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# Standing Committee on Procedure and House Affairs

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EVIDENCE

**Tuesday, February 15, 2011**

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**Chair**

**Mr. Joe Preston**



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• (1105)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** I'd like to call our meeting to order, please.

Our first hour of business today is still on the question of privilege relating to the premature disclosure of a document of the draft report of the pre-budget consultations of the finance committee. We have a witness for one hour on that and then we have other business.

Mr. Ulyatt, do you have an opening statement today?

**Mr. Russell Ulyatt (As an Individual):** I do, Mr. Chair.

**The Chair:** Thank you for being here today. We will start then with your opening statement and then rounds of questioning.

Mr. Ulyatt, it's yours.

**Mr. Russell Ulyatt:** Thank you, Mr. Chair.

This committee is well aware that on Thursday, November 18, 2010, I received by e-mail, along with all members and their staff of the finance committee, a first draft report of the finance committee prepared by committee staff. When I received the report that morning, I did not read it, but I did do two things. One, I printed a copy for Mrs. Block and placed it in a binder for her to review, and two, I e-mailed the reports to some friends of mine whose identities have since been made public.

As I have mentioned before, the moment I disclosed the document constituted a critical lapse in judgment and a personal failure on my part, for which I am solely and completely responsible. I would, however, like to repeat that I did not photocopy the draft. I did not fax the draft. I did not discuss the content of the draft with anyone over the phone or in person.

I wish to again sincerely apologize to all members of the House for my action, especially members of the finance committee and this committee. I'm here at the request of the committee to answer additional questions you may have in regard to this incident, and I stand ready to answer your questions today.

Thank you, Mr. Chair.

**The Chair:** Thank you very much.

**Mr. Russell Ulyatt:** Mr. Chair, I believe I have a copy of... another one of the members at the table...I was just given to briefly overview.

**The Chair:** Ms. Foote, you're going to go first.

Let's start with a seven-minute round. Go ahead.

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Thank you, Mr. Chair.

I'd like to begin by asking that we have our witness sworn in, please.

**The Chair:** Okay. We can have the clerk do that for us.

**A voice:** Are we televised?

**The Chair:** CBC is here filming, yes.

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** We agree to this?

**The Chair:** I don't believe committees have much choice. Part of our arrangement with the televising companies is that if they ask, they can come. As a committee, we can talk about that if you'd like. It is under our purview too.

**Mr. Marcel Proulx:** I just want to make sure....

**Mr. Russell Ulyatt:** I, Russell Ulyatt, do swear that the evidence I shall give in this examination shall be the truth, the whole truth, and nothing but the truth.

**The Chair:** Thank you very much, Madam Clerk.

Thank you, Mr. Ulyatt.

Ms. Foote, please go ahead.

**Ms. Judy Foote:** Thank you.

Thank you, Mr. Ulyatt, for being here with us again to answer further questions that we have, many of which are emanating from the exchange of e-mails.

I'd like to start out by asking if you're still being advised by the Conservative Party lawyer, Paul Lepsoe.

**Mr. Russell Ulyatt:** No.

**Ms. Judy Foote:** In reference to your e-mails, they show that you arranged a meeting at the lobby group Tactix to meet with Clarke Cross and Ian May on November 17. Was the purpose of this meeting to discuss your employment at this company?

**Mr. Russell Ulyatt:** No, not whatsoever.

**Ms. Judy Foote:** May I then ask what the purpose of the meeting was?

**Mr. Russell Ulyatt:** Please forgive me, because it has been a little bit of time. I believe Mr. May is with a shipping coalition and the meeting was arranged so that I could better understand shipping issues as they relate to Mr. May's position.

**Ms. Judy Foote:** Did you during that meeting discuss the finance committee hearing or the report with Mr. Cross and Mr. May?

**Mr. Russell Ulyatt:** Not to the best of my recollection, no.

**Ms. Judy Foote:** At your prior appearance before this committee, when you were questioned about your report, you said, "My actions were spontaneous when I was doing it. This was not premeditated." Yet in an e-mail that you provided to the committee by lobbyist Clarke Cross, from you, dated November 17, it shows that you told him that the report was coming out the next day, the 18th. So you had discussed it with this gentleman on the 17th and said you would send him a copy.

Why did you intentionally mislead the committee at your last appearance?

**Mr. Russell Ulyatt:** I'm sorry, I don't know the e-mail you're referring to.

Is it in the package that was provided or...?

I can say unequivocally that there was absolutely no intent to mislead the committee. If that is indeed in the e-mail, it was not premeditated for me to send it. When I did send it, it was a moment of absolute critical lapse of my judgment. It was not prompted by anybody and it was a sincere error on my part.

**Ms. Judy Foote:** But you did tell us that it was spontaneous, and you just said in your opening remarks that in fact you got the report the morning of the 18th, the same time the members of the finance committee got it. So you knew the report was coming out. Clearly you had knowledge of that. You told someone that you would send them the report. Doesn't that somehow indicate it being premeditated in that you were going to make the report available to them?

**Mr. Russell Ulyatt:** I realize how it could be construed, and to the best of my recollection, as I still don't even have a copy of the e-mail to jog my memory, it was never my intent to (a) mislead the committee or (b) treat the document with the lack of respect that I did.

**Ms. Judy Foote:** I guess we can...

**The Chair:** Can we share the e-mail with Mr. Ulyatt?

• (1110)

**Ms. Judy Foote:** Sure. Share it with him.

Does that jog your memory at all?

**Mr. Russell Ulyatt:** I'm sorry, no. It was three months ago, and I realize that.... I didn't have access to this e-mail the last time I was at the committee because I did not have access to my parliamentary e-mail account. And whilst I agree with you that it would seem like there was some type of premeditation, there was not any intent to treat the document with that lack of respect.

**Ms. Judy Foote:** You can see the discrepancy here.

**Mr. Russell Ulyatt:** I note the discrepancy, yes.

**Ms. Judy Foote:** In terms of telling the committee that—

**Mr. Russell Ulyatt:** I do. I see that, yes.

**Ms. Judy Foote:** You got the report on the 18th. Yet on the 17th you had already said to someone, I will send you a copy of the report. It's a confidential report, and you knew on the 17th that it was a confidential report when you said this to Clarke Cross.

**Mr. Russell Ulyatt:** I can't speak to whether I knew the report was confidential on the 17th. I don't remember. I honestly do not remember, Ms. Foote. I'm sorry.

**Ms. Judy Foote:** Okay. During his testimony, Mr. Cross said that upon receiving the report he was surprised. Yet you gave him advance notice on the 17th that you would in fact be sending the report. Do you have an explanation as to why Mr. Cross would also lie to this committee?

**Mr. Russell Ulyatt:** I'm sorry. I can't speak for Mr. Cross.

**Ms. Judy Foote:** So we have both you and Mr. Cross now, both of you, suggesting that this was not intentional, and Mr. Cross saying he was surprised. You had given him prior notice.

Who else did you give advance notice to that you would be sending them this confidential report?

**Mr. Russell Ulyatt:** As I said, you have access to e-mails that I don't. I don't remember even sending this e-mail, let alone any others. I do not believe I sent any other e-mails advising that I would be committing such a gross miscarriage of confidentiality.

**Ms. Judy Foote:** How much time do I have, Mr. Chair?

**The Chair:** A minute.

**Ms. Judy Foote:** I want to go to your resumé. It says that R.U. Thinking Strategic Consulting provides regular strategic advice to a diverse range of clients on issues ranging from international affairs and trade issues.....

Who do you provide these services to?

**Mr. Russell Ulyatt:** Nobody.

**Ms. Judy Foote:** So you've never provided those services, even though on your resumé it says that that's in fact what R.U. Thinking Strategic Consulting does?

**Mr. Russell Ulyatt:** I have provided them in the past; however, I currently do not.

**Ms. Judy Foote:** Who did you provide them to? Who were your clients?

**Mr. Russell Ulyatt:** The company has been in operation for a while. I don't have a list of people who I've done work with here. I didn't come prepared to answer questions in regard to that today. I'm sorry. I can undertake to provide a list of clients to the committee after my appearance today.

**Ms. Judy Foote:** Thank you.

Your resumé also states that you assisted in the creation of multi-million dollar marketing campaigns and national-level marketing campaigns to increase active donors and increase donations per household. Who did you do this for?

**Mr. Russell Ulyatt:** I volunteered on a campaign for the Conservative Party of Canada, but I've also done work with other provincial organizations, etc.

**Ms. Judy Foote:** And who paid you for those services?

**Mr. Russell Ulyatt:** Most of the services were volunteered.

**The Chair:** Thank you, Ms. Foote.

Again, I'll counsel the members. We're here looking at the leaked document. I want us not to go too far afield here.

Next is Mr. Lukiwski.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you, Chair, and thank you, Mr. Ulyatt, for being here.

Quite frankly, I don't have a whole bunch of questions. I believe the chair is right. Our task as a committee is to try to determine exactly what happened and beyond that to try to find remedies to ensure that these types of things don't happen again. But outside of that fact, I won't be particularly digging for more information; I'm not sure there is any more new information.

I'd like to perhaps, if we can, go over some old ground and just get you to reiterate some of the things you had said in your previous testimony when you appeared before this committee, and in fact if you have any new information or anything you want to expand upon from your last testimony, this would be an opportunity for you to do it as well.

Let me just give you what I believe you said in your testimony, and please correct me if I'm wrong.

You stated that you and you alone were the one who submitted this confidential draft report to a number of lobbyists. Is that correct?

• (1115)

**Mr. Russell Ulyatt:** That is correct.

**Mr. Tom Lukiwski:** You freely admit, and you've freely admitted in the past, that you knew at the time, and of course you know now, that this was behaviour that was unbecoming, to say the least, and shouldn't have happened. And you knew at the time you were submitting this information that that was breaking...it was a very serious breach of confidentiality.

**Mr. Russell Ulyatt:** Yes. I think I also described in the past that I didn't fully comprehend the concept of parliamentary privilege as I do, as to its seriousness, now.

**Mr. Tom Lukiwski:** Thank you.

You also testified, I believe, that Ms. Block had no knowledge whatsoever that you were submitting this information.

**Mr. Russell Ulyatt:** Unequivocally, no—no knowledge whatsoever of my actions.

**Mr. Tom Lukiwski:** I believe you also testified previously that this was the first and only time you had done something like this, where you had breached confidentiality, submitted a draft report, or given confidential information to anyone outside of your employers.

**Mr. Russell Ulyatt:** That is correct.

**Mr. Tom Lukiwski:** It may sound like a bit of a strange question, but I think I want to ask you this. We have also been tasked, as I mentioned, with the responsibility of trying to find ways to prevent this from happening again.

We've had IT experts from the House of Commons talk to us about some of the safeguards we might be able to put into place. You've obviously had a great deal of time to think about your actions. Is there anything you might suggest or you have thought of that, from a safeguard security standpoint, could have prevented you or prohibited you from submitting this information?

**Mr. Russell Ulyatt:** I think it's a very good question, and it's something I have thought about. I believe I would like to leave the remedies up to the committee, because I don't believe I'm qualified to make any suggestions.

I might say one thing, and that is in an electronic world, where a simple click of the mouse can constitute such a gross error, I do believe that is something that needs to be considered.

**Mr. Tom Lukiwski:** Yes, and we talked with IT specialists who had indicated—and I think we had testimony from some of them and comments from some of our members here—that because of the electronic age we're working in, it's very difficult to have anything that's truly secure, and perhaps a way to approach this would be to go back to some of the olden days where there were hard copies, numbered and signed and those type of things.

Do you have any comments?

**Mr. Russell Ulyatt:** I think that's an astute observation on behalf of the IT people. Committees meet in camera quite regularly, and those minutes, I believe, are held by clerks and they have to be signed out if members wish to see them.

I believe that system works for other confidential pieces of information, and I leave it up to the committee to consider remedies. Again, I don't feel I'm qualified to necessarily say what should be done.

**Mr. Tom Lukiwski:** I appreciate that, and I'm not asking you to give expert testimony. Because you've been in the situation and you've had plenty of time to analyze what went wrong and to reflect upon your own actions, you may have had thoughts in that regard, so I do appreciate the observations you've made.

I'd also like to give you an opportunity, since this is your second appearance at this committee, to reflect on some of the comments you made originally. Is there anything during your testimony that you would like to expand upon or clarify?

Are you satisfied with the testimony that you delivered to this committee, or is there other information that you think is germane to our considerations? Or is there anything in your testimony that you gave originally that you would like to change, clarify, amend, or simply just expand?

**Mr. Russell Ulyatt:** Forgive me, because my first appearance in front of the committee was my first time as a witness, and obviously it's very difficult, and it's not a fun position to be in.

I was going through the testimony, and I believe one question that was asked of me was that Ms. Hamilton gave me a thumbs up or a thank you for sending her confidential material and was that correct. I believe I answered yes, "That's correct." However, in fairness, I don't think I could speak to Ms. Hamilton's state of mind when she wrote the statement back to me. I believe I perhaps answered that question too quickly, without understanding that I cannot speak for somebody else's state of mind when they're sending me something back.

•(1120)

**Mr. Tom Lukiwski:** Again, I'm not asking you to speak on Ms. Hamilton's behalf. That would be unfair, and frankly, you're not a mind reader. One of the questions many of us at this committee had for Ms. Hamilton was about her contention that she didn't read the e-mail when it was first submitted to her by you until much later. When she found out that it was confidential draft information, she basically destroyed it.

Had Ms. Hamilton ever given you any indication, either prior to your testimony at this committee the first time or subsequent to that testimony, that she might have actually read the document, as opposed to what her testimony was before us?

Have you had any conversations with Ms. Hamilton since your first testimony?

**Mr. Russell Ulyatt:** No, I have not.

**The Chair:** Thank you, Mr. Lukiwski. You were right on seven minutes.

We'll go to Madame DeBellefeuille.

[*Translation*]

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

Mr. Ulyatt, thank you for being here today for a second time. I know it must not be easy for you to be here, before us once again.

First I want to help you understand something about the questions I'm going to ask you. We think it's important to understand the reasons why the confidential document was leaked so that we can prepare a report containing good recommendations to avoid or prevent other leaks.

To my mind, we must determine whether this is an isolated incident or whether it is the act of an ambitious assistant who made a mistake and got caught. I believe the issue at today's meeting is to understand what happened, that is to understand your reasons. That takes us back to Ms. Block's testimony. In her testimony, she told us that she explained your position description to you in detail when you were hired.

In your CV, which we received last week, we see the scope of your duties. You had a lot of normal duties for a parliamentary assistant on Parliament Hill, since Ms. Block told us that you mainly worked in Ottawa. She also assigned you duties to maintain permanent positive relations with members of the community, representatives and donors; to supervise volunteers responsible for updating the constituency data base, which contains 105,000 entries. So in addition to your parliamentary work, she assigned you what seemed to me to be partisan duties.

Mr. Ulyatt, at your meeting with Ms. Block, did the position description she showed you match what appears in your curriculum vitae?

[*English*]

**Mr. Russell Ulyatt:** So the question, if I may ask, is whether my duties in her office match the duties that are in my CV.

[*Translation*]

**Mrs. Claude DeBellefeuille:** Yes.

Will the witness's thinking time be deducted from my time, Mr. Chairman?

Can you answer my question, Mr. Ulyatt?

[*English*]

**Mr. Russell Ulyatt:** Yes.

[*Translation*]

**Mrs. Claude DeBellefeuille:** So what appears in the curriculum vitae coincides with the position description that Ms. Block submitted to you.

[*English*]

**Mr. Russell Ulyatt:** Yes.

[*Translation*]

**Mrs. Claude DeBellefeuille:** Very well.

In addition to performing all those duties, which seem to represent a significant volume of work, you maintained relations with lobbyists.

Are you having translation problems?

[*English*]

**Mr. Russell Ulyatt:** No.

**The Chair:** We've lost translation. I will stop your time for a minute while we get that back.

Try again, Madame DeBellefeuille.

[*Translation*]

**Mrs. Claude DeBellefeuille:** So I was saying that, in addition to performing all the parliamentary duties, which seem to me quite extensive and can also be characterized as partisan, you maintained relations with lobbyists. It's not clear whether the relations with the lobbyists in question were of a professional or friendly nature. We know that you were very friendly with the lobbyists in question. You took the time to go to the Rideau Club, and you saw them outside your work setting.

We know you currently have two companies. How did you find the time to do everything Ms. Block asked of you, in addition to managing two private companies? How did you manage to do all that work? Could you explain that to me, Mr. Ulyatt?

•(1125)

[*English*]

**Mr. Russell Ulyatt:** I can say the companies aren't very successful, because I don't spend much time on them. I believe one of your other questions had to do with the type of relationship I have with these lobbyists, and I would accept that it was both professional and personal. Sometimes we would go out and discuss work things; sometimes we would go out and discuss family things; it was never only one or the other.

The partisan work that I did for Mrs. Block was done outside office hours. It was done from my home or from a coffee shop, from my laptop. I never engaged in partisan activities—

[Translation]

**Mrs. Claude DeBellefeuille:** Mr. Ulyatt, in your CV, you put that down as a duty that you performed when you were employed by Ms. Block. Pardon me for interrupting you, but you're contradicting what you told me earlier. The partisan duties were entered in your professional CV when you were employed by Ms. Block. However, you're telling me that you performed those two duties outside your paid work hours.

Are you telling me you're repudiating what you said 10 minutes later?

Read your CV, Mr. Ulyatt. You have two duties that, in my view, were more of a partisan nature. That was one of your professional duties when you were employed by Ms. Block. You were paid by the House of Commons to perform the duties of a parliamentary assistant and also to do partisan work. You also had time to run two mailing or posting businesses—call them what you will.

The question on the tip of my tongue is this: Mr. Ulyatt, has Ms. Block ever given you an appraisal of your professional performance, of your work?

[English]

**Mr. Russell Ulyatt:** The question is, did I have a performance review by Mrs. Block?

[Translation]

**Mrs. Claude DeBellefeuille:** Yes.

[English]

**Mr. Russell Ulyatt:** I had an informal one, yes. We had a discussion over whether she was happy with the amount of work I was doing for her and the tasks I was assigned.

[Translation]

**Mrs. Claude DeBellefeuille:** Did she seem satisfied?

If I had been your boss, given the work you did, you would not have had the time to run one or two businesses or to see lobbyists at the Rideau Club in the evening. I'm very surprised your performance was rated very high in your review.

[English]

**The Chair:** Merci.

Mr. Christopherson.

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you, Chair, and thank you, Mr. Ulyatt, for your attendance today.

When you sent the e-mail to Ms. Hamilton, did you have reason to believe that some of the matters touched on in the draft report would have an impact on any of her clients?

**Mr. Russell Ulyatt:** No, I did not read the report. I didn't know what was even in the report when I forwarded it to her.

**Mr. David Christopherson:** When did you get the report?

**Mr. Russell Ulyatt:** I believe the report was sent at 8:30 in the morning, or something of that nature, from the clerk's office. I don't remember exactly.

**Mr. David Christopherson:** You hadn't even read it; you just fired it off.

**Mr. Russell Ulyatt:** That's correct.

**Mr. David Christopherson:** I'm having troubling understanding how you thought this wasn't wrong. I know you're saying it was a moment of...

**Mr. Russell Ulyatt:** I knew it was wrong, and I believe I've stated that on the record. I knew it was wrong; I didn't understand just how wrong it was.

**Mr. David Christopherson:** When you would meet casually, personally, with your circle of friends, which included the lobbyists in question, you said sometimes you talked about work or family. Is it reasonable to expect that during the course of ordinary discussion you would have mentioned to your circle of friends that one of the things you were doing was attending these hearings with your boss?

• (1130)

**Mr. Russell Ulyatt:** You mean the hearings of the pre-budget consultations?

**Mr. David Christopherson:** Yes.

**Mr. Russell Ulyatt:** Yes, the pre-budget consultations were completely public. We would have discussed who had come and who had gone, yes.

**Mr. David Christopherson:** So your circle of friends would have known—I just want to be clear—that in the course of talking you'd have said you were on this committee and that would have gotten talked about a bit, along with some of the issues at hand. This was public information.

**Mr. Russell Ulyatt:** I don't recall exactly, but I'm sure it could have come up in conversations.

**Mr. David Christopherson:** The reason I'm asking you is that Ms. Hamilton, under oath, said that she didn't know you were working on the pre-budget report and that this all came out of the blue. Yet, there's testimony, and you've just reaffirmed, that among your casual group of acquaintances it would come up in discussion. There seems to be a bit of a discrepancy.

**Mr. Russell Ulyatt:** With the utmost respect, I don't believe there is a discrepancy. My casual group of friends is larger than just Ms. Hamilton. I'm referring to my friends at large. I cannot remember any instance when we discussed the pre-budget consultation directly between just Ms. Hamilton and I. I don't remember the context of the conversation I had with her when I went to lunch at the Rideau Club with her. I do not recall.

**Mr. David Christopherson:** You had phone calls with Ms. Hamilton on the Thursday, correct?

**Mr. Russell Ulyatt:** I believe that my e-mail to her was, "What number are you at right now?" And she replied with a phone number. I don't recall if I ever called her or what I called her about.

**Mr. David Christopherson:** Okay. You exchanged e-mails, too. But your testimony and that of Ms. Hamilton is that it was totally unrelated.

**Mr. Russell Ulyatt:** Sorry, which e-mail chain are you referring to now?

**Mr. David Christopherson:** I apologize. I have an opening statement from Ms. Hamilton, and she gave a chronology of her actions. She says:

At 12:37 p.m., I sent a quick reply without reading the e-mail's contents. Two hours later [Mr. Ulyatt] and I exchanged e-mails on a personal matter that had nothing to do with the report. At 3:20 p.m. in the afternoon, [Mr. Ulyatt] called me and we had a brief [conversation on the phone] on a matter completely unrelated to the report.

Is that your recollection too?

**Mr. Russell Ulyatt:** As I said, I don't remember calling her, but I trust Ms. Hamilton's recollection better than mine, because I simply don't have one at this point.

I can see from the e-mail chain that it would make sense that I called her at 3:20, considering that I asked for her phone number at 3:17, but I do not recall what the conversation was about.

**Mr. David Christopherson:** I'm with Mr. Lukiwski. This is only my second meeting on this particular file, Chair, so I don't pretend to be as on top of it as every member of this committee who's been here all the way through. But I remember that by the time we got into the second round with Ms. Hamilton, there was really nowhere to go. We did not accept, I don't think.... Well, I'll speak for myself. I did not accept everything I heard at face value. I had some real concerns. But I also realized that without being in a courtroom with the ability to cross-examine and have protection for the witnesses and all the things in our justice system, we weren't going to get any further.

In terms of the questions I have today, I don't think I'm going to get any further. Mr. Ulyatt has stated his position on all these things, and really, to go any further and drill down, I think, would put us in a situation where rather than it just being a hearing, it becomes a bit of an inquest. We do not have the judicial protections here to do that. So I have to tell you that I think we're going in circles again. Unless there's new information, I don't see what more is going to come. With that, I'm done.

**The Chair:** Thank you, Mr. Christopherson.

I'm beginning to think the same way as you, but we'll go one more round of five-minute questions and see what else there is. If we finish off, we finish off.

Mr. Proulx, you are up for five.

**Mr. Marcel Proulx:** Thank you, Mr. Chair.

Good morning, Mr. Ulyatt.

Mr. Ulyatt, I know this is a difficult time for you. I appreciate that. You've already apologized. I respect you for that. I've looked at your CV. You've done quite a bit of community work. You've been involved in the Ottawa community, and I commend you for that.

I want you to understand, sir, that we are not here, or I am not here, to hit you. I just want to get some clarifications. There are some questions that pop up, and I'd like you to help me with that. Okay?

**Mr. Russell Ulyatt:** I do believe that I removed the vice-president of the Young Liberals at the University of Ottawa from my resumé.

**Mr. Marcel Proulx:** That's too bad.

**Mr. Russell Ulyatt:** I know.

**Mr. Marcel Proulx:** I would have been even happier to welcome you here this morning.

I'm joking.

You answered Mr. Lukiwski by saying that you've never given any other information to anybody else. Have you ever received information from public servants, or any type of information that could be considered confidential or privileged? Have you ever received such?

**Mr. Russell Ulyatt:** That's a very good question. I'd have to rack my brain, but off the top of my head, no, I don't believe I've ever received any information.

• (1135)

**Mr. Marcel Proulx:** If you could think of instances when you've received that, I'd appreciate it if you gave it to us through the committee clerk. Okay?

**Mr. Russell Ulyatt:** Certainly.

**Mr. Marcel Proulx:** In response to Madame DeBellefeuille's questions, you started saying that whatever work you did for Mrs. Block, you did at home, out of office hours. What kind of work are you referring to?

**Mr. Russell Ulyatt:** I believe there is a certain amount of political work that can happen with any member of Parliament. Of course, election work is something that inherently gets done by a few people, whether they be volunteers or whatnot. So on occasion, from home, I would make phone calls to certain members of her electoral district association or to campaign volunteers. But I would do that on my own time.

**Mr. Marcel Proulx:** Would this be work done through your company? What is it? Artful thinking or....

**Mr. Russell Ulyatt:** No, it was as a volunteer.

**Mr. Marcel Proulx:** Okay.

In response to lobbyist Walter Robinson's request for your phone number, you gave him 613-290-3355 as your cell number.

Bear with me, okay? Why is it that during 2007 and 2008 a number of Government of Canada media advisories for your former employer, the Honourable Ms. Guergis, show that number as the contact number for one Jeffrey Kroeker. How did you obtain this number? What's the connection?

**Mr. Russell Ulyatt:** I believe there was a mistake or something of a problem getting somebody a cellphone at that time, so I believe I may have lent my cellphone to Mr. Kroeker, or it was something of that nature. I do remember that media advisory going out and there being some confusion, but that number has been in my family's possession since 1996.

**Mr. Marcel Proulx:** Oh, okay, so it was your number.

Talking about Mr. Kroeker—and this is not you, but I want to find out something—he was sanctioned by the Senate in 2007 for inappropriately leaking privileged information while working for Senator LeBreton. The Senate report found “that Mr. Kroeker's conduct in gathering and disseminating the information was inappropriate and unethical”.

Were you aware of Mr. Kroeker's history and background at the Senate? What was your relationship with him? Did he give you tricks? What's the connection?

**Mr. Russell Ulyatt:** I was loosely aware of the situation surrounding Mr. Kroeker. As you are probably aware, the House and the Senate staff don't commingle. There's not a lot of communication. Mr. Kroeker was a co-worker of mine during my brief employment with the Secretary of State. That's it.

**Mr. Marcel Proulx:** You had stated that.

Have you applied for an exemption to your five-year restriction on lobbying, sir?

**Mr. Russell Ulyatt:** I've inquired as to the possibility of an exemption; however, I am not allowed to apply for an exemption.

**Mr. Marcel Proulx:** Okay.

On November 8, 2010, you received an e-mail from Ms. Hamilton on your ruthinking.ca e-mail account, in which she asked you to set up a meeting with two of her clients from the Heart and Stroke Foundation of Canada.

Why did she send this to your R.U. Thinking account and not your parliamentary account?

**Mr. Russell Ulyatt:** I've asked myself the same question. I can only think of two possibilities. One is for some reason or other that's the only e-mail she had for me, or, two, if you're familiar with how a BlackBerry works, if you pull up a certain contact, you'll get two e-mail addresses for them, and perhaps she chose the wrong one. I cannot speak to Mrs. Hamilton's actions, I'm sorry.

**Mr. Marcel Proulx:** She would have had your parliamentary e-mail account, right?

**Mr. Russell Ulyatt:** One would assume, but I don't maintain her BlackBerry, so I don't know what she has.

**Mr. Marcel Proulx:** No, I appreciate that, but do you recall exchanging e-mails with her from your parliamentary account—

**Mr. Russell Ulyatt:** Yes.

**Mr. Marcel Proulx:** —prior to November 18?

**The Chair:** Monsieur Proulx.

**Mr. Russell Ulyatt:** It was a very long time ago, I'm sorry. I'm sure she did.

**Mr. Marcel Proulx:** Okay, thank you.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Mr. Lukiwski, you're up.

**Mr. Tom Lukiwski:** Thanks, Chair.

I have just a couple of quick questions here, just to satisfy myself on the veracity of some of your earlier statements.

You mentioned you had never previously, to your recollection, at least, submitted any confidential information of any sort from any government source to anyone. This was the first and only time. That's via electronic transmissions. I guess my question to you is this. During the time that the finance committee was deliberating on all of the submissions they had heard prior to developing their draft report, those committee meetings would, I'm assuming, be in camera. Is that correct?

**Mr. Russell Ulyatt:** You're asking me to recall something that was three months ago. You'd know better than I if they were in camera, but I believe they were, and I believe—

• (1140)

**Mr. Tom Lukiwski:** Let me rephrase it then. Whether or not they were in camera, were you, as a staffer to Ms. Block at that time, present when committee discussions were held to contemplate the draft report?

**Mr. Russell Ulyatt:** I typically accompanied Mrs. Block to the finance committee. However, if there was not a lot of work to be done for a staff person at the time, I would typically go back to the office.

**Mr. Tom Lukiwski:** That's all leading to a simple question.

Because of your close relationship with several of the lobbyists in question, you've stated for the record that you didn't transmit, submit, or forward any confidential information, but did you ever verbally breach confidence by letting them know in your casual conversations over drinks, lunch, or whatever some of the information that was discussed in these meetings?

**Mr. Russell Ulyatt:** To the best of knowledge, no; I wouldn't have done something like that.

**Mr. Tom Lukiwski:** I want to go back to something Ms. Foote raised earlier about an e-mail to one of the lobbyists the day prior to you forwarding the report. You stated in that e-mail, which you've had a chance to examine, "The report's coming out tomorrow." You stated you knew that looked like there might have been some premeditation, but you couldn't really explain it.

I'll ask you again to try to speculate at least why you might have told someone the day prior to a report being released that it was going to be released if you didn't intend to send them that report. I'm having some difficulty understanding how this could have been spontaneous, as opposed to being premeditated.

**Mr. Russell Ulyatt:** I believe I've tried to explain why my spontaneity also included 8:30 in the morning until 3 or 4 in the afternoon. It came down to a lack of respect for the document itself and a lack of understanding of my actions. It's quite evident that I sent an e-mail the day before saying, "I will send you a copy." I was not aware of that e-mail; however, it seems to me that my lack of respect for the document began the day before. It was simply not premeditation. It was not an intent to deceive the committee or forward the document itself. It was a lack of respect for the confidentiality of the document itself.

**Mr. Tom Lukiwski:** You mentioned that you haven't had any conversations with Ms. Hamilton since this incident first came to light. Have you had any conversations or contact with any of the other lobbyists since this issue surfaced?

**Mr. Russell Ulyatt:** I believe I contacted one of the other lobbyists to wish them a Merry Christmas, and that was the extent of my communications with them.

**Mr. Tom Lukiwski:** But there was nothing relative to the proceedings before us today.

**Mr. Russell Ulyatt:** I have not contacted any of the lobbyists to ask, infer, or persuade in regard to any of the proceedings that have happened since December 14, or whatever the date was.

**Mr. Tom Lukiwski:** I have nothing further, Mr. Chair.

**The Chair:** Thank you.

It sure looks like we're winding down.

Monsieur Laframboise.

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Thank you, Mr. Chairman.

Mr. Ulyatt, in your opening statement and in your response to Mr. Lukiwski earlier, you said it was spontaneous. I have a real problem with that because I have the email from Ms. Hamilton. You didn't do a file transfer; you wrote an e-mail to which you attached the report. Is that what happened?

[*English*]

**Mr. Russell Ulyatt:** I believe I forwarded the e-mail and added ten words. As I indicated to Mr. Lukiwski and in my original testimony in December, it was a lack of respect for the document. It wasn't any type of premeditation of sending it to somebody.

[*Translation*]

**Mr. Mario Laframboise:** If you had forwarded the e-mail that you had received from the clerk, I would have said it wasn't premeditated. You wrote the e-mail and you attached... You're telling us you didn't read it, but you at least read what you sent, since, in your e-mail, you say the following to Ms. Hamilton: "I thought you may want a peak at this in its infancy." You knew that because the introduction read: "Please find enclosed a copy of the draft report from the Standing Committee.... This draft report will be considered... November 22..." and "This draft report is CONFIDENTIAL..." in bold.

So that appears in the e-mail that you wrote. So you knew very well that it was confidential. You didn't forward the e-mail from the clerk; you forwarded an e-mail to Ms. Hamilton to which you appended the report.

When you say that you didn't read it, I believe you, but when you say it was spontaneous, I say to you that you knew very well that it was confidential. You knew it was a draft because you had read that. That's the situation, isn't it?

• (1145)

[*English*]

**Mr. Russell Ulyatt:** I believe you are somewhat correct. I forwarded the document. I didn't have to attach the attachment; it was already attached. When you click on "forward", it typically includes the attachments of another e-mail. I didn't draft much of an e-mail. I wrote 10 words. I did not read the report.

I understand you are saying that it's not a spontaneous action to write 10 words. I have already admitted that I knew what I was doing was wrong. I did not understand the gravitas of what I was doing. I did not understand the affront to the institution of Parliament that I was committing. But I do understand that now. Hindsight is 20/20.

[*Translation*]

**Mr. Mario Laframboise:** Mr. Ulyatt, in my opinion, it wasn't spontaneous; you knew what you were doing. Furthermore, I may take the liberty of telling you that, in my view, that was not the first

time and that your boss was aware because you know very well what you did. You wrote your e-mail, and you appended the drafted report. Once again, that reveals an open way of proceeding.

You can tell me today that it was spontaneous; I am telling you that it was not. By answering my question, you're showing that I'm right.

Was that common procedure in that office?

[*English*]

**Mr. Russell Ulyatt:** Mr. Chair, once again I'll say that Mrs. Block had no knowledge of what I was doing. I was acting completely on my own. I don't believe that my actions are typical activity for any political staffer of any political party. I would never—

[*Translation*]

**Mr. Mario Laframboise:** Mr. Ulyatt, I didn't ask you whether Ms. Block knew. I asked you whether that was common procedure at Ms. Block's office. Was that a way of proceeding that was recognized by your boss? I'm not telling you she was aware of this matter; I'm telling you that the way in which you proceeded suggests that you wrote your e-mail, attached a document to it and that that was the way you proceeded at the office, and Ms. Block knew very well that that was how you proceeded. Was that the way of proceeding at the office? That's the question I'm asking you.

[*English*]

**Mr. Russell Ulyatt:** No, this is not the typical methodology of Mrs. Block's office, and she had no knowledge of my actions.

**The Chair:** Thank you very much.

Thank you, Monsieur Laframboise.

Mr. Christopherson, did you...?

**Mr. David Christopherson:** I'm good. Thanks, Chair.

**The Chair:** Thank you.

We're just about finished the hour. Is there any one-off, a one question kind of thing?

Ms. Ratansi.

**Ms. Yasmin Ratansi (Don Valley East, Lib.):** Thank you, Mr. Chair.

**The Chair:** Keep it to the topic of the report.

**Ms. Yasmin Ratansi:** Yes, yes. That's all I'm talking about.

Thank you, Mr. Ulyatt, for being here. You know, everybody feels that this has been an exercise that could have been avoided had you been more cautious about what you were doing.

Did you ever attend any of the pre-budget consultation meetings with Ms. Block? If so, or if yes or no, why did you think this document was so important that you sent it out to the lobbyists? What made you think there was something in it that created so much confusion for everyone? We could have avoided the whole thing.

So explain to me, because you have selective memories when it comes to certain things.... Mr. Cross asks you, "When is the final report being released?", and it's right there, so you had sent him a draft report on the 17th. It's really confusing. We'd like to believe you, but it's getting difficult.

**Mr. Russell Ulyatt:** I completely respect how it might seem confusing. I'm confused myself. I have been searching for a reason as to why I did what I did. I, too, agree that had I had more respect for the document itself, this entire situation could have been avoided.

I believe part of your question was, "Did you attend some of the meetings of the pre-budget consultations with Mrs. Block?" They are quite numerous. They are quite long. I attended some of the meetings. I did not attend all of the meetings of the pre-budget consultations. Of course, those were public meetings.

As I tried to explain to Mr. Lukiwski—and I'm not sure if I can find the right words to appropriately describe my actions or my feelings—my actions were not based on a premeditated...trying to gain anything personally. My actions effectively were based on a lack of respect of confidentiality.

• (1150)

**Ms. Yasmin Ratansi:** But what was it about the report? I still can't get it. Why did you send it to the lobbyist? Was it important?

**The Chair:** Thank you, Ms. Ratansi.

**Mr. Russell Ulyatt:** I don't know.

**The Chair:** That's about six times for that question.

Since we're running out of time, Mr. Lukiwski, and you think you have one more, let's do it.

**Mr. Tom Lukiwski:** Well, just in view of what Ms. Ratansi was saying, I believe....

This is for clarification, I think, as much as anything, but I'd like some verification from you, Mr. Ulyatt. Did you not testify when you first appeared before us that the reason you sent these reports out to lobbyists was to try to curry favour with them? You were looking for perhaps a job with a lobbying firm. Is that not correct?

**Mr. Russell Ulyatt:** No. I believe my original answer to that question was that I was trying to make myself look important. The inference, because I also happened to be looking for employment—

**Mr. Tom Lukiwski:** All right.

**Mr. Russell Ulyatt:** —in numerous places as well as with the individuals I sent it to, was that I was doing it to curry favour. I actually do not.... If that were the case, why did I not send it to everybody I was looking for a job with in government relations? No, these people were on the top of my mind when I was committing an act that is unacceptable, and I was simply trying to make myself look more important.

**Mr. Tom Lukiwski:** The reason you sent it to just these select lobbyists is that you had personal relationships with them? You still testify you did not send it to anyone else?

**Mr. Russell Ulyatt:** That is correct. The list of lobbyists that have been questioned by this committee are the only people I sent the document to. I believe my last testimony said.... The question was asked why these five, and I can only come up with the answer I came up with last time, which was simply because they were on the top of my mind at the time.

**The Chair:** Thank you.

Madame DeBellefeuille, you have a quick, one-minute one-off?

[*Translation*]

**Mrs. Claude DeBellefeuille:** Mr. Ulyatt, I'm trying to understand your motives. In your first testimony, you said you had sent the draft report to your friends without expecting a response. In fact, your friends proved to be lobbyists who were in a good position to forward your CV, particularly Ms. Hamilton, with whom—as we can read—you shared a very deep friendship and had a very privileged relationship.

Did you inform Ms. Block that you had privileged ties with lobbyist friends?

Did you have cerebral paralysis or what?

[*English*]

**Mr. Russell Ulyatt:** No. I believe if there was ever a request made for Mrs. Block to see somebody and it was from somebody that I knew, I disclosed the fact that I knew this person and that it made no difference to me whether or not Mrs. Block would take a meeting with them or not. My friendship had a boundary on professionalism.

[*Translation*]

**Mrs. Claude DeBellefeuille:** In your view, as a parliamentary assistant, it wasn't important to tell your boss that you had privileged contact with lobbyists or to offer to have her meet them, if she wished? You concealed the fact from Ms. Block? She wasn't at all aware of your privileged relations with the firms to which you sent the draft report?

[*English*]

**Mr. Russell Ulyatt:** No. I'm sorry, I'm not sure if my last answer was misunderstood. That's exactly what I said. I disclosed to Mrs. Block if there was a request from one of my friends to her. If they were looking for a meeting or looking for her to review materials, I would disclose to her that, yes, this person is a friend of mine, and it matters not one bit to me if you take the meeting or if you read the document. They are a friend and that's all. The friendship stops at the door.

**The Chair:** Thank you.

I think we've gone through three rounds now, and I think we should just call it a day on Mr. Ulyatt's testimony.

I thank you for coming today, and thank you for sharing with us. I thank the members of the committee for being on topic today and staying with the gathering of information.

Mr. Ulyatt, you are excused.

I will suspend for a couple of minutes while we bring in our next guests.

[*Proceedings continue in camera*]





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