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# Standing Committee on Access to Information, Privacy and Ethics

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Chair: Mr. John Brassard





## Standing Committee on Access to Information, Privacy and Ethics

Wednesday, November 22, 2023

• (1630)

[English]

**The Chair (Mr. John Brassard (Barrie—Innisfil, CPC)):** I call the meeting to order.

Good afternoon, everyone. Welcome to meeting number 93 of the Standing Committee on Access to Information, Privacy and Ethics.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application. I'll give just a reminder about the microphones.

There are just a couple of things.

The first is for Madam Clerk. We're going to get you to update us on where we are in the work plan for the TikTok study. We've had some witnesses who have actually not agreed to appear, which is a problem.

The second is that we've had an indication, based on the SNC-Lavalin motion that was passed, that the RCMP commissioner is making himself available, along with the staff sergeant, for December 11. We want to make sure that we're clear on that. Based on the work plan we have that was approved by the committee, we should finish this study by December 6. Given the fact that some of the witnesses are deciding to not appear, it should open things up for December 11.

Madam Clerk, if you want to give us an update on where we are with the committee....

I apologize to committee members. I know we previously cancelled a meeting. I needed this update just to bring you all in the loop and to talk about December 11 as well.

Madam Clerk, if you want to give us an update on where we are with witnesses, go ahead.

**The Clerk of the Committee (Ms. Nancy Vohl):** Certainly.

[Translation]

According to the plan distributed on November 7, witnesses were supposed to be invited to today's meeting. They were indeed invited. The Citizen Lab representative is in Taiwan and the time does not work for him unless the committee meets at a different time. The others wanted to appear, but wanted more notice to give them time to prepare. They asked for more time.

For November 27, I can confirm that Ms. Luelo will be here, as will someone from the RCMP.

The Canada Elections commissioner suggested that she not be invited, saying that the subject of the study is not really related to their work.

I was unable to reach the data protection commissioner for Ireland, despite sending emails to her. So I cannot confirm her presence.

For November 29, Google refused to send us any witnesses. In addition, I was unable to contact someone from Reddit. For the second hour, however, we did receive a confirmation from Leadership Lab, who will be sending two people. Further, Matt Malone confirmed his attendance, along with another person.

As to the witnesses who were invited to today's meeting and who asked for more time to prepare, I can invite them for December 4, if the committee so wishes.

• (1635)

[English]

**The Chair:** Okay. That's an update from the clerk.

Madam Clerk, again, provide an update on the RCMP commissioner and his correspondence, or the RCMP's correspondence, to the committee as far as his availability on the 11th is concerned.

**The Clerk:** Yes.

This is for the other study. It's the RCMP study, regarding SNC-Lavalin. I was informed that the RCMP commissioner would not be available after December 11. He is available to appear and confirmed, unless the committee wants to modify the plan. He is confirmed to appear with the staff sergeant on December 11. If the committee changes the plan and does not have a meeting on December 11, he won't be able to meet with us until 2024.

**The Chair:** Okay. Thank you, Madam Clerk.

That was an update on the work plan. I have Michael and then Ms. Fortier next.

On the update on the work plan, is there any discussion on the work plan itself?

Can we agree to having the RCMP commissioner come in on December 11? It's really the big one right now.

I don't see any objection.

Michael, do you have any comments?

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Yes. Thanks, Mr. Chair.

With respect to the Sustainable Development Technology Canada study, we've had pretty serious developments over the last number of weeks. This, of course, is a question of a whistle-blower who has brought forward very serious allegations about the misappropriation of taxpayer money and about conflicts of interest at Sustainable Development Technology Canada.

We've heard some witness testimony. Following that witness testimony, we had the CEO of the organization resign and the chair of the organization resign. We've had an Auditor General investigation launched and an Ethics Commissioner investigation launched, and a member of the board, a further individual, has resigned.

It's incredibly important that we're able to shed light on this very serious matter, so I have a motion that I would like to move. I have it printed, but I believe the clerk should have just received it electronically. I dropped it in the mailbox for the interpretation folks. The motion is as follows:

That the committee invite the whistleblower—the individual who contacted the committee to identify wrongdoings at Sustainable Development Technology Canada—to provide their testimony, and that the committee make every accommodation necessary to facilitate the witness testimony in public before Friday, Dec. 1, 2023.

Mr. Chair, this is a very straightforward motion about an issue that is incredibly serious. The report from Raymond Chabot Grant Thornton that was commissioned after the whistle-blower brought these concerns forward to the Prime Minister's department, the PCO, identifies numerous issues that, although they didn't give rise to the minister or the government taking action and removing anyone from the board.... Even though we heard the CFO for the industry minister say that they didn't have confidence in the board and that people needed to be fired, nobody was fired. They were satisfied with this fact-finding exercise and said that they wanted the board to implement the recommendations.

This is unbelievable because it precipitated an investigation by the Auditor General. It rose to the level that the Auditor General would investigate but didn't seem to give enough concern to the minister that he would take action. A small sample of contracts were examined, and \$40 million in misappropriated funds was identified, a sample of less than two dozen of hundreds—literally hundreds—of grants that had been given out.

With respect to conflicts of interest, we know, of course, that the Ethics Commissioner is now investigating, because we heard from the chair—the now former chair of the board—that she moved a motion at this board to give her own company more than \$200,000 and then drew \$120,000 from that company, but she said that there was no conflict of interest. It is unacceptable that we have a situation where we have a billion-dollar slush fund being raided by insiders and the well-connected, while we have people lined up in record numbers at food banks.

The information that we have so far is not because of the robust practices of this organization or the stewardship of the minister and his department. It's because whistle-blowers came forward.

• (1640)

They furnished the PCO, the Prime Minister's department, with a 300-page slide deck detailing all the problems—from human resources to funding being paid out that was not eligible based on the contribution agreement. Then we hear the minister didn't even look at the deck. It's incredible.

I want to lay out, from the RCGT report, some of the issues they found. I'll read from it directly. It says, "From March 20 to September 1, 2023, RCGT conducted a fact-finding exercise".

That's the first place where I want to pause. This is what the minister described as a "forensic audit", but it's not a forensic audit. RCGT's section 1.1 calls it a "fact-finding exercise". There's a big difference between a fact-finding exercise and a forensic audit. That is, of course, why the Auditor General is going to look into this. It says, "there were sufficient facts to support a subsequent due process investigation of the allegations, as permitted under ISED authority granted by the contribution agreement between ISED and the Corporation."

Some of the "Key Observations" in the report were, under "Conflict of Interest", the board's "policy does not require board members and employees to declare conflicts with consultants, expert reviewers and other companies providing services." This is basic stuff.

We heard from the board chair that she was selected because of her extensive experience leading organizations. Well, I have never been the CEO or COO of Home Depot, like the now former chair had in her experience, but it would be surprising to me to find out that the head of a corporation like that wouldn't have to declare conflicts of interest. This is basic stuff. The reassurance we got, of course, was her lawyer saying she didn't break any rules. At a very minimum, it's the appearance of a conflict of interest. People entrusted with taxpayers' money should be working to avoid that. When we have an actual conflict of interest and a motion being moved by an individual who will then financially benefit from the decision, and who sits at the table while all of her fellow board members vote on it...that's unbelievable.

One of the findings of this report is.... It's incredible. Of the items that aren't redacted, we can see that, when the board took these decisions, it didn't have debates that resulted in any kind of dissent, split vote or examples where there was a question—where some people agreed and some people wanted to abstain from this. Its decisions were unanimous every single time. When the board chair brought forward a motion that would give her company hundreds of thousands of taxpayer dollars, she knew it would get unanimous approval. She sat at the table, looked her colleagues in the eye, raised her hand and voted to give a couple of hundred thousand bucks to her company, and then directly drew out \$120,000 from that company. If that's not a conflict of interest and corruption, nothing is.

• (1645)

**The Chair:** Mr. Barrett, I have to stop you there. You're going to continue to have the floor.

The clerk and I have some questions with respect to the motion presented. We need some clarification on it. First of all, it was the decision of the committee....

Hang on for a second. I have to clarify something with the clerk.

I apologize, but, based on some of the issues that have been brought to my attention by the clerk, I'm going to have to suspend for a couple of minutes.

When we come back, you'll continue to have the floor, but there are some questions that need to be asked specifically about the motion itself.

I'm going to suspend for a couple of minutes, Mr. Barrett.

• (1645)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1645)

**The Chair:** We're back.

Mr. Barrett will continue to have the floor, but with respect to the motion itself, at some point....

First of all, I want to remind the committee that there had been some discussions in camera—

**Hon. Mona Fortier (Ottawa—Vanier, Lib.):** There were decisions too. Is that right, Chair?

**The Chair:** Yes. There were decisions in camera as well that we have to be mindful about not bringing up in public.

Secondly, I think the reference to “make every accommodation necessary” needs to be a little more specific, Mr. Barrett, so that we can give direction. If it's the will of the committee to approve the motion with its “make every accommodation necessary”, we have to define what those conditions are.

I want you to consider that as you deliberate on the motion itself. We'll need something very specific on that to guide the clerk on how to deal specifically with the whistle-blower appearing or not appearing before the committee. Is that clear?

• (1650)

**Hon. Mona Fortier:** I have a point of order, Chair.

**The Chair:** Just hang on, please, on the point of order.

I just want to make that very clear. There has to be some parameters. For example, are we going to summons him or her? We don't even know. What conditions will be imposed on that? I need some definition of that as well.

You still have the floor.

Ms. Fortier, go ahead on your point of order.

**Hon. Mona Fortier:** I challenge this conversation right now about a motion that is not duly presented. We also had, in camera, a direction that was very clear on another motion. I don't understand why we're having a debate on this current motion that is not....

I challenge this motion, Chair.

**The Chair:** I appreciate your challenge on that.

Without getting into the specifics of the other motion that was presented, there was no clear definition on a date in that motion. There was no timeline on that motion. I clarified—

**Hon. Mona Fortier:** On a point of order, again, I challenge that. There was a timeline shared during that motion.

**The Chair:** Let me go back to the motion. Please give me a second.

Thank you, Ms. Fortier. I am ruling the motion admissible. The difficulty I have, as you can appreciate, is that the language of the previous motion did not specify a timeline. In the absence of any timeline in that motion, this motion—which gives a specific date—is, in my opinion, admissible.

I've asked Mr. Barrett to clarify certain aspects of this motion. Again, we get into this difficulty when motions or amendments are presented on the fly, of what the interpretation is. Of course, it is subjective. Again, based on what was dealt with and not saying specifically what was in that motion.... There was no specific timeline associated with it. That is why I'm ruling this admissible.

Ms. Fortier, you're still on your point of order.

Mr. Barrett, you still have the floor.

Go ahead, Ms. Fortier.

**Hon. Mona Fortier:** Mr. Chair, respectfully, I am challenging your ruling that this motion is in order.

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** I have a point of order.

**The Chair:** It's a non-debatable...but go ahead, Mr. Kurek. I'm going to allow you on your point of order.

• (1655)

**Mr. Damien Kurek:** Thank you, Mr. Chair.

This appears to be a shameful effort by the Liberals to shut down a whistle-blower—

**The Chair:** That's debate.

**Mr. Damien Kurek:** —from coming to this committee. Mr. Chair, this is an unacceptable—

**The Chair:** That's debate, Mr. Kurek. I appreciate that.

I have been challenged by Ms. Fortier on my ruling to allow Mr. Barrett's motion. That's a non-debatable thing. We have to call the vote.

(Ruling of the chair overturned: nays 6; yeas 4)

**The Chair:** Mr. Kurek, do you have something you want to say?

**Mr. Damien Kurek:** Chair, it is unbelievable that once again the Liberals have shamelessly attempted to silence, in this case, a whistle-blower, Chair, who has—

**The Chair:** Are you on a point of order? You're on debate right now.

Mr. Barrett still has the floor.

I'm sorry about that, Mr. Kurek. I thought you were on a point of order.

Mr. Barrett, go ahead, and then we have Ms. Fortier.

**Mr. Michael Barrett:** Chair, when we have an issue where tens of millions of taxpayer dollars have been identified out of a handful of projects from a billion-dollar fund as being misappropriated, and when we've had witness testimony at this very committee from the chair, the Prime Minister's hand-picked chair of this slush fund, who admitted to the committee that she gave herself hundreds of thousands of dollars, this is embezzlement. This is corruption.

The reason there's an Auditor General investigation.... I wrote the Auditor General a letter. Following my letter, the Auditor General announced that, after reviewing the facts from the RCGT investigation or fact-finding exercise, there's going to be an Auditor General's investigation.

After we had the chair of the board come to this committee, I wrote to the Ethics Commissioner. The Ethics Commissioner has said that there is going to be an investigation.

Violations of ethics laws are absolutely unacceptable. We have gross mismanagement, conflicts of interest and embezzlement of taxpayer dollars. A motion to have a whistle-blower come before a parliamentary committee.... Whistle-blowers are the only reason that Canadians know this happened, and to have members silence a whistle-blower by refusing to allow them to come before the committee speaks to a government that is more interested in covering up their own corruption than being accountable to the Canadians who sent them here.

**The Chair:** Thank you.

**Mr. Michael Barrett:** I'm not done, Chair.

**The Chair:** No, Mr. Barrett, the problem is that the admissibility of the motion was deemed not to be sustained, so the motion is not on the floor anymore. The challenge we have right now is that it's not open or subject to debate. That's the problem we have.

There is no debate that's to occur, so I can't allow you to speak any further, Mr. Barrett.

**Mr. Michael Barrett:** Chair, you recognized me, and I don't believe that the Standing Orders indicate that there's a limit on the time I have before I have to put a motion before the committee, so I'd like to continue.

**The Chair:** Hold on, Mr. Barrett, please.

Mr. Barrett, the unfortunate reality for you, sir, is that there is no motion on the floor that we are debating at this point, so there's nothing to say.

• (1700)

**Mr. Michael Barrett:** Is there a limit on the preamble that I can give before I move a motion?

**The Chair:** Are you planning on moving a motion?

**Mr. Michael Barrett:** Yes, sir.

**The Chair:** Do you have it in both official languages?

**Mr. Michael Barrett:** That's not required for a matter at hand when we're in committee business.

**The Chair:** If you can move your motion, then we can debate it. You'll continue to have the floor once your motion is moved, and then we can carry on.

**Mr. Michael Barrett:** While I appreciate your preference, I don't believe that's necessary, so I'd like to continue speaking to the matter.

**The Chair:** In advance of that, Mr. Barrett, we are going to have to suspend again, because the clerk has advised me that she's not seen this procedurally. I'm going to require that the clerk provide me with guidance on this.

We're going to suspend for a couple of minutes.

**Mr. Michael Barrett:** I have a point of order.

**The Chair:** Go ahead on your point of order.

**Mr. Michael Barrett:** Chair, on a point of order, there is no precedent that I'm aware of—and I am very eager to hear it—where members at this committee have been limited in their preamble before moving a motion. That has not been your practice. It has not been the practice of previous chairs at this committee. It hasn't happened when I've sat on other standing committees in the House.

This isn't the first time, so, while I appreciate that there may be an eager desire for me to not move the motion—

**The Chair:** I'm going to suspend for a couple of minutes, because I do need guidance on this.

• (1700)

(Pause)

• (1710)

**The Chair:** We're going to get started again, everyone.

When we concluded, Mr. Barrett had the floor.

Mr. Barrett, I am aware of your intent to move a motion, so I'm going to give you some latitude. You had the floor. You are going to continue to have the floor, but at some point I expect that your motion will be moved.

Go ahead, sir.

**Mr. Michael Barrett:** Chair, on November 16, I received correspondence from the Conflict of Interest and Ethics Commissioner—

**Hon. Mona Fortier:** I have a point of order.

**The Chair:** Go ahead on the point of order.

**Hon. Mona Fortier:** I'm really trying to understand where we are right now, Chair, because I challenged the motion that was brought forward.

**The Chair:** Right, so—

**Hon. Mona Fortier:** I have a couple of lines in the green book, and I would just like you maybe to ask the clerk how this is working, because I don't understand. I would like you to either repeat it or make me understand. I'm very confused, with the challenge I did, that now we're doing this.

Thank you.

**The Chair:** The challenge was upheld, if you recall, Ms. Fortier. Mr. Barrett has indicated to the committee that he intends to move another motion, which is fine. He can have a preamble to that motion not unlike the preamble you had when you moved the motion to adjourn the meeting when the RCMP was here.

As chair, I'm giving Mr. Barrett some latitude on the preamble, and I expect that he is going to move that motion.

I asked the clerk to clarify this, and she did. I'm quite comfortable with the position that we're in right now based on the information I received from the clerk.

**Mr. Michael Barrett:** On that same point of order, Chair...?

• (1715)

**The Chair:** You have the floor, Mr. Barrett, on the same point of order.

**Mr. Michael Barrett:** Standing Order 116 clearly speaks to this issue. It says:

In a standing, special or legislative committee, the Standing Orders shall apply so far as may be applicable, except the standing orders as to the election of a Speaker, seconding of motions, limiting the number of times of speaking and the length of speeches.

End of debate.

(2)(a) Unless a time limit has been adopted by the committee or by the House, the Chair of a standing, special or legislative committee may not bring a debate to an end while there are members present who still wish to participate. A decision of the Chair in this regard may not be subject to an appeal to the committee.

(b) A violation of paragraph (a) of this section may be brought to the attention of the Speaker by any member and the Speaker shall have the power to rule on the matter. If, in the opinion of the Speaker, such violation has occurred, the Speaker may order that all subsequent proceedings in relation to the said violation be nullified.

Not only does it not speak to a limit of time for the member to speak, it specifically says that, once I move the motion, until I'm done and then until everyone who has indicated that they subse-

quently want to speak are done, the matter is the one that the committee is seized with.

**The Chair:** Thank you for that, Mr. Barrett.

As I indicated in speaking with the clerk, I am prepared to give some latitude in the event that you are going to move a motion. You have indicated to the committee that you are going to move a motion.

I'm going to give Mr. Barrett the latitude to speak in advance of moving that motion. That time may or may not be limited, Mr. Barrett, so I want you to consider your time wisely.

Go ahead, please.

**Hon. Mona Fortier:** I have a point of order again, sir.

**The Chair:** Go ahead, Ms. Fortier, on your point of order.

**Hon. Mona Fortier:** Thank you.

With your explanation, may I ask maybe to better understand? I read at page 607 in chapter 13 of *Procedure and Practice*, third edition, that:

If a Member moves a motion during his or her speech (e.g., an amendment or a motion to adjourn debate), the act of moving the motion will normally terminate the Member's speech.

Therefore, I'm trying to understand how we continue discussing this if I have read this part at page 607. I'm trying to understand.

**The Chair:** Give me a second.

I think I clarified it at the onset when we came out of the suspension. The previous motion that was presented was deemed inadmissible by a majority of the committee, which is fine. That's the committee's prerogative to do. The debate on that particular motion ended.

The issue now before us—and this is where the chair does have some latitude—is that Mr. Barrett is intent on moving another motion, so in advance of moving that motion, he has the right to speak on that motion. As the chair, I'm giving him some latitude, which is my right to do, and I'm going to ask Mr. Barrett to continue.

Go ahead, Mr. Barrett, please.

**Mr. Michael Barrett:** On November 16, 2023, I received a letter from the interim Conflict of Interest and Ethics Commissioner. The commissioner was responding to a letter that I had written.

In the letter, I laid out how Ms. Verschuren, who is the chair and chief executive officer of NRStor and a beneficial owner of the company, moved a motion at a meeting of the board of directors for Sustainable Development Technology Canada to provide COVID-related emergency relief payments to a number of companies, including her company. Further to the motion being adopted by the board, the company received \$106,000 in 2020 and \$111,000 in 2021.

Her participation in making these decisions, which provided an opportunity to further her own interests, is contrary to subsection 6(1) of the Conflict of Interest Act. She used her position as chair of the board to influence her fellow directors in reaching a decision with respect to the motion that she moved herself, which furthered her private interests, contrary to section 9 of the act. She failed to recuse herself from a matter in respect of which she had an opportunity to further her private interests, contrary to section 21 of the act.

This is what the Ethics Commissioner was looking at. He said, “I have considered your request and am of the view that it satisfies the requirements set out in subsection 44(2) of the Act. I am therefore commencing an [investigation] under subsection 44(3) of the Act into the matter you raise and I have informed Ms. Verschuren accordingly.”

This has come out of having a whistle-blower bring forward the information that this committee has and that Canadians have. The Auditor General launching an investigation comes from the information that Canadians have.

Now, did we get fast action, and were executives, the CEO, the board chair and the board fired for their role in these things that were known to the government? No, because the whistle-blower.... It didn't even rise to the minister's attention, apparently, for several months.

We heard from the CFO for the industry minister, in recordings of him that were played in the media, that the minister was to be briefed within the first few months after this, before the final RCGT report was issued. However, the minister says that's not what happened, so this didn't even land on the minister's desk until the end of September.

What we know is not because of due diligence from the government. What we know is from a whistle-blower kicking “at the darkness 'til it bleeds daylight”. That's why we know what we know. The 300-page slide deck that the minister hasn't read gave rise to the concerns that now have the Auditor General investigating this.

It was a struggle to get this off the ground at the committee, but we can't have a situation where there's a whistle-blower who is speaking to the media and speaking to parliamentarians and the committee is not going to entertain a motion, like we just had, to have them come before the committee. The invitation should be furnished. That's the minimum standard that this committee should be willing to abide by—for us to pass a motion to have a whistle-blower come before the committee. I won't speak to the accommodations that I described in it, because the motion was defeated, or your decision to find the motion admissible was defeated. That's why I'm going to move another motion.

• (1720)

We find ourselves in a situation where we have a standing committee that has interested whistle-blowers begging for the opportunity to have accountability in an organization that, the committee would learn, is very important to them. The sustainable tech sector is the life's work of these people who work at SDTC. They want the confidence of Canadians restored in it. Their expressions, to me, have been that, if this doesn't get sorted out, it will undermine in-

vestment in their life's work in the sustainable technologies sector. I think it's fair that they're concerned about that, because we've seen rampant corruption at this organization.

The Auditor General came before a different committee—public accounts—and the representative from that office said that this is a new phenomenon at SDTC. The Auditor General had previously audited this organization through to 2017, so we're not talking about ancient history. We're talking about the recent development of conflicts of interest, the lack of fund-stream compliance, recipients who are not compliant, a flawed and corrupted project approval process with ineligible payments being made, and of course rampant issues with their human resources practices.

With respect to the importance of my motion, this is the Standing Committee on Access to Information, Privacy and Ethics. In the RCGT report, one of their key observations is that “A backdated declaration of conflict of interest between the CEO and the expert reviewer was made under the direction of the Corporation's external legal counsel.”

They hired outside counsel, and outside counsel's recommendation to the CEO was, because she didn't follow their conflict of interest practices, to backdate them and then she'd be compliant. That's what we're dealing with here. There's no other organization where that would be acceptable, and it can't be acceptable at an organization that is supposed to be stewarding a billion Canadian dollars.

• (1725)

**Hon. Mona Fortier:** On a point of order, Mr. Chair, I find the member's comments to be really all over the place right now. He's debating—

**Mr. Michael Barrett:** This isn't a point of order.

**Hon. Mona Fortier:** I would like to know when the motion will be moved.

**Mr. Michael Barrett:** That's not a point of order.

**The Chair:** That is debate, Ms. Fortier, and I appreciate your comments.

I'm going to ask Mr. Barrett to come to the point where the motion is presented, but I am going to give him a little bit of latitude.

Go ahead, please.

**Mr. Michael Barrett:** I appreciate it's uncomfortable for government members to hear what's happening and that their government failed to take action. I understand that it's extremely uncomfortable when there's going to be a whistle-blower who wants to come to the table and talk about how PCO was given this information nearly a year ago and didn't take strong action, didn't protect employees at the organization and didn't appeal for protection for the whistle-blowers. I understand that's uncomfortable.

Getting to the bottom of this is more important than the comfort of members. The lack of understanding was demonstrated by the minister when he came before the committee. He hadn't read the 300-page deck. He claims he wasn't aware of this until the end of September, even though we have his ADM on tape saying that he was made aware of it in the spring and that he was going to be briefed on it in the spring. Then he comes before the committee and says that they took it so seriously that they ordered a forensic audit. No, they didn't. In the forward of the report, the fact-finding exercise that they did order is called just that. It's not a forensic audit. That's why the Auditor General is going to look into it.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** I have a point of order, Chair.

I know I have arrived rather late to this monologue, but there's nothing uncomfortable about what happened. I thought Mr. Barrett was moving a motion. It sounds like he's preparing a Facebook clip here, rather than actually preparing to move a motion.

**The Chair:** I've already ruled on this, Ms. Damoff. He has already indicated that he is going to be moving a motion.

The chair could give him some latitude. I'm giving him that latitude. We've already discussed this.

Thank you.

**Ms. Pam Damoff:** Does what he says though, Chair, have to do with his motion? We don't even know what the motion is. I don't know how you can do the preamble like this.

**The Chair:** This is why I've asked Mr. Barrett to expedite the process of introducing his motion, because I have given a fair bit of latitude at this point.

Go ahead, Mr. Barrett.

**Mr. Michael Barrett:** I'd say a fair bit of latitude has also been given with the "non points of order" points of order that are being offered. It's good to see that such latitude is being evenly applied around the committee, Chair.

The report we got from RCGT is, of course, filled with redactions. A standing committee of the House is looking for information on this massive scandal that may represent up to \$150 million in misappropriated funds, and I'm looking at page after page of redactions.

We don't know what we don't know. This is why you would expect that it would behoove members to have the whistle-blower come before committee and that they would want the full information.

Ms. Damoff said there was nothing uncomfortable about it. Well then, I would expect that there would be a sense of urgency for this person, who has put themselves at great professional risk to speak to the media and to speak to parliamentarians. We have an opportunity to potentially have them speak to us if the committee makes a favourable decision on a motion to call the whistle-blower and invite them to appear in the future.

The one that I just moved was spiked. That's incredibly concerning. The context of the situation is that, in a period from 2019 until 2022, we have, in just one example of the many findings by

RCGT, \$17.5 million of ineligible funding. That's just one example from this report. This is the stuff that's not blacked out.

For the committee to not undertake a fulsome review of this in a timely way.... This is a time-sensitive issue. They still have money. The same board is still in place. The chair resigned after outing herself accidentally at committee, thinking that she hadn't broken any rules in giving herself a couple of hundred thousand bucks. That's the casual incompetence at work in this organization. The CEO quit because the Auditor General launched an investigation. We can't continue to have taxpayers' dollars managed by an organization that is in such a state of disarray that each week people are resigning. Those same people should have been fired by the government weeks before.

The minister said there wasn't cause for these people to be fired. I think it's evident in the redacted version of the report that the government commissioned...but it is certainly in the evidence that the whistle-blower provided to them. The assistant deputy minister said he believed them. There is three hundred pages' worth of this. That information, again, doesn't come from an internal audit. It comes from people who are putting themselves at risk.

The non-compliance that was evidenced by RCGT—and this was with their having the opportunity to control the information that was being reviewed. I have great confidence, now that the Auditor General is investigating, but that's not a function of the government having done its job. That's a function of these folks having been caught.

● (1730)

They enjoy the protection, for now, of being able to redact these documents. If I were to give the full presentation of my motion, Chair, you'd hear me read the entire document and include every single time there were redactions. That would be theatre. That would be something worthy of TV. They're very worried about people seeing this for what it is.

I'm looking at one single page, and three-quarters of it is blacked out. We don't know. We don't know which companies associated with which directors received money, and we don't know.... As I look through it, I can't help but scoff in disbelief because, on tables that are supposed to list project numbers, fixed amounts, variable payment conditions and total funding approved, the tables are empty. They're redacted.

This is why it's so incredibly important that we're going to have the opportunity to debate a motion that speaks to the issue that has developed here at this committee. I think that when we have a question of conflicts of interest, which is the *raison d'être* of this committee.... We can also talk about access to information. The access to information committee can't get access to the information that speaks to conflicts of interest. It is ironic.

The examples are bountiful in this document. I think we know why we wouldn't take this matter and be seized with it as a committee. We've heard that from the interruptions to my presentation, and we've heard that from the attempt to ensure that we don't have a motion that calls for the whistle-blower to have the opportunity to come before the committee.

It's also interesting because we had members of all parties who were contacted with this information. When the minister responsible won't even take a look at it, that's a problem. That's scandalous in and of itself.

In the report talking about conflict of interest policy not being followed, it talks about, "the results of testing 21 samples (inclusive of the planned 19,"—redacted—"which were found to be of interest during testing) for compliance against the Conflict-of-Interest Policies." It continues, "The"—redacted—"did not consistently declare conflicts as part of the Corporation's conflict of interest processes. It appears that"—redacted—"did not formally declare conflicts for"—redacted—"during the time of the project assessment and" it's redacted.

Section 1 is fully redacted. Section 3 is three-quarters redacted.

It's really tough for us to be able to do our job if we don't have someone who was in the room, because we're not going to get the information from RCGT. We're not going to get the information from officials.

We have one official from the government, Mr. McConnachie, who said.... First of all he didn't know that he was being taped, which is probably when you get the most honesty out of them, I suppose, but he wasn't speaking for the government. He's the assistant deputy minister. He's the CFO at ISED. Of course he speaks for the government. He's the one who said that he didn't have confidence in the board. He's the one who said that he believed the whistle-blowers, but that's not borne out in the actions of the government.

It then becomes incumbent on us to actually address the issue.

• (1735)

**The Chair:** I'm going to remind you, Mr. Barrett, that at some point you're going to have to move your motion.

**Mr. Michael Barrett:** Yes, absolutely.

The Conflict of Interest and Ethics Commissioner, the Auditor General, independent reports, 300-page whistle-blower dossiers—I don't know what's enough for government members to think that maybe we should hear from the whistle-blower on this issue.

**An hon. member:** We did...in camera.

**Mr. Michael Barrett:** We're hearing that we did. For those of you following along at home, no, we didn't hear from the whistle-blower. The opportunity to do that, before you got here today, was defeated. The committee voted to silence a whistle-blower, and I can't abide that. I am incredibly concerned that—

• (1740)

**The Chair:** I will remind you again, Mr. Barrett, to be mindful of the discussions held in camera as well. I'm talking about this to make sure you're clear.

**Mr. Michael Barrett:** I'm crystal clear, Mr. Chair.

I'm speaking about the events of today, exclusively. In the events of today, I moved a motion that the committee invite the whistle-blower, an individual who contacted the committee to identify wrongdoing.

**Ms. Pam Damoff:** Mr. Chair, I have a point of order.

That wasn't defeated. It was ruled out of order. Let's be clear here.

**The Chair:** To be clear, Ms. Damoff is right. It was—

**Mr. Michael Barrett:** These aren't points of order. This is now open debate. This is anarchy.

**The Chair:** Ms. Damoff, we all know what happened. Mr. Barrett also knows what happened. I'm going to ask him to continue.

Be mindful of moving that motion soon, please.

**Mr. Michael Barrett:** What happened at this committee was that I moved a motion: "That the committee invite the whistleblower—the individual who contacted the committee to identify wrongdoings at Sustainable Development Technology Canada—to provide their testimony, and that the committee make every accommodation necessary to facilitate the witness testimony in public before Friday, Dec. 1, 2023."

What happened was the cover-up coalition used procedural tricks to make sure this didn't happen. It's as good as a no vote. If they want to use tricks to silence whistle-blowers, they can do that, but they have to live with their own consciences on that.

**An hon. member:** It was out of order, not defeated.

**Mr. Michael Barrett:** They can heckle and be upset, but the official record will show they had the opportunity to vote on that and chose not to.

**The Chair:** I'm sorry, Mr. Barrett.

I'm going to ask for order in the room. Mr. Barrett still has the floor.

I expect you're going to get to your motion soon. Go ahead, please.

**Mr. Michael Barrett:** Just like they want to silence me from talking about them silencing a whistle-blower—

**An hon. member:** You've been talking for 30 minutes.

**The Chair:** I'm going to call for order in the room, please. Mr. Barrett is still talking.

Go ahead.

**Mr. Michael Barrett:** These are the same members, Chair, who shut down a meeting when we had the commissioner of the RCMP here to expose corruption with their government. It's a bit of a pattern, you see, every time corruption in the Liberal government comes forward.

We had Justin Trudeau's hand-picked board chair, who came before committee and outed herself as having embezzled hundreds of thousands of dollars from taxpayers. Of course they don't want the whistle-blowers to come before the committee. Of course they don't.

They don't even want us to talk about how they don't want it to happen. The committee needs to have the opportunity to decide whether it wants to make sure the official record reflects that. My motion will speak to that—the opportunity for witness testimony from someone in this space who isn't doing it for political gain, who elected to pursue a career in the sustainable technologies sector and who is at great personal risk.

We've asked the government for protection for the whistle-blowers. The government has said no. They're not going to provide that protection to them. We have an obligation then, when these individuals come before us and furnish us with information or present us the opportunity to send them an invitation, to have them come here and tell Canadians what so far, as far as I understand, only opposition MPs and the media have been willing to hear from them.

The minister cautioned members against speaking to the whistle-blower. He offered a caution and his best legal advice. I can tell you that, from a minister who didn't fire the entire board, the chair and the CEO when this came to light, I'm not looking for advice. We have Canadians who are struggling and who are looking to Ottawa, and they see this kind of rampant insider dealing and corruption. Parliamentary committees are where their representatives have an opportunity to examine this kind of thing. If not that, then what?

The urgency of this, I think, is very clear. I was saying previously, when I was interrupted, that this is a billion dollars still in the hands of people who have demonstrated that they won't follow conflict of interest rules in their own organizations. In some cases, those don't even exist. Their assurances to the group reviewing them were that they were going to bring somebody in. I'll remind you that the outside counsel that they brought in had them backdating conflict of interest documents so that they would be compliant with conflict of interest rules.

The chair of the board got outside legal counsel to tell her that she could give herself a couple of hundred thousand bucks and have the board vote on it, and that she could in fact move the motion. It's not a conflict of interest, they said. It's incredible that this level of disdain for the taxpayer wouldn't rise to be the highest priority for parliamentarians and that we wouldn't be engaged in that.

The most urgency the government found for it was to have a fact-finding exercise. They will tell you now that they are co-operating with the Auditor General. Surprise—they are legally required to. That's like saying, when the RCMP is searching the file cabinets, "We're co-operating with the RCMP." Of course you are. You are required to by law.

• (1745)

The contribution agreement, which underpins this seed fund is identified as being not compliant with that contribution agreement. This is one of many examples of the observations that RCGT found that show that the people who are administering this money for tax-

payers were misadministering, misappropriating and mismanaging. They have been having quite a time at the taxpayer's expense.

The protection that employees would expect working for an organization that is under the watchful eye of the minister—the so-called watchful eye of the minister.... They don't even have a formal hiring or termination process. When people get in the way, they fire them.

The minister was very concerned about whether or not he had cause to fire the chair or the CEO. I can tell you, they pulled the fire alarm and ran for the exits when the investigation started, but they're still obligated to co-operate. Concerning the demands for information from the CEO for correspondence, none of these demands are excused by virtue of having resigned.

The imperative for a parliamentary committee to do this now is that we get this issue on the record with the whistle-blower, with people who know, before the paper shredders start going. That's one of the risks that we have here. The more time and space that the people who have been abusing the taxpayer get between them and transparency, that's great. That's the perfect scenario for them.

I can't help but wonder, when the board of directors' minutes.... RCGT sampled 21 samples of meeting minutes, and they found, around deliberations or conclusions by the board prior to 2023 for conflicts of interest, that there were none documented. No one declared that they had a perceived or real conflict. There's no way to assess whether or not that happened.

The Auditor General may be able to put together who had interests in what, who was at the meetings and who continued to participate, but because we operate in a system where we expect honourable people to act honourably and we expect that the people charged with administering these massive sums of money are going to self-declare their conflicts, there's an entire period of time now where there's no record. The board just didn't keep a record. Whoops. How convenient for them. How absolutely convenient for them.

When the conflict of interest recusals or the perception of a conflict isn't identified, it's going to create huge holes. We need people who have the corporate knowledge and the institutional memory, and who aren't politically motivated, to speak to that. This committee is the venue. This committee is the venue where we ought to be giving these people the opportunity to expose this very serious problem.

We have a 300-page dossier presented to the Privy Council's office that lays out in great detail all of the issues with Sustainable Development Technology Canada, be they with their fund-stream compliance or their lack of conflict of interest guardrails, or their myriad problems.

• (1750)

How is it that this isn't something that landed on not only the minister's desk but also the Prime Minister's desk? It didn't get sent in an envelope to ISED's mailroom. This went to PCO. It wasn't in a brown envelope where it just got received and reviewed as, "Well, we'd better do something about it." The whistle-blowers sat down and clicked through a slide deck with officials.

In terms of any of the news that's going to come out, they're aware of the real damage this does to their government. It became not a question of integrity. It became a political problem for them. It speaks to why we don't have a plan at this committee with respect to the motion that was dealt with at the start of the meeting to have the whistle-blower furnished with an invitation. That should give incredible concern to everyone.

I have a motion that I'd like to move, Chair.

**Some hon. members:** Hear, hear!

**Mr. Michael Barrett:** While I appreciate the enthusiasm of my colleagues, I'll get to it in just a moment.

**The Chair:** Am I to understand, then, that you're going to move that motion soon?

**Mr. Michael Barrett:** Very shortly.

**The Chair:** Okay. Thank you.

[*Translation*]

Will you present it in French?

[*English*]

**Mr. Michael Barrett:** I have full confidence in our interpretation that they'll be able to provide it in both official languages for members as I present it. It's quite short.

Let's just be clear: It's a billion dollars. It's taxpayer money. We have an Ethics Commissioner investigation. We have the Auditor General investigating. The only way to get government attention is through whistle-blower reports to the media. We have leaked audio recordings of the ADM, the deputy minister, who is laying out the seriousness with which the bureaucracy took this issue. Then, when it did land on the minister's desk, it suddenly became much less of a problem. They suddenly didn't believe the whistle-blower. They suddenly did have confidence in the board and the executive.

When given the opportunity, members of the coalition took every step they could to block an invitation for the whistle-blower to appear before December 1.

I move that the committee report to the House that the NDP-Liberal coalition has prevented a whistle-blower from testifying on the \$1-billion green slush fund scandal.

• (1755)

**The Chair:** Mr. Barrett, you have moved your motion. Do you want to repeat it one more time for us, please?

**Mr. Michael Barrett:** Gladly. It is that the committee report to the House that the NDP-Liberal coalition has prevented a whistle-blower from testifying on the \$1-billion green slush fund scandal.

**The Chair:** Okay. I do have some questions that I need to clarify with the clerk. I will suspend for a minute, if you don't mind, because I need clarification on this.

Thank you.

• (1755)

(Pause)

• (1820)

**The Chair:** I'm going to call the meeting back to order.

I appreciate the patience of members. As you can imagine, there have been some procedural challenges today that needed to be addressed.

Mr. Barrett has moved a motion. I am going to rule it admissible.

On the motion as moved we have Mr. Kurek first and then Ms. Fortier.

**Some hon. members:** Oh, oh!

[*Translation*]

**Hon. Mona Fortier:** It was my turn. I have been asking for the floor since the beginning.

[*English*]

**The Chair:** That was when we were discussing it earlier.

[*Translation*]

**Hon. Mona Fortier:** No, that's not true. You said so earlier.

You are really changing the rules.

[*English*]

**The Chair:** I've made a decision—

**Ms. Pam Damoff:** I'm going to challenge that decision.

**The Chair:** Okay, that's fine. You can challenge it if you want.

We moved the motion, Mr. Kurek indicated he wanted to speak to the motion.

You—

[*Translation*]

**Hon. Mona Fortier:** Mr. Chair, Mr. Villemure has also had his hand up since the beginning.

[*English*]

**The Chair:** I see Mr. Villemure's hand, so....

[*Translation*]

**Hon. Mona Fortier:** You are changing the rules.

[*English*]

**The Chair:** Ms. Damoff, are you challenging?

**Ms. Pam Damoff:** I am, yes.

**An hon. member:** What's being challenged?

**The Chair:** The order of speakers is being challenged. Is that correct?

**Ms. Pam Damoff:** That's right, yes.

**Mr. Parm Bains (Steveston—Richmond East, Lib.):** Can you read it out?

**The Clerk:** I will give some context. It is not on the motion. It is on the challenge of the speaking order of the chair. Ms. Damoff challenged the speaking order and the question is shall the decision of the chair be sustained.

**The Chair:** It's not debatable.

Shall the ruling of the chair be sustained?

(Ruling of the chair overturned: nays 7; yeas 3)

**The Chair:** Go ahead, Ms. Fortier.

**Mr. Damien Kurek:** I have a point of order, Chair.

**The Chair:** Go ahead on your point of order, Mr. Kurek.

**Mr. Damien Kurek:** Thanks very much.

With respect to Ms. Fortier, she had indicated something, which then led to the challenge of your ruling on the speaking order. She did say that her name was on the list, which very well may have been the case. However, I would ask, Chair, that you enlighten the committee on the rules and procedures that, when a motion is moved, that then begins a new debate, which then would precipitate a new speaking list. With respect to the speaking order, I'm concerned that not only is the heavy hand of the coalition working diligently to silence a whistle-blower, but now you have a former minister, former president of the Treasury Board, who is clearly preventing Conservative members—

**Ms. Pam Damoff:** What's the point of order, Damien? Come on.

**Mr. Damien Kurek:** —of this committee from being able to speak.

Mr. Chair, I will be seeking advice as to whether that's a violation of privilege.

**The Chair:** I'm not sure on the violation of privilege, Mr. Kurek.

General practice and rules and procedures are that the chair can give the floor to whomever he deems has indicated they want the floor. As is the case with the previous ruling, I gave it to you based on seeing your hand when the motion was put up. Ms. Fortier did have her hand up earlier. The situation we find ourselves in now is that the ruling of the chair has been challenged, and it has been challenged successfully. The issue I have right now is that I will have to go to another speaker, and I'm prepared to do that.

Whether it's a point of privilege or not, I can't answer that at this point. If you give me a second, I can certainly find out, but discretion is generally given to the chair to control who speaks and when.

Hang on a second.

• (1825)

**Ms. Pam Damoff:** Mr. Chair, can I speak to this point of order once you're done?

Thank you.

**The Chair:** The clerk just clarified for me that it doesn't elevate to a level of privilege, Mr. Kurek. What it does do.... The chair's responsibility is to try to be as fair as he can be to members in terms of their speaking privileges. As I indicated, I did see your hand immediately after the motion was presented, and that's why I went to you first. The reality of the situation is that the committee challenged that decision. I have to live by the committee's decision, but I will put you on the list.

Ms. Damoff, were you on a point of order?

**Ms. Pam Damoff:** It was on the same one.

I understand that, when you gave the floor back to Mr. Barrett, you said the speaking order wouldn't be impacted, so that's why we went a little crazy. I just wanted to mention that, but I'll just leave it there. You have ruled, Mr. Chair.

Thank you.

**The Chair:** Okay. Mr. Kurek, I have you. I have Ms. Fortier and Mr. Villemure, and then it's back to you, sir.

Ms. Fortier, go ahead.

**Hon. Mona Fortier:** Thank you, Mr. Chair.

**The Chair:** This is on the motion. Is that correct?

**Hon. Mona Fortier:** I am speaking also because we've been flip-flopping committee business for the last weeks that I've been here—committee business and work plan this, work plan that, always rework the work plan—and we were supposed to be discussing, today, social media. I can understand that it might be really hard to find witnesses, but if we have a long list, we should be able to have witnesses.

I'm really exasperated to see that we are still, at this time, at a committee business meeting when we had a plan. We had a very good work plan. We did have a meeting in camera, and I can't speak to it, so I won't. This is not even addressing what was shared by Mr. Barrett today. I cannot even express how I would have preferred that we were talking about social media. This is really becoming a pattern of disrespect for this committee, as we had a work plan and this work plan is not the one we are following.

Therefore, I move that the committee do now adjourn.

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

We have a motion to adjourn the committee. It's non-debatable, so I'm going to call on the clerk to take the vote.

(Motion agreed to: yeas 7; nays 3)

**The Chair:** The meeting is adjourned.

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