release package was, and I understand it was quite heavily vetted at the time.

• (1720)

Mr. Borys Wrzesnewskyj: You mentioned Mr. Lavoie. You referenced your many years of experience. Where would Mr. Lavoie have been previous to arriving just recently at that time—at access to information?

Mr. Keith Estabrooks: I believe he came from Deputy Commissioner Gauvin's office, which would have been finance. He was transferred on a promotion. He was an inspector in finance. He was promoted to superintendent to transfer to our branch as the officer in charge.

Mr. Borys Wrzesnewskyj: You also used the terms "stall tactic" and "interference". Is there any particular location from which this interference or these stall tactics were coming?

Mr. Keith Estabrooks: The branch is set up so that when we have requests going out, heads-up are given to ES&ML, which is the ministerial liaison unit, and to media relations. I was also told to send a heads-up with the package, what we were going to send out, to Deputy Commissioner Gauvin and to the assistant commissioner at the time, George. They weren't on the usual list of where we sent things, but Superintendent Lavoie insisted that they go there.

Mr. Borys Wrzesnewskyj: So that was somewhat unusual.

Mr. Keith Estabrooks: It's very unusual to have someone who is named in a report be able to read what we're going to release or send out and be able to comment on it.

Mr. Borys Wrzesnewskyj: Then we had a nine-month stall.

Sir, on Wednesday, April 18, I tabled a motion in public accounts committee for you to appear before the committee and I also requested a number of ATIP documents. That Friday, April 20, just before the offices of access to information at the RCMP were closing, at 4:55 p.m., I understand Mr. Gauvin's executive assistant showed up, demanding to have document A5. Can you relate these very strange circumstances that occurred after my motion in public accounts committee for a number of documents, for an executive assistant of Mr. Gauvin to show up at access to information, demanding a document? What exactly is this document A5?

Mr. Keith Estabrooks: I was off that day. I'm a casual employee now, so I'm usually only in two days a week. I was told when I returned to work that I believe it was Inspector Cowan who had shown up at approximately 4:55 on the Friday and had been led into the secure area by a Corporal Swim.

He was escorted to Acting Sergeant Lee Duchesne. Lee has taken over my position since I retired. She spoke with him, and he said he had a piece of paper he identified as an e-mail and that he was looking for allegations I had made against Deputy Gauvin as far as the ATIP interference running within our ATIP files.

At that time, Acting Sergeant Duchesne phoned Sergeant Jeff Hurry, who is with policy, on his cell phone. He spoke with the inspector and explained to him the proper procedure to access. At that time, I understand, he was escorted out of the secure area.

I'm not quite sure what he was looking for. Obviously, he was looking for information that I was going to give before the committee.

Mr. Borys Wrzesnewskyj: That's an incredibly serious set of circumstances. The committee, in that motion, requested a number of documents, and you have Mr. Gauvin's executive assistant showing up just before close, demanding documents, not following normal procedures.

Did you keep a copy of this particular document A5?

• (1725)

Mr. Keith Estabrooks: I'm not sure if he was after the particular document I have. When I went back to work part-time, as a casual employee, I was asked to look at the pension file again by Corporal Luc Poulin, and he suggested I take a look because I was familiar with all these files. When I was going through the files, I noticed there were documents missing that I had written, with no rhyme nor reason as to why they would be missing. The typed memos I had put

on were there, but there was a particular one I had handwritten, which I have brought with me. It's not on the file that we can find.

I kept a copy when I left. When I retired I kept my notes. I've gone through them. I have a photocopy of the A5, which has been translated for the House.

Mr. Borys Wrzesnewskyj: Why would you have kept a copy of this particular document?

Mr. Keith Estabrooks: I kept this copy and I also kept a copy of the memo I had written. I had written a memo to the OIC of the day, who was Superintendent Lavoie, about the unethical conduct, in my opinion, of Deputy Gauvin's involvement with the files, because it's highly unusual to be put in that situation.

At the time when I left, I was frustrated with the way things were going. I had a feeling this might come at some point, so I kept my notes and kept copies of my documents, what I had done.

The Chair: Before we go any further, does this document relate to the issues that are before the committee?

Mr. Keith Estabrooks: Yes.

The Chair: I would like to see it tabled. I assume that's your intention.

Mr. Borys Wrzesnewskyj: There's another point of order. We've just heard reference that documents that were perhaps part of the package I previously requested at this committee—that files have gone missing. I'm in a bit of a quandary about how we should proceed in these circumstances.

The Chair: Let's deal with the first issue first.

So you're going to table the documents you have with you now.

Mr. Keith Estabrooks: Yes. I can table the A5. It has been translated.

The Chair: Okay. Do you have something else, sir?

Mr. Keith Estabrooks: I have a copy of the memo I had written about Deputy Gauvin. I can table that.

The Chair: Table that too, please. I'll instruct the clerk to get that now.

Mr. John Williams: I think when Ms. Ravine was talking to Mr. Christopherson she also made reference to an e-mail that should be tabled.

The Chair: That e-mail may have already been tabled. Was it not tabled? I'll get you to table that also, Ms. Ravine.

Ms. Denise Revine: It hasn't been translated.

The Chair: Just table it with the clerk and he will look after having it translated. We'll have it circulated to the committee.

The second issue is the saga of the missing documents. Your allegation to Mr. Estabrooks is that there were documents that ought to have been in the file but for some reason weren't in the file.

Mr. Keith Estabrooks: That's correct. When I went back, the A5 that I wrote should have been there, because it was dated and noted to that file, and it wasn't there.

The Chair: So somebody took the A5 that was supposed to be in the file out of the file, but we're going to get it right now.

Mr. Keith Estabrooks: It's not the original. It's a photocopy of my copy.

The Chair: That's fine. But were there other documents in the file that, you're aware of?

Mr. Keith Estabrooks: I understand from a recent telephone conversation with the access to information investigator who's currently investigating the delay in this file that a document is missing that I wasn't aware of. It's apparently another A5 that I had prepared for the OIC, and it's not in the file. So they are questioning where that is at the present time. However, I do not have a copy of that.

The Chair: For the benefit of the people around this table, does the term A5 have any significance? What does A5 mean?

Mr. Keith Estabrooks: An A5 is an inter-office transit slip. It can be either typed or handwritten. A "pink slip" is another name for it—not the one where they get rid of you, but it's a pink form.

Mr. John Williams: We don't want too many of those around.

The Chair: We will follow up with the clerk on the missing documents and have people back here before us to follow up on that. We'll have to get a very clear explanation as to why that occurred. So we'll get those documents tabled.

Ms. Sgro.

Hon. Judy Sgro: Just to clarify, I believe several weeks ago the committee requested the eight or nine files noted in Mr. Wrzesniewskyj's motion. Have we not received any of those files to date?

• (1730)

The Chair: We have them all. Some of them are fairly lengthy, and we're sorting them out and having them translated.

Mr. Fitzpatrick is next, for eight minutes.

Mr. Brian Fitzpatrick (Prince Albert, CPC): I have a question for Inspector Roy. You're an experienced investigator. Let's say an organization is being investigated, and an experienced investigator walks in and interviews somebody in that organization for a three-hour period. At the beginning of the interview a tape recorder is turned on and it stays on for that length of time. Wouldn't you find it very unusual for that person to walk away from the meeting and say they were not a witness?

Mr. Paul Roy: Yes.

Mr. Brian Fitzpatrick: Thank you very much, sir.

Now I want to get back to the pension issue. Morneau Sobeco was the original business to sign off on that business case for outsourcing. I'll address this to Mr. Rogerson, because he worked in that area for many years and I think he's an expert in that area as well.

Would you expect the comptroller to sign off on a major contract of that nature?

A/Commr Bruce Rogerson: I'm not aware of who had the delegated authority at that time. It depends on to whom the commissioner delegates signing authority. So would the comptroller sign that off? It would depend on who had the delegated authority to sign it.

Mr. Brian Fitzpatrick: I believe it was Mr. Gauvin at that time.

A/Commr Bruce Rogerson: If he had the authority to sign it off, he would have signed it off. On the normal process in any contract and procurement, as you know, we only have up to \$25,000 for contract authority. Thereafter it goes through Public Works.

Mr. Brian Fitzpatrick: But before it went to Public Works, somebody like Mr. Gauvin certainly would have approved or signed off on that business case, you would think.

A/Commr Bruce Rogerson: I can't speak for him, but I can tell you that my previous experience there, with the internal control unit I put in place at the time, was to review such contracts—

Mr. Brian Fitzpatrick: My understanding is that in the RCMP, before it went off to the Public Works, Morneau Sobeco was involved in calculating the actual estimates for this sort of contract. They may even have been involved in actually writing up the request for proposal—the specifications that went into that proposal. Lo and behold, when the tendering process worked its way through, guess who bid on it? Morneau Sobeco. Guess who won the bid? Morneau Sobeco.

In your experience, would you call this standard practice in procurement?

A/Commr Bruce Rogerson: Not at all. We're supposed to set our own statement of work, statement of requirements, and request for proposals based on our internal experts, along with some others, to address.... We would not give anyone a competitive inside edge, because then it wouldn't be a fair and open contract.

Mr. Brian Fitzpatrick: If a contractor in a well-run organization tried to get inside information and assist the process, people in charge would just close the door on those people and tell them to turn their tails and head the other way because it wasn't the way they did business. Is that a correct assumption?

A/Commr Bruce Rogerson: That is correct.

Mr. Brian Fitzpatrick: Mr. Crupi and Mr. Gauvin were here. Mr. Gauvin told us in this committee that he took away Mr. Crupi's contracting powers. Then we discovered that after that decision was made, Mr. Crupi carried on as if nothing had occurred. He kept on contracting. He found a friend in the CAC group who could help him out with his contracts, and may have pushed through as much as \$6 million worth of contracts. Mr. Gauvin told us he wasn't aware of this situation.

With the checks and controls you helped set up in that area, wouldn't it be very unusual if the guy in charge of this thing—after he terminated the guy's right to contract and he worked through \$6 million worth of contracts—didn't know about it?

A/Commr Bruce Rogerson: It would have been either the chief financial officer or the senior full-time financial officer who was in charge of financial services, or the person in charge of assets and procurement for the RCMP. If they failed to brief Mr. Gauvin, he could have been kept in the dark. However, I would say that was a highly sensitive area at the time, with respect to the pension outsourcing.

It depends on when the audit was done. It depends on when the criminal investigation was done. From my experience, if that was high-risk, which it was, there would have been an active monitoring unit to review how those things were allocated and how the contracts were awarded.

• (1735)

Mr. Brian Fitzpatrick: I'm baffled that the guy in charge of this would terminate his contract and service and just let him carry on in his own little department, without any controls or checks being put in place. Then he came to this committee and said he didn't know that guy was doing it. It seems an incredibly difficult concept to accept or believe.

A/Commr Bruce Rogerson: In our world we empower people to make decisions through the delegated authorities. If those people failed to brief Mr. Gauvin, they should be held accountable. If he was unaware, and his people working in those respective areas were still conducting that business and not briefing him on that, then he was kept in the dark.

Mr. Brian Fitzpatrick: But if the RCMP procurement front-line staff knew full well that Mr. Crupi was continuing to issue contracts and negotiate those contracts, and had a revolving door going on with them, don't you find it unusual that with that large number of people in the RCMP procurement aware of this going on, they would not have brought this to the attention of the chief financial officer of the organization?

A/Commr Bruce Rogerson: I would hope they would, but with respect to Morneau Sobeco, if my memory serves me correctly, and from what I've heard with respect to that particular firm, there was already business being conducted with them, and therefore there was an implied contract. As a result, the decision was made to sole-source it to Morneau Sobeco, because of the implied contract already in place.

Therefore, Morneau Sobeco was awarded the contract, based on the fact that offer acceptance and consideration was already in place, and under business law they could take us to civil proceedings and say that there was an implied contract to start with. To my knowledge, therefore, they did not go through the normal contracting and procurement procedures with respect to awarding of that contract.

Did Dominic Crupi sole-source that? I'm not sure. Was Dominic Crupi involved with working with Morneau Sobeco up front? Absolutely. Did the organization take a risk-managed approach and say, "Will we be served civilly, and therefore end up with two separate contracts? If we go to the public tendering process and another person is awarded, then would Morneau Sobeco stand a legal challenge with respect to saying there's already an implied contract because we've done work on this?"

Mr. Brian Fitzpatrick: But you would agree with me that it would be very bad practice for procurement if the main contractor were involved right at the front end in drawing up the specifications and the estimates on any procurement process? That would just be bad practice, and I think every taxpayer in the country should be concerned if that were standard practice.

A/Commr Bruce Rogerson: You would have an insider's edge, because you'd know the organization, how it's structured, the true costs, the additional costs.

As you know, when you go to the competitive process and people bid on it, a committee is struck, and we award points as to the credibility of the organization and their functionality. In fact, you structure what you require through MERX, through our contracting and bidding process, because NAFTA kicks in as well. It has to be an in-house process in order for people to actually be able to bid in a fair process.

In this case, what you're alluding to is that there was already insider trading going on. They already had the inside track. They also had a competitive edge. Would they also have been able to outbid the other competitors? I would say that they would have had a competitive edge. Since we didn't go to a competitive contract, I don't know if somebody else would have come in cheaper.

The Chair: Thank you very much, Mr. Fitzpatrick.

That concludes round one. We're going to go to round two. I just have one or two questions before we go to round two.

I'll go back to you, Mrs. Burton. I know we've touched on this question before, but your evidence before this committee is that Ms. Revine was eliminated because of a reorganization. How many other positions within the Royal Canadian Mounted Police were eliminated because of this reorganization?

Ms. Rosalie Burton: Mr. Chair, I can only speak to the ones within the area that I inherited—

The Chair: I mean just in your area.

• (1740)

Ms. Rosalie Burton: —and there were 12. That was due to a budget pressure of \$1.3 million for the fiscal year 2004-2005.

I'll apologize to the committee that this has not been translated—I don't have those resources available to me—but I did bring supporting documentation on that for the committee's reference, and I'll certainly provide that to you.

I will take this opportunity, Mr. Chair, to indicate that the workforce adjustment directive was applied. I engaged a public service staff relations advisor to make sure that this was done correctly. That was done, and she was present at the meeting where Ms. Revine received her letter.

The other thing that I wanted to clarify is that when John Hartin came into the organization, it was to replace Peter Hooey, a different director. It wasn't to take on the work that Ms. Revine had done.

The Chair: Who replaced Ms. Revine?

Ms. Rosalie Burton: To my knowledge, there was no one. There was no one under my watch, Mr. Chair.

The Chair: If nobody would replace her, what was she doing before she was replaced? If you didn't need anyone to replace her, what was she up to?

Ms. Rosalie Burton: The conversation that I had with Ms. Revine was very limited; the interaction was very limited. What she told me in the fall of 2003 is that she had started an A-based review, but it was too complex, and she couldn't finish it, and that she was dealing now with John Spice. John Spice is an assistant commissioner in charge of the ethics and integrity office, and its work is confidential. You can't pry into matters when employees are dealing with that.

I also had a handover with Fraser Macaulay before he went on his secondment to DND, and he didn't indicate to me at any time that she should be protected, that she was on that list and should be taken off.

I dealt with the information I had available to me, Mr. Chairman.

The Chair: Thank you very much.

We'll go to Ms. Sgro for five minutes.

Hon. Judy Sgro: You said when you were here before, "I have no knowledge of the A-base and have not seen the A-base that Ms. Revine was doing or had done."

Ms. Rosalie Burton: Excuse me. I have not seen the A-base. She referenced it very briefly, but she didn't provide it to me.

Hon. Judy Sgro: Ms. Revine, is that correct?

Ms. Denise Revine: It's not correct. I have a copy of an e-mail Ms. Burton sent to me the same day she told me I no longer had a job. This e-mail reads, in part, as follows:

Denise, you'll recall our discussions when I first arrived as the acting A/DG ORE, when you explained to me that the scope of the A-Base Review was very large and you had prepared a discussion paper for Fraser.... Can you please share the discussion paper and your information collected....

Ms. Burton then sent an e-mail to a colleague of mine in which she stated:

Reg, thanks for taking on the internal project management of the A-Base Review.... As first steps can you please clean up the discussion document attached....

I can table these, but they're not translated.

Hon. Judy Sgro: Ms. Revine, can you just table the document, even though it's not translated—it could get translated—just so I can move on? As you've seen, time is very limited here.

Ms. Burton, I have a question for you, if you could answer it relatively quickly, I think with a yes or a no. During your employment tenure with the RCMP, has anyone filed harassment complaints against you?

Ms. Rosalie Burton: No, there have been no harassment complaints against me.

Hon. Judy Sgro: Thank you very much.

Mr. Rogerson, clearly, from some of the things we've heard, we recognize the pain you have felt after so many years of service to a wonderful organization that we all very much love and respect. But I've often heard in policing circles, in RCMP circles, that there's more or less the hidden rule that if you're part of the family, you don't talk outside the family about internal issues or any issues to anyone outside of the RCMP. It's something short of a gag order against anyone talking. I can understand it. And you're raising these issues. Am I correct when I ask you that question?

A/Commr Bruce Rogerson: No. I think if you look at the letter I sent in January, I think with our RCMP Act and the other regulatory bodies we have watching us and even with the Financial Administration Act, I encourage people to come forward within our own system, first. We have a pretty structured process. Through my letter, as you'll see, in January, I encouraged people to come forward if they had concerns. In fact, if they don't come forward, that is, if Mike Frizzell didn't follow that transaction, he could have been subject to a code of conduct for allowing something to be concealed. Right? So it's a doubled-edged sword.

To be honest with you, as an appropriate officer I'm accountable for 2,200 people or more in headquarters. I might have 30 files. That's fewer than 2% of code-of-conduct issues.

By and large, we have an excellent system, and now you have the Federal Accountability Act, of course, which protects people to at least allow them to come forward.

As for the family aspect, I guess if there's collusion among people to set up a career assassination in order to encourage someone to leave the organization, then yes, if you have collusion among individuals, that can take effect. There is a policy called abuse of authority, and we look into it. From my recollection, we have an excellent process.

If people go outside the box ahead of the schedule, usually that's a sign that the organization as a whole is having issues. Leaks usually occur when whistle-blowers, as you term them, but I like to call them right-doers, are suppressed over time. The leaks eventually seek out of an organization.

I think what you're seeing is a private institution reflection into a public institution, as when you look at the fall of Enron, Parmalat, Bre-X, and the rest of them. So that's what you're seeing unfolding: a very select few abusing their authority. Somehow it's been blown to a proportion that it is rampant and systemic throughout the organization. I would say that it's not rampant, and it's certainly not systemic. It's a very select few individuals who have taken their authority and decided to preserve their chairs as opposed to the image of the organization. That is my perception of what has transpired. And as I say, it's a reflection of days gone by.

I will say that as for our present commissioner, Bev Busson, I am here today with her full backing. As a matter of fact, she said, "The truth is like a sword and a shield; it will defend you and it will help you get through issues." I didn't go through her to have anything vetted, and what you're hearing today is strictly from me, with her encouragement to come forward here today.

• (1745)

Hon. Judy Sgro: You have indicated what happened to you previously. Staff Sergeant Frizzell had read out to us a mission statement at the very beginning of these hearings, and I thought that was odd. As the time has progressed, I've seen more and more of why he was so proud of that mission statement.

We have heard testimony about Mr. Ewanovich and what happened to him. Well, he's hired and he's let go quietly. He wasn't fired; he just decided to leave. Mr. Crupi turns around and gets, I think, 18 months of pay and a reference letter that gets him a job currently with CSIS.

Those kinds of statements make it very difficult for us to think that people are coming forward and something appropriate is happening there.

A/Commr Bruce Rogerson: Well, here's our values statement: it says integrity, honesty, professionalism, compassion, respect, and accountability.

In an organization such as the RCMP, we're not about head-hunting, we're not about career assassination; we're about trying to help people move on to another life. It's about compassion, right? We have an organization where our statements are "You mess up, you fess up, and you dress up".

Then we go before an adjudication board, which looks at what transpired plus the mitigating factors. Generally, with a well-seasoned officer or a member of the force who has 20, 29, or 32 years of service, it's not about career assassination. It's generally about how this person has messed up. They've fessed up and they've dressed up. How do we provide them an opportunity to continue with their career within the organization and outside the organization?

You had Deputy Commissioner George here. She's one of the leaders with respect to duty to accommodate. She's been a champion for our force over the last number of years that I've known her. Everything I do with respect to people around me is a duty to accommodate.

• (1750)

The Chair: Thank you, Ms. Sgro.

Mr. Borys Wrzesnewskyj: Mr. Chair, I have a point of order. There was a requirement for Mr. Crupi a number of weeks ago to provide the reference letter that allowed him to get his new job at the Canadian security establishment. I have not seen that in the records. Has that letter of reference and whoever provided him with that come forward to the committee?

The Chair: The clerk has informed that we do not have it yet, and I will ask the clerk to follow up immediately and ask why we haven't got it.

Mr. Williams, for five minutes.

Mr. John Williams: Thank you, Mr. Chairman.

Assistant Commissioner Lang, you have been ignored this afternoon, but you were mentioned fairly extensively in Assistant Commissioner Rogerson's opening statement, including, I think, he quoted some e-mails that you had written.

Do you agree with the opening statement of Assistant Commissioner Rogerson as it pertains to you and how you were mentioned in that?

C/Supt Doug Lang: Yes, I do, but there are a number of points that require clarification. I've been waiting to answer those points of clarification at the committee.

Mr. John Williams: Okay. Will it take you long?

C/Supt Doug Lang: A few minutes, yes.

Mr. John Williams: Mr. Chairman, I ask that since it's a clarification of an opening statement that I be given the indulgence to allow him to do that without it affecting my time.

The Chair: We'll give you an extra minute or two, Mr. Williams, but I'd ask Mr. Lang to try to be as brief as possible.

I'll ask everyone to be as brief as possible, because it is frustrating for the members. As you can see, we have only a certain amount of time. I know these are important issues, and it is difficult.

C/Supt Doug Lang: I can talk very fast.

To put this in perspective, in June of 2005 I was superintendent of technical operations. I have no knowledge of this investigation. What I know about the Project Probity investigation I've learned from the committee hearings and the blue notes. It was kept as a sensitive investigation, run by Inspector Roy, so the sharing of that information was not done with a lot of people.

In about May, when Assistant Commissioner Gork was scheduled to go to Lyons, I was named as the interim liaison for him on this investigation, to deal with the administrative matters Inspector Roy spoke to.

At about this time, on June 17, I got a call from Assistant Commissioner George—as she was at the time—outlining a complaint about the alleged harassing behaviour of Sergeant Frizzell and asking that something be done about it.

Very shortly thereafter I walked down the hall to Inspector Roy's office and we had a discussion about it. I was not given direction at that time. When I talk "direction", I had influence from Assistant Commissioner George to get something going on this, but at that point I had received no direction from her to say do this, do that, do this. That order came from Assistant Commissioner Gork, and I believe he has already testified to that.

Inspector Roy and I had quite a discussion about what we'd do with this, because he needed Sergeant Mike Frizzell to clean up what he had left.

So when people see the order and what is missing from the order—from what Deputy Commissioner George thinks should have been in it, based on her understanding, or Inspector Roy and myself—that order was drafted by me in consultation with Inspector Roy and Sergeant Frizzell's new boss at CCAPs to get everything in place for him to be moved.

As Assistant Commissioner Rogerson stated, this was not about character assassination. This was a delicate situation. Deputy George had brought the *h* word, harassment, into the situation. We have strict policies and regulations and guidelines on how we deal with harassment.

My delicate job here, after talking with Mr. Gork the next day, was to figure out.... He wanted a written order done, and that was clear. And I think—

Mr. John Williams: He did.

C/Supt Doug Lang: Yes. On Monday. This was enough, as far as he was concerned. Based on the previous actions of Sergeant Frizzell and his interrelations with Inspector Roy on avenues of investigation, he wanted it dealt with. It was over.

My understanding at that time was that the investigation was over; it was wrapping up. All that was left to be done was the packaging up of e-mails and those sorts of things.

We don't hand out written orders every day. I don't come into work in the morning and have my list of orders.... A written order to someone is a very serious thing within the RCMP. It shows that you haven't followed verbal direction and it is the next step to "we've got to do something more with this person".

I didn't have enough from the conversation I had with Deputy George and the confirmation I had with Inspector Roy that the harassment—the obsessive and aggressive behaviour—was truly substantiated so that I could go ahead and demand Sergeant Frizzell take what's called a "special medical assessment" from health services. If I had felt in my brief time I had to deal with it that it was there, I could have gone to health services and demanded it.

I made a draft of the initial order, because there is no template for them. I had to make it up on the go and spit out in the order what he needed to stop doing based on what I had learned, what he needed to continue doing, and then that he needed to go on.

That's why there is some confusion around what's in the order and what some people think should have been in the order. It's because that was developed after I had the discussion with Assistant Commissioner George and after I then had a discussion with Assistant Commissioner Gork, who said, "Make it a written order. Make it happen. Have it done by Monday." Then Inspector Roy and I went through the details of what does he need to do to finish off and to put what he was supposed to be doing to bed, and a day that was applicable for him to go back to his old post. I think someone else has testified that he had been gone for a year and there wouldn't be a seat for him, so I had to talk to the receiving inspector to have him there.

Most of the conversation I had with Sergeant Frizzell during the serving of the order was stuff that I couldn't refute. I didn't know the investigation. So his complaints of not being heard, not being listened to, being stymied or turned back and no one wanting to listen to him, were what I believed at the time something like having tunnel vision, whatever, on the file and sort of substantiating what other people were saying.

But I was not in a position to second-guess all those things. That was why the order was written as it was by me, that Assistant Commissioner Gork had ordered these things. For the order to be lawful, it had to have grounds to it. I wasn't in a position to contradict the legal stuff or the investigative avenues on the investigation, because I wasn't supposed to know that. That's why the order was written as it was, that was Assistant Commissioner Gork was making it and I'm doing it on his behalf and this is what must be done, blah, blah, blah, in a step.

•(1755)

I hope that clarifies it as quickly as possible.

Mr. John Williams: Thank you very much. Therefore, Deputy Commissioner George was aware of the fact that the order was being served, why it was being served, on what grounds it was being served, and so on?

C/Supt Doug Lang: Not until after the service. There is a timeline in there that is slightly confusing. One of the e-mail messages that Deputy George refers to is an e-mail message at 11:23 asking for the follow-up of what's happening.

Mr. John Williams: I thought you told me you had discussions with Deputy Commissioner George about removing Staff Sergeant Frizzell and then you went and implemented that.

C/Supt Doug Lang: No, I had discussions with her about the complaints, about the facts. Sorry.

Mr. John Williams: Okay, you had discussions with her about the complaints—

C/Supt Doug Lang: Yes.

Mr. John Williams: —that resulted in the removal order. Your discussions with her about the complaint were before you issued the removal order.

C/Supt Doug Lang: Okay. To be very clear, Deputy George had no role to play in the building of that order—

Mr. John Williams: I wasn't worrying about the role. I said you had a discussion with her regarding the complaints, and from there, at a subsequent time, an order was issued to remove Staff Sergeant Frizzell.

C/Supt Doug Lang: Yes.

Mr. John Williams: Okay, thank you.

There are clear rules within the RCMP when a harassment allegation charge is being made against a member. There are clear rules as to how that shall be disposed of. Were these rules even instigated or ever followed for Staff Sergeant Frizzell when you had this allegation of harassment laid against him?

C/Supt Doug Lang: Not to my knowledge. The complaint was referred to as borderline harassment. The problem in this particular situation was we have an RCMP member investigating other RCMP members during this investigation.

Mr. John Williams: Chief Superintendent Macaulay, you were also mentioned in Mr. Rogerson's report. As far as it pertains to you, do you agree with what he said?

C/Supt Fraser Macaulay: Yes.

Mr. John Williams: You've no disagreement?

C/Supt Fraser Macaulay: No.

Mr. John Williams: Staff Sergeant Frizzell, I think you were also mentioned in Mr. Rogerson's report. As far as it pertains to you, do you have any disagreement? Do you agree with what he said?

S/Sgt Mike Frizzell: I have no dispute, no.

Mr. John Williams: No dispute whatsoever.

Okay. Thank you very much.

Mr. Macaulay, Ms. Revine said that when you were talking to her you said, "Mr. Ewanovich is coming after you next." Do you agree that you would have said that?

C/Supt Fraser Macaulay: Yes, I told her, “They're coming, and you'll be next.”

Mr. John Williams: Okay, “you'll be next”.

Mr. Estabrooks, you said it was highly unusual for people named in an access to information request that was going to be released to review the document before it was released. Did the people whose names were in there make any suggestions for changes to the ATIP before it was released?

Mr. Keith Estabrooks: I believe Deputy Gauvin had in a memo.... A memo was written to Superintendent Lavoie with opinions on what should be released and what shouldn't be. That's why I had replied and was getting frustrated with the whole situation.

• (1800)

Mr. John Williams: So Assistant Commissioner Gauvin actually made some suggestions about changing the ATIP release, even though he was named in the ATIP himself?

Mr. Keith Estabrooks: That's what I believe. It's Deputy Commissioner Gauvin, but, yes, there were suggestions made.

Mr. John Williams: Ms. Revine, Ms. Burton said you received a work stop adjustment. I think that's either a compensation or some kind of formality about whatever it is when your position is terminated. Did you receive that?

Ms. Denise Revine: I received that on April 22, 2004.

Mr. John Williams: You were removed from your position when?

Ms. Denise Revine: Immediately, basically no management meetings. She took the work away and told me to focus on finding a job.

Mr. John Williams: So there was no adjustment of a work stop order?

Ms. Denise Revine: No adjustment.

Mr. John Williams: Mr. Estabrooks, you mentioned documents were removed from the files in your office, the office in which you worked. You've no idea who removed these documents?

Mr. Keith Estabrooks: No, I don't, sir.

Mr. John Williams: Ms. Burton, I'm going back to Mr. Fitzpatrick's point, and the chair also asked you some questions on this in your testimony on April 18, when Mr. Fitzpatrick was trying to find out what relationship or what connection or interviews or discussions you'd had with Staff Sergeant Frizzell. I know it was a heated interchange, but nonetheless the question was if you found the investigation harassing when he questioned you, and you replied, “He did not interview me as a witness, sir”.

In your opening statement today you made reference to the fact that you talked to Staff Sergeant Frizzell on quite a number of occasions, I believe, and now we understand one was actually with a tape recording of three hours.

At this committee you're required to give fulsome answers. Do you believe “He did not interview me as a witness, sir” was a fulsome answer as far as your interaction with Staff Sergeant Frizzell on this case?

Ms. Rosalie Burton: I answered that I did not believe he interviewed me as a witness because I initiated that conversation.

Mr. John Williams: You weren't asked that question.

Ms. Rosalie Burton: I guess I misunderstood what constitutes witness.

Mr. John Williams: You weren't asked about being a witness. You volunteered the fact that you weren't interviewed as a witness. Mr. Fitzpatrick said, “Did you find the investigation harassing when he was questioning you”? You have said today you had a number of conversations with Staff Sergeant Frizzell. You were the one who brought in the concept that he did not interview you as a witness. My question to you was, “Did you give us a fulsome answer?”

Ms. Rosalie Burton: Thank you, and I note your concern, very much so.

The first thing is that when I read that transcript, I noted that I didn't answer directly yes or no. First, I did not find my interactions with....

No, I need to clear this up, Mr. Chair.

I did not find my interactions with Mike Frizzell harassing. Second, I initiated the conversation. He came to see me. After we talked for a while, he asked if he could record. We had a taped conversation. I was not advised I was a witness or anything else.

So maybe it's my not understanding the semantics of the situation, and I'll apologize for that.

Mr. John Williams: I asked, Mr. Chairman, if that was a fulsome answer that she gave. I didn't ask for the context.

Did you give us a fulsome answer at that time?

Ms. Rosalie Burton: In retrospect, I guess I could have been more fulsome.

Mr. John Williams: Thank you.

The Chair: Thank you, Mr. Williams.

[*Translation*]

Mr. Roy, you have five minutes.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chairman.

My question is for Ms. Burton. In answer to a question by Mr. Williams, you said that you had a three-hour, recorded conversation, but that you did not believe you were being interviewed as a witness.

It is very hard for me to understand that, but that is not what I want to question you about. Rather, I would like to come back to something you said on April 18, mainly:

On September 11, 2003 or before, when I had not yet been appointed acting director general, 12 employees were declared surplus, including Denise Revine, towards whom [...]

Did the 12 employees who were declared surplus all work in your department?

[English]

Ms. Rosalie Burton: I'm sorry, I can only speak to the ones in my department. It was the budget file that I inherited from the executive assistant of my predecessor, Fraser Macaulay. I brought the documentation that I had that prefaced that decision. So I'm not sure. I recall in the file there were other areas that were subject to cuts, but I did not follow that closely.

• (1805)

[Translation]

Mr. Jean-Yves Roy: How many were there in your department?

[English]

Ms. Rosalie Burton: There were 12 in my area, sir.

[Translation]

Mr. Jean-Yves Roy: That's what I asked you. I asked you whether the 12 employees worked in your department.

You said that you were appointed acting director general, that you did not look at the files of those 12 people and that your predecessor did not tell you why these people were being laid off and considered surplus.

[English]

Ms. Rosalie Burton: The file contains a memorandum from the deputy commissioner of the chief financial officer, Paul Gauvin, to the chief human resource officer, indicating a \$1.3 million shortfall for fiscal year 2004-2005. Also in there is a file that was prepared on or before September 11, 2003, regarding cuts to be made that impact individuals. I received that file from the executive assistant, Lise Bisson, who worked for Fraser Macaulay. In the handover meeting that I asked Fraser Macaulay for, he did not indicate or provide me an explanation of that.

[Translation]

Mr. Jean-Yves Roy: In summary, you are saying that you did not know how the decision was taken. You confirm that there were budget cuts, and that for you this was simply a budget matter, it was not a human matter. As the human resources director, you blindly made the cuts, you did not ask any questions, you said thank you and goodbye. That's basically what you're telling me.

[English]

Ms. Rosalie Burton: No, there was absolutely a humane response to that. While people receive the workforce adjustment letter, they're still on full salary. They're advised that their first priority is finding their next position. While they're still on full salary, we do everything we can to accommodate them. I facilitated discussions with Assistant Commissioner Kevin Mole for meaningful work for Denise Revine and the other employees.

[Translation]

Mr. Jean-Yves Roy: I'm sorry, but that was not my question. As human resources director, you had to implement a decision which had been taken with regard to your department. So you had to act accordingly. Do you have a say in your budget?

Perhaps you did not make the decision, but you did have a say in your departmental budget. It's as if you're telling us that the human resources director had nothing to say, that a decision had been made, thank you and goodbye.

[English]

Ms. Rosalie Burton: You're provided a budget, but how you allocate that.... If there weren't cuts there, there would be cuts elsewhere. If it's not those twelve employees, which eight or twelve salaries add up to the amount you need to reduce by?

[Translation]

Mr. Jean-Yves Roy: Did you go and see whether cuts were made elsewhere? Did you see whether the cuts in your department were justified?

If I was the director of a service and I was told that 12 positions would be cut, I would not say well, too bad, cuts happen everywhere. I would ask myself serious questions and I would see if cuts were actually being made elsewhere as well. I would want to know how the decision was taken, who ordered the cutbacks in my department without my having a say in the matter or without my being allowed to voice my opinion. That's what you're telling me.

If 12 further positions were cut, would you still say nothing? Would you say, Ms. Burton, that cutbacks were happening elsewhere and that it wasn't really serious?

[English]

Ms. Rosalie Burton: Oh no, this is a very serious thing. This is people's livelihood. It's not a decision that's taken lightly, and there are other areas that are cut or cut back.

The Chair: Before we go to Mr. Sweet, I have one quick question to you, Staff Sergeant Macaulay.

We heard the story about Rosalie Burton inheriting this budget deficit from her predecessor. Her predecessor, I understand, was you, and that's the reason why Ms. Revine lost her job. Is that correct?

C/Supt Fraser Macaulay: Ms. Revine was never workforce-adjusted under my tenure, under my time there.

The meeting Ms. Burton is referring to probably lasted less than four minutes. She arrived at the meeting place, and Lise Bisson was there with me. Regarding the first matter we started talking about, she advised me that she couldn't tell me anything. She had been advised that everything was secret. I said thank you very much and I got up and left the room.

Ms. Revine was an HR planner. We were bringing planners in. She was involved with Treasury Board around the HR planning. It wasn't a position to be eliminated at that time in our history.

• (1810)

The Chair: Mr. Sweet, you have five minutes.

Mr. David Sweet: Thank you, Mr. Chairman.

I share your concern around this 33 years of service. Could you please tell the committee, Ms. Revine, that the diagnosis of post-traumatic stress disorder came directly from this instance?

Ms. Denise Revine: It came. It's been four years. There was a sick leave absence, and then I came back to work. Then, as others have, I've been consumed with the file. It's a very big and complicated file. I maintain the other job now through home, and I have a big family, so eventually it takes its toll.

When I came back to work, I wanted to come to work. We had a meeting with Deputy Commissioner George. Ron Lewis attended the meeting with me. Deputy Commissioner George would have liked me to retire. I wasn't prepared to retire. They didn't have anything to offer me. I had to find my own job. I even had to go to a lawyer. It's an accumulation.

Mr. David Sweet: Thank you.

Staff Sergeant Frizzell, did the insurance committee minutes show that approval had been given to move \$540,000 to the pension fund, as Barb George requested, from Great-West Life?

S/Sgt Mike Frizzell: The minutes show that they did have authority.

Mr. David Sweet: Why is there the discrepancy then between that and what Rosalie Burton has testified?

S/Sgt Mike Frizzell: I don't know.

Mr. David Sweet: Ms. Burton, did you or anyone under your direction change the minutes of an insurance committee meeting to indicate that the approval had been given to return funds to the pension fund when no such approval had been given?

Ms. Rosalie Burton: I did not change any minutes, and I do not know of anyone who did change minutes.

Mr. David Sweet: You have no knowledge of that whatsoever?

Ms. Rosalie Burton: What I do know is that several months ago a gentleman named Gary Roy came to me and said, "The reps are biting me because of the minutes of the meeting." I said to him, "Did you follow due process?" There's a process for any minutes of meetings: they're drafted, they're sent out for comments and revisions, and then they're published as final. He said, "Yes." Then I said, "Well, that was the opportunity to look at the minutes."

I wasn't overly concerned. That's what I know about minutes of meetings, sir.

Mr. David Sweet: Staff Sergeant Frizzell, you've testified in the past that Rosalie Burton and Barbara George were persons of interest in this investigation. Is that correct?

S/Sgt Mike Frizzell: Yes, they were people we needed more information from.

Mr. David Sweet: Monsieur Roy, Rosalie Burton mentioned that you contacted her, even though she's not a uniformed member of the RCMP. In her opening remarks, she mentioned that you gave her quite a detailed outline of the investigation and where it was at, and she even criticized the behaviour of one of your colleagues. Could you explain that to us, please?

Mr. Paul Roy: First of all, I never contacted Ms. Rosalie Burton. This is in my notes.

I did a submission. At tab 12, I have my notes from June 7 on the call that I received from Ms. Burton, who complained about the behaviour of Sergeant Mike Frizzell. I can read my notes. They're very short.

She said she had received several complaints that he had seen some of her people, such as DG Caron, on complaints and dispute issues as a member of the RCMP, as opposed to being impartial, as an investigator should be. She said he requested a meeting with her, which is set for June 17.

At that point, I explained I was not aware of this, and if it were the case he'd be doing this on his own, not as a representative of this investigation.

I further explained that we are in a report-writing phase, which will be presented to the commissioner and then to the senior executive committee on June 27. Our findings will be presented and the RCMP will then be seized with taking action.

Mr. David Sweet: What was your reason for giving that much detail of the situation at that moment in the report to Ms. Burton?

Mr. Paul Roy: I'm sorry, can you repeat that?

Mr. David Sweet: What was the rationale for giving that much detail of the situation of the investigation to Ms. Burton?

Mr. Paul Roy: I don't recall giving any details of the investigation.

Mr. David Sweet: Okay. Well, afterwards we'll see what you mentioned in the blues.

Obviously I don't have a copy of the blues today, but earlier you said it was in a discussion Mr. Roy had initiated with you that the conversation had kind of developed around Staff Sergeant Frizzell.

Didn't you say that, Ms. Burton?

• (1815)

Ms. Rosalie Burton: No. I'm sorry.

I called Inspector Roy about the voice mail and asked his advice about whether or not to have the meeting with Mike Frizzell. He advised me not to. He told me of the schedule of briefings. He told me that Mike Frizzell probably wasn't speaking on behalf of the investigation.

He then went on to say he was having problems with that guy. I said it initiated the "well, I'm having problems keeping the unit together". One person ran off site upset, and there's the stress.

Mr. David Sweet: It's fine. We've heard that before. Thank you.

Barbara George, I want to give you one more opportunity to clarify your testimony from February 21. You said: "I can state with absolute finality that it was neither Commissioner Zaccardelli nor me who had anything whatsoever to do with, as you say, the removal of Sergeant Frizzell." Mr. Wrzesnewskyj asked: "Can you tell us who it was?" Then you replied: "No, I am not aware of who it was."

Do you want to speak to that, based on your testimony and the evidence we heard?

D/Commr Barbara George: I will gladly speak to it, sir. Thank you for the opportunity.

As we've all heard from Chief Superintendent Lang and others, there was a lot going on at that time. I think it was Chief Superintendent Lang who clarified that it was Inspector Gork who worked with him to write the memo. There was some confusion or some concern as to what would go in the memo.

I have an affidavit from Inspector Roy that outlines all of the concerns and interactions he had with Sergeant Frizzell, the dealings leading up to it, and the difficulties he had at that time.

I believe the whole committee has this document. We received it this afternoon, and I would certainly exhort everybody to read it. Do you have the document?

Mr. David Sweet: I'm not aware of it.

D/Commr Barbara George: You should have this document because it outlines everything from Inspector Roy's perspective on the difficulties he had in dealing with Sergeant Frizzell right up until the very end. It's all there.

The Chair: Colleagues, it will be circulated. You'll have it by the next meeting.

D/Commr Barbara George: I'm sorry. This was put in on Friday. I just received it myself this afternoon. It's a very interesting read, and I think it lays out all the revelations that you need to have.

As I've said before many times at this committee, when Ms. Burton came to me and discussed her alarm at the alleged harassing behaviour that Sergeant Frizzell was visiting upon her or her employees, I took action, as I must take action. It was alleged behaviour. What I wanted was to speak with someone who could take the gentleman aside, and Mike Frizzell would have had an opportunity to say, "No, I'm not harassing anybody. Yes, my techniques are different or forceful, but they're not..." He would have been able to speak to it.

You've heard Bruce Rogerson say that we're not into character assassination or certainly career annihilation. I didn't go to Inspector Roy. I wanted somebody who knew Mike Frizzell, who had worked with him, who could sort of say, "Mike, there's been some concern about how the employees are feeling after being interviewed by you. There've been a couple of stories that people have run out of the building, etc. Can you tone it down. Can you think about it."

Mike Frizzell has said that nobody ever did come and speak to him, nobody ever did mention this to him. I realize now the reason was because the order to terminate the investigation had already been given by Inspector Paul Roy, that most of the people had been sent back to their home bases, and that Sergeant Frizzell had been required to produce his final report.

So yes, I did speak to Assistant Commissioner Rogerson. Yes, I did speak to Doug Lang. And I did speak to Darrell LaFosse. As far as I know, and I believe this to be so, nobody went near Mike Frizzell to say, "Listen, there's some trouble coming out of NCPC with regard to your alleged treatment of witnesses. Can you tone it down."

So when I said to you—and this was two, two and half years later—I did not know when the final decision had been taken to either, as Gork was saying, have him removed from the investigation, or as Inspector Roy is saying, he was never removed, the

investigation was terminated and he was asked to return to his home base, I had no idea. And I was told not to speculate. If I had speculated, I would have thought it would have been Inspector Roy, through Assistant Commissioner Gork. But speculation is just speculation.

I'll go back again. As chief human resources officer, if anybody comes to me and says that people are being harassed, frightened, for undue reason, I have to act. I can't sit on my hands and say, "Well, gee, I hope it'll work out." And that's what I did.

• (1820)

The Chair: I'm just going to ask you to wind up.

Mr. David Sweet: Chair, I think Staff Sergeant Frizzell might want to respond to that, if you would just seek indulgence.

The Chair: I have three other people—Mr. Christopherson, Mr. Wrzesnewskyj, and Mr. Lake, and it's 6:21.

An hon. member: I have a point of order.

The Chair: Mr. Frizzell, you can respond first. I just want to be fair to everyone.

S/Sgt Mike Frizzell: First off, as to Ms. Burton's testimony, I believe she said "I don't know who did the interviewing." Is that true? Did everybody else hear that? I've been labelled with making people cry, and she didn't even know who was doing the interviewing? I did not interview Liette Bellemare, and Jeff Hutcheffon and I have regular conversations. He most certainly never cried or ran from a room.

That's what I heard. Did anybody hear differently?

Secondly, I did have a number of issues with Mr. Roy, and let me give you an illustration of why.

We've heard here at different times that Mr. Roy had no idea what I was doing at the end of the investigation. Let me read you an e-mail. I'm sorry I didn't get it in ahead of time. I didn't know I would have to read it, but this is from Mr. Roy to Ms. George—Barb. This is from May 31, just a couple of weeks before the order. He talks about wanting to know how much money has been paid back to the pension fund. Then he states:

The other issue surrounds the outsourcing of the administration of the RCMP insurance plans. This issue was identified by the investigation. I know that an audit recently took place and I'm wondering if any action or repayment of funds to correct the problem has taken place.

He's referring to the finding of the audit that says "Expenses charged to the RCMP group and life disability plans along with their funding were found to be inappropriate."

Mr. Roy then goes on to say to Ms. George, "Media lines dealing with these issues need to be prepared in anticipation of inquiries and in answer to the original media stories that surfaced a year ago." There's a bit of coaching there for Ms. George when the poop hits the fan.

This was sent to me by Mr. Roy. This is what I was acting upon. What I found was, as Ms. George referenced in her letter, they asked for \$540,000 to be paid back, plus interest, and \$542,000 was paid back, even though Great-West Life sent a cheque for \$578,000. So there's a little thing of a missing \$36,000 as well.

Anyway, my point is that it was Mr. Roy who brought all this to my attention at the end of the investigation. I'm not sure why he would have done that—knowing that I had quite an issue with this—if he didn't want me to follow up on it. When I did follow up on it—and you've all heard the phone conversation, how harassing it was—the person who I was trying to follow up on it with made a phone call to Inspector Roy. Well, we all know the rest.

I just want to set the record straight there.

The Chair: Thank you very much, Staff Sergeant Frizzell.

Mr. Christopherson, five minutes.

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

I would be interested to re-read the testimony of Mr. Estabrooks. Unfortunately, I can't really ask the kinds of questions I'd like until I see those documents and re-read everything that's said, but that sounds very serious. And what's most disconcerting, Chair, if I'm understanding it correctly, is that it's still going on now. This is fairly recent in terms of a week and a half ago, I'm hearing. So if anything like that is true, it's truly frightening that something could have happened in the past, we're investigating it, and now there are potential allegations of further questionable conduct.

I want to take just ten seconds to state...about one person who has come before us here so far, because I think it's important.

I have heard from a number of people—officers, uniformed and otherwise. My own impression is this. I think we are very, very fortunate at this time in the history of the RCMP to have Acting Commissioner Busson in place, because she is slowly, day by day, trying to restore the confidence, and I for one have confidence in her. Her answers were very forthright. Even when they weren't necessarily helpful to make the RCMP look right, she was very forthright. I just want to get that on the record and say that I have great confidence in her, and it's good that we have her there.

Monsieur Roy, you stated, on April 18, in terms of referencing Staff Sergeant Frizzell:

I don't agree with the term "removed". He was not removed. He was returned to his own unit once the criminal investigation was over.

Do you stand by that, sir?

•(1825)

Mr. Paul Roy: Yes, I do, sir.

Mr. David Christopherson: Okay, help me with something. Later on at that same meeting, suddenly the issue of Staff Sergeant Frizzell's behaviour had become an issue during some intervening discussion of witnesses. And then you were asked again, sir, and then you said if it's just a wording that's used, fine, I'll accept that. But there is a question here, and it is this. You were asked again by the chair, by our chair, whether you asked Barbara George or Gork or anyone else to have Staff Sergeant Frizzell removed because of improper behaviour. And you said: "I asked David Gork to have him removed because of improper behaviour and also because the investigation was over." Which is it, sir? Is it the investigation was over, or was it a combination of both?

Mr. Paul Roy: The investigation was over. I needed his report. He had valuable information to add to the report. The investigation was over. After June 17, he was not my responsibility any more.

Mr. David Christopherson: Thank you. I do appreciate that, because you did say earlier, again at that same meeting, that any concerns that had been raised you thought were manageable and that you should continue to go on. So when you give a slightly different version, I only want to be clear.

You stand by the fact that Staff Sergeant Frizzell, in your opinion, was not removed. The job was completed; he was going back to his original assignment.

Mr. Paul Roy: Yes, I do.

Mr. David Christopherson: So you know, and I'm sure you're aware, at the last meeting five days ago, one week after you made that statement, the acting commissioner was asked by me point blank: "...is it your understanding that Staff Sergeant Frizzell was removed?" Commissioner Busson: "My understanding, from what I know so far, is that Staff Sergeant Frizzell was removed." That's based on not having current information; that's a week ago.

So we still have a very serious ongoing question as to whether or not Staff Sergeant Frizzell had actually finished his work and was given an assignment, and everything else is coincidental, or whether he was actually removed as an attempt to blunt any further investigation by him to turn up things that certain powers-that-be didn't want.

I leave that there for all of us to chew on. And I still maintain it will take a public inquiry to get to the bottom of it. We're not going to do it this way.

Staff Sergeant Frizzell, I want to visit the issue of the computer again. It's in here in the notes, I'm sure, but was that standard procedure, or did that stand out as something unusual? Maybe you can again give those circumstances.

S/Sgt Mike Frizzell: It stood out as very unusual, and that's the conversation Mr. Lang was speaking about that I had with Stephane St. Jacques about a week after I left. He told me my computer had been wiped. I'd never heard of that in my career, and I took exception to all my information being made to disappear.

Mr. David Christopherson: Who told you that?

S/Sgt Mike Frizzell: His name is Staff Sergeant Stephane St. Jacques.

Mr. David Christopherson: You said also that the backup was gone...something about the backup too, wasn't it?

S/Sgt Mike Frizzell: Like Mr. Estabrooks, I kept a second copy.

Voices: Oh, oh.

S/Sgt Mike Frizzell: I think it's quite a practice in the mounted police.

Mine did go missing from my desk, yes.

Mr. David Christopherson: Do you have any thoughts or knowledge about that, who ordered it?

S/Sgt Mike Frizzell: No, not at all.

Mr. David Christopherson: Can anybody here in uniform help me identify who might have given that order?

A/Commr Bruce Rogerson: I'd only say that laptops are reusable within the organization, so if the data was eliminated from that, it would be because the laptop would be redeployed to another individual within the organization, rather than declare it surplus. So is it unusual? No. Is it unusual in this case? I guess you'd have to decide whether eliminating valuable information from a laptop is eliminating evidence. Normally, what we do is back up the drives. In other words, there should be some discs on the file containing all the e-mails and all the information as they pertain to that investigation, because in essence you may be eliminating crucial evidence that could be used at a future date.

Mr. David Christopherson: How do we find out who gave the order?

• (1830)

A/Commr Bruce Rogerson: I guess you'd have to talk to Chief Superintendent Doug Lang, because he's the only one who issued an order to Frizzell.

Mr. David Christopherson: Do you want to jump in?

S/Sgt Mike Frizzell: Only to clarify. My laptop came with me to the investigation and was leaving with me. It was one assigned to me, not to the investigation.

I believe, according to St. Jacques, it was the Ottawa Police Service that gave the order to have it wiped.

Mr. David Christopherson: Mr. Roy.

Mr. Paul Roy: Thank you. I'd like to answer this.

It was practice during this investigation because we were in temporary quarters, temporary equipment was being used, and everybody knew from the investigative team of the process that we followed. We started this in October, when the first member left the team, where the laptop was wiped. However, everything was being downloaded onto a CD and is being kept in the investigative file as of today.

Mr. David Christopherson: So that still exists, all the backup?

Mr. Paul Roy: Yes, it does.

Mr. David Christopherson: Is that news to you?

S/Sgt Mike Frizzell: I've been trying....

Mr. David Christopherson: Okay.

The Chair: Mr. Wrzesnewskyj, five minutes.

Mr. Borys Wrzesnewskyj: Thank you, Chair.

Mr. Sirois, how many years' experience do you have with the RCMP?

Mr. Normand Sirois: I'm a retired member of the RCMP.

Mr. Borys Wrzesnewskyj: How many years' experience?

Mr. Normand Sirois: Well, right now, if you took all my service, I have 34 years of service, and I have about 20 in the access to information legislation.

Mr. Borys Wrzesnewskyj: So you had 20 years there.

We've heard from Mr. Estabrooks that Mr. Gauvin perhaps has run unusual interference on the ATIP requests on the Ottawa Police investigation. And we've also heard the very disturbing news that as recently as a week and a half ago, on a Friday, his executive assistant got into a secure area where the archives are kept, and made a demand for documents, which was highly improper.

Mr. Sirois, you were in charge of the ATIP request on the internal audit. This is the same question I put to Mr. Estabrooks: Was there anything unusual in the process and what occurred around the ATIP requests on the internal audit?

Mr. Normand Sirois: There was nothing unusual in the original request, the first request. We received two requests. In the first request, we were just asked to stand down, because there was an ongoing criminal investigation. There was really nothing wrong with that.

And then the best judge.... If the disclosure of the information would impede the investigation, or Inspector Roy and then Mr. William Sullivan.... We met with them, and they reviewed the report, and then we reviewed the report again. And then, yes, we decided that for the time being it was better to sit down and wait until the investigation was over.

So there was nothing unusual, because they are the ones who know. We're not in a position to know exactly, because, practically, we didn't have any clue as to what they would find in doing the investigation

Mr. Borys Wrzesnewskyj: You said there was also a second request.

Mr. Normand Sirois: There was a second request, yes.

Mr. Borys Wrzesnewskyj: Were there any unusual occurrences surrounding that one?

Mr. Normand Sirois: It was put on the back burner because the investigation was ongoing. If you look at the time that we received the request, you'll see that the investigation was ongoing.

Mr. Borys Wrzesnewskyj: So were the requests ever fulfilled?

Mr. Normand Sirois: The first one was fulfilled, but it was devoid of substance, practically. Out of 25 pages, there was nothing to....

And then on the second request, I contacted their requester, and I said, "Listen, would you rather wait, or do you want me to send you almost 25 blank pages?" There were 22 or 25; I don't remember exactly. And the second requester told me, "I'm going to wait until the end."

Mr. Borys Wrzesnewskyj: Ms. George, we've heard that you placed calls to Assistant Commissioner LaFosse. Is that correct, that you placed a call?

D/Commr Barbara George: That is correct.

Mr. Borys Wrzesnewskyj: Yes?

We heard from Assistant Commissioner LaFosse that you requested that Mr. Frizzell be removed. Is that correct, or not correct—yes or no?

D/Commr Barbara George: No. What I requested, I told him about, very briefly, because our conversation lasted, as he said, less than a minute. I said that I was having a lot of difficulty listening to complaints of harassment and that this had to be stopped.

Now, if Mr. LaFosse, with all due respect, thinks that's removal, then that's his opinion. But what I said was "He needs to be stopped". And he said, "Well, Barb, you don't speak to me. I have nothing to do with him. Talk to Bruce."

• (1835)

Mr. Borys Wrzesnewskyj: Ms. George, thank you.

And he was absolutely unequivocal in saying that he understood that conversation as being a request for removal and told you to speak to Assistant Commissioner Rogerson. And we've heard....

You did call Assistant Commissioner Rogerson. You're in agreement with that?

D/Commr Barbara George: Assistant Commissioner LaFosse was not in a position—

Mr. Borys Wrzesnewskyj: No, no—Assistant Commissioner Rogerson.

D/Commr Barbara George:—of power to remove anybody, nor was I. And I did call Assistant Commissioner—

Mr. Borys Wrzesnewskyj: And we heard today Assistant Commissioner Rogerson state that he understood your phone call as a request to have Mr. Frizzell removed. Did you make that request—yes or no?

D/Commr Barbara George: I made a request to have his behaviour stopped. I needed somebody to speak with him. These are my recollections.

Mr. Borys Wrzesnewskyj: No, no, just—

D/Commr Barbara George: I cannot give you a yes or no answer. This was two years ago. With all due respect, I was very concerned about the people, and when I spoke with Assistant Commissioner Rogerson, I needed someone to speak with Sergeant Frizzell.

Mr. Borys Wrzesnewskyj: When I asked you, back in February, who ordered the removal, you didn't say, "It was over two years ago, and I can't remember and I don't know exactly." You were absolutely clear. You stated:

I can state with absolute finality that it was neither Commissioner Zaccardelli nor me who had anything whatsoever to do with, as you say, the removal of Sergeant Frizzell.

At that time you did not say "I can't remember".

D/Commr Barbara George: I can still tell you that today. It was neither of us.

The Chair: Okay. We're getting the bells. I'm going to allow Mr. Lake five minutes and then the gavel's coming down and we're going to adjourn the meeting.

Mr. John Williams: I have a motion I would like to introduce, Mr. Chairman.

The Chair: Mr. Williams, we might have to wait till next meeting.

Mr. John Williams: I'll just give you a notice of motion; you don't have to deal with it today.

The Chair: Okay, go ahead.

Mr. John Williams: The notice of motion is that the public accounts committee ask the Library of Parliament to engage a forensic auditor to try to present all this information and e-mails and timelines and so on in some kind of understandable format so we can actually understand and have some sense as to what all is going on. I give that as a notice of motion. We can discuss that at the next meeting.

The Chair: Thank you, Mr. Williams. We'll take that on notice.

Mr. Lake, five minutes, and then the meeting will adjourn at the end of five minutes, sharp.

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Mr. Rogerson, just tying up some loose ends, we're wanting to know, were many of the same people involved in the gift-giving scandal investigated by the OPP and informally disciplined also involved in the problems with the pension and insurance funds?

A/Commr Bruce Rogerson: I wouldn't say many, I would say a select few.

Mr. Mike Lake: Who were they?

A/Commr Bruce Rogerson: They would have been Jim Ewanovich and Deputy Gauvin, me, along with a number of other people.

Mr. Mike Lake: Okay.

I want to move to Mr. Frizzell. It's been said over and over again, the semantics about the investigation being over. In your mind, should it have been over when it was over?

S/Sgt Mike Frizzell: In my mind, there were still things to investigate.

Mr. Mike Lake: There were still things to investigate.

S/Sgt Mike Frizzell: I named one earlier.

Mr. Mike Lake: Can you reiterate—and I think you've answered this before, but just for flow here—whether Ms. Burton and Ms. George were under investigation?

S/Sgt Mike Frizzell: "Under investigation" is too strong a term.

Mr. Mike Lake: Maybe whether you were looking into some things, you were following some leads regarding—

S/Sgt Mike Frizzell: They would definitely have to be spoken to; they have information.

Mr. Mike Lake: Was Mr. Roy aware of this?

S/Sgt Mike Frizzell: Mr. Roy sent me the information I was acting upon, so....

Mr. Mike Lake: Okay. Now moving to Ms. George, Mr. Roy stated earlier that in 2001 he worked with the RCMP and reported to you, I believe. Can you tell us what his role was at that point?

D/Commr Barbara George: When I arrived there he had been reporting to another chief superintendent, so he was already on the spot. He was an inspector and he was doing a lot of support work for the two superintendents who were in officer staffing at the time. He was doing a lot of excellent work, but it was support work with Chief Superintendent Macaulay, who was the superintendent at the time, and another superintendent.

Mr. Mike Lake: He reported directly to you, though.

D/Commr Barbara George: Well, no, he reported—

Mr. Paul Roy: May I answer?

I reported to the a civilian employee by the name of Dennis Fodor.

Mr. Mike Lake: Okay, and you worked under, maybe not directly, Ms. George.

Mr. Paul Roy: Not directly for Ms. George.

Mr. Mike Lake: Okay, and you worked with Ms. Burton at the time?

Mr. Paul Roy: Ms. Burton came into the picture, as I said, I didn't know what time, but I heard April of that year, April of 2001. She had an office on the same floor as I did, but I never worked directly with Ms. Burton.

• (1840)

Mr. Mike Lake: Okay. I'm just curious because of the relationships you would have had, working together in that group. Did it ever cross your mind that when you were placed in a position of lead investigator in this new case, there was a little bit of inappropriateness to that?

Mr. Paul Roy: I need to mention first of all that when I was assigned by Chief Bevan to conduct the investigation I did not know who it involved. When I got the first reports, the key individuals were Mr. Ewanovich, who was the CHRO, and others. I certainly didn't see this as being a hindrance; in fact, I saw it as an asset, because I knew the inner workings of the RCMP, I knew where people were at. In reality, I had a close relationship with Mr. Fraser

Macaulay. We worked together on several staffing actions. I thought it was an asset.

Mr. Mike Lake: So when Mr. Frizzell was having conversations with you and Ms. Burton was contacting you personally about some issues she was having and when you were having conversations with Ms. George and you started to realize there was more to it, did you tell anybody? Did you inform somebody that at this point there might be some conflict of interest there, given the past relationships?

Mr. Paul Roy: I never saw a conflict of interest, no, because Ms. George and Ms. Burton were helpful to the investigation. They allowed us to obtain the documentation we needed, because this was the human resources unit. They were helpful.

At no time did I look at them as persons of interest in this investigation.

Mr. Mike Lake: Mr. Frizzell, I believe you said that you got the information from Mr. Roy. Can you please comment on that?

The Chair: Very briefly, because we're out of time.

S/Sgt Mike Frizzell: In Mr. Roy's e-mail to Ms. George, he said: "The audit shows the money was taken. It should have been paid back." The e-mail reply he got back said: "No, it wasn't paid back. We just took another \$542,000."

The Chair: We're out of time; the bells are ringing.

I want to thank all the witnesses here.

I want to thank my colleagues.

The meeting is adjourned.

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