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—
Co-Chairs

Mr. Peter Goldring

The Honourable Sharon Carstairs

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• (1205)

[English]

The Joint Chair (Mr. Peter Goldring (Edmonton East, CPC)): Good afternoon, ladies and gentlemen.

I'll be chairing this meeting, as Senator Carstairs is not able to attend.

We will begin with the witnesses, the former parliamentarians. I wish to welcome all of you here to this meeting and to thank you very much for your continuing public service and work. I suppose all of us in this room will be joining you as former parliamentarians sooner or later—some of us maybe sooner than we actually expect.

With that, we are exploring the concept and original thinking behind the Office of the Parliamentary Budgetary Officer. As you were involved in that thought process, we would like to hear from you on what your opinions were at the time and are today. And given that there's been some controversy about the function of the office, we would like to have some suggestions or statements of yours on what you feel we can do with the situation.

With that in mind, I'm not sure whom we will begin to hear from first, but I have a speaking list here. If it's all right with you, I will follow the speaking list and hear your comments in that order.

Could we begin with the Honourable Peter Adams, former member of Parliament.

Mr. Douglas Rowland (former Member of Parliament, As an Individual): Mr. Chairman, if I may just offer a few words of introduction, I was the chair of the former parliamentarians at the time, and it might be helpful for members of the committee to discover how we ended up there, and then go to Mr. Adams, if that would suit you, sir.

The Joint Chair (Mr. Peter Goldring): Is it the feeling of the committee that we listen to the gentleman first, by way of introduction?

Fine. So be it.

Could you continue, please.

Mr. Douglas Rowland: Thank you very much.

The Canadian Association of Former Parliamentarians grew out of a recommendation made by a parliamentary committee on parliamentary reform, chaired by the Honourable James McGrath, in 1985. It was founded in 1987, and we've begun to work closely with young Canadians by offering them programs to interest them in politics and Parliament. We've supported organizations such as the

parliamentary internship program, providing funding to the Parliamentary Library to assist them in enriching that program.

We do international work, and our people have been working with partners such as the Parliamentary Centre of Canada, the National Democratic Institute, the Government of Italy, and the State University of New York. In the last 18 months, our people have been in at least a dozen countries doing that kind of work.

We try to assist and explain the Parliament of the day to public servants. We work with the Canada School of Public Service here, presenting information about how Parliament works.

We were co-sponsors of the recent reception for newly elected MPs. And for those members of the House from the 39th Parliament who did not return—either voluntarily or involuntarily—we've provided a handbook on how to handle themselves, or the kinds of things they could look at after leaving Parliament, and we have offered assistance should it be required.

Increasingly, as we became active, we became known as possessing a certain expertise and knowledge about this institution. The Parliamentary Librarian, who realized that, came to us and asked if we could put together a focus group for him that would help to inform Mr. Darling, and the other people he had working with him, in developing job descriptions pursuant to the legislation. We did that. We were very pleased to receive such an invitation, and in addition to the five of us you see here this morning, the other members of the focus group were, the Honourable Jean Bazin, formerly of the Senate; Mr. John English; Ms. Deborah Grey; Mr. Bill Knight; and Ms. Val Meredith. That was the group.

Mr. Darling, in his presentation to this committee, accurately represented to you the kind of position we had taken in our focus group. As an association, we don't adopt a formal position on matters of public policy. What we try to do is to have an opportunity for the knowledge of our members to be made available to groups. So we didn't go in with a fixed position; the consensus grew out of a conversation.

I think that's probably all I need say, by way of introduction, and I would be happy to....

Mr. Chairman.

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Mr. Adams.

Hon. Peter Adams (former Member of Parliament, As an Individual): Thank you, Mr. Chair. I am delighted that you and your colleagues have invited us here today.

Doug has given you the background, but I thought it might be useful for you to have some idea of why I was very pleased to be invited to be involved with the study of the idea of a budget officer.

As a member of this committee, I really only came to understand the Library of Parliament in the last three of my 12 or 13 years on the Hill. I had always been interested in libraries, but I didn't get any understanding of this one until very late in my career.

It seems to me that libraries suffer from the fact that they're very easily stereotyped as places that gather a collection of books and then very reluctantly lend them out to other people. I don't think that's what libraries have done for hundreds of years, but that's the way they're viewed. Politically, from our level—and, I think, down to the local level—that's a problem for libraries.

In the city and county of Peterborough, there are 18 libraries. Some of them are supported by townships and villages of only a few thousand people, and every one of them is different. They all have books, they all lend books, they all get books on inter-library loan, but many of them now have become the computer centre for their village, both in teaching and active computer use. Many of them have taken up a particular interest—for example, geneology or regional history, or something of that sort. One or two of them are adjacent to schools and they work very closely in the educational process with schools.

So each one of them is different and has to be supported, budgetarily and politically, in a different way. Some of our townships do very well supporting them, and some do less well.

The Library of Parliament, of course, has lots of books—I'm not exactly sure how many it has—and hundreds of employees. But the interesting thing about it is that very few of those employees are actually librarians. They are other things; they're engineers, scientists, economists, and things of that type. That is the foundation of the independence of Parliament from the two houses—especially, by the way, for someone like me, who was on the government side, and for private members in all parties, because it allows them to maintain themselves and to function as independent people. It does that through its books, but also through its personnel, particularly through the way they support the committees. The committees simply could not function without their researchers.

I'm sure you have a researcher here, Mr. Chair. And that researcher will have the backing of the full Library of Parliament—which isn't really just a collection of books. In particular, the researchers provide informed, independent, and discreet advice to individual members and to committees.

The nation's finances are a key concern to every elected member and every senator. On a day-to-day basis, that's the most common thing—not just today in the recession—that people ask you about.

So to be able to function independently in the House and the Senate, you have to have some reasonable background on finance. The committees traditionally have tried to do that through the estimates. I know that in some of the committees I was on, we sometimes addressed the estimates—usually, by the way, in a fairly feeble way—and sometimes we never addressed the estimates.

How can a member of Parliament or a committee function independently if it doesn't get independent advice on the nation's finances?

That, Mr. Chair, is why I was pleased to be asked to be involved. I knew that under the act, this position had been proposed. I read as much as I could about it. I wasn't necessarily in agreement with the way the act phrased it, but I thought the idea of having an independent source of information for the two houses, particularly for the members of the two houses, was a good one. It would allow the Library of Parliament to be even more effective in supporting the independence of the two houses.

Thank you, Mr. Chair.

● (1210)

The Joint Chair (Mr. Peter Goldring): Thank you, Mr. Adams.

I would add that everyone at this committee, I think, has benefited from the library and its assistance. The other aspect, of course, is that it even helps to clarify the financial implications of private members' business, which is sometimes not so obvious until you delve into all the details. So the research of this office in that aspect is essential.

The next person I would ask for remarks from is Mr. Boyer. I want to mention first that he has brought a book to the committee. The difficulty here is that it's in one language only, but I think he's going to seek permission from the people assembled here to distribute the book.

Is there will from committee members to distribute the book afterwards?

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Has that book been translated, Mr. Boyer?

Mr. Patrick Boyer (former Member of Parliament, As an Individual): No, it has not.

Hon. Mauril Bélanger: So if we were to table it and ask that it be translated, would that be of help to you, Mr. Boyer?

Mr. Patrick Boyer: It would be an exceptional gift to the nation. Thank you.

Some hon. members: Oh, oh!

Hon. Mauril Bélanger: Under those conditions, I accept. If you're going to table it around the committee, it will eventually be translated.

The Joint Chair (Mr. Peter Goldring): I think we'll have to explore whether it is physically possible to translate it.

Hon. Mauril Bélanger: Books are translated all the time.

The Joint Chair (Mr. Peter Goldring): We can't necessarily promise that will be the case, but we will certainly take it and ask for it to be done.

Thank you very much.

Mr. Boyer.

Mr. Patrick Boyer: Mr. Chairman, honourable senators, and honourable members of the Commons, it is an honour to have been invited to appear before you today.

I am happy to be appearing with my fellow former parliamentarians. We've have been working across party lines in connection with the upgrading and enhancement of our national political institution, the Parliament of Canada. I do hope sincerely that any comments I'm about to make will assist you in your deliberations.

I think, dealing with the Parliamentary Budget Officer, we are at the confluence of three trends, which, very briefly, you could see beginning when Mr. Young's predecessor, the Parliamentary Librarian Erik Spicer, created the research branch of the Library of Parliament. This was to ensure that parliamentarians would have available informed research in carrying out their work as members of Parliament.

I spoke last Friday in Ottawa with former Parliamentary Librarian Erik Spicer in the course of a meeting that we had here of the Canadian Study of Parliament Group, which was looking at this very issue of parliamentary officers and the extent to which sometimes this assists parliamentarians by providing resources that parliamentarians would not otherwise have themselves, to dig into and understand and analyze certain subject matter. Yet ironically, at the very same time, it can constitute an undermining of parliamentarians and the parliamentary institution, because effectively the creation of these additional offices is a way of contracting out or delegating out some of the functions that really are, and only are, residing within senators and members of the House of Commons.

But that is certainly one of the great trends that brings us to this meeting today, that emergence of the research role by the Library of Parliament in harmony with parliamentarians.

On the second trend, this in fact is an anniversary of it, from 1969. There were some bottlenecks in the processing of the parliamentary estimates as a result of Grant Glassco's recommendations in the Glassco royal commission. The Comptroller General, who reviewed spending that Parliament had already authorized, would not allow it to proceed until there was money in the bank, in the national treasury, to actually fund that. That office was gutted in 1969, at the same time that other changes were made in the way that estimates were approved; if not examined in detail by parliamentarians, they were nevertheless deemed approved in June of every year.

So that is what then gave rise to spending increases that were never really accounted for, the building up of vast peacetime national debt, and a loss of parliamentary scrutiny over public spending.

The third trend that comes into play here is the resulting clamour that arose that for parliamentarians to be more effective in carrying out this role of monitoring government operations, scrutinizing them, getting into detail, and seeing that there was genuine democratic accountability in our nation, there needed to be more powers that would enhance Parliament in doing this. And many organizations across the country and here in the capital began to join into this chorus. The Canadian Comprehensive Auditing Foundation was one, talking about moving financial reporting to a new level. I was working with them, preparing material for parliamentarians about dealing with the estimates and the national accounts.

Breakout Educational Network and the underground royal commission began to look at government from the citizen's point of view and the spending programs and how accountability was

being brought to bear or not. As the political scientist Donald Smiley had observed, the problem with most analysis of government in Canada is that it's from the governmental perspective.

• (1215)

The underground royal commission brought out the book entitled *Guardians on Trial*, and I'm very grateful that the committee authorized its distribution to you, along with the two others that I brought.

The one that I wrote, "*Just Trust Us*": *The Erosion of Accountability in Canada*, looks basically at our country from the post-war years, from 1945 to the present, in terms of what I've just been alluding to in the last three minutes. *Guardians on Trial* contains interviews with senators and members of Parliament, Auditors General, and others, all across different party lines, about these issues. With these come, of course, the DVDs that explain in greater detail and in a different format the information that's found there. As well, *Does your vote count?* looks again at especially the work of the public accounts committee.

There has been a lot of movement like that. Additionally, I've been out there writing articles in the *Canadian Parliamentary Review*, such as "Can Parliamentarians Become Real Players?", and in the *Ottawa Citizen*, these sorts of things. "Backbenchers at the gate" is another one, about parliamentarians really again taking control over the scrutiny of government programs and seeing that Canadian citizens are well represented when their tax money is being spent on programs.

So all of this comes together, and the issue then was resolved or addressed further when Parliament enacted, in the Federal Accountability Act, a provision creating a Parliamentary Budget Officer. The issue here is about the voice that this officer has in speaking and doing the work on your behalf and on behalf of senators.

When Parliament created this new position, it made clear that this officer would work for parliamentarians within the Library of Parliament, providing individual MPs and senators, as well as parliamentary committees, with financial information on government programs that parliamentarians and their committees did not themselves have the resources to obtain, in order that they might more effectively carry out their parliamentary role—your parliamentary role—of scrutinizing government operations and providing institutional accountability for public programs. The Parliamentary Budget Officer would enable our country's legislators to provide better oversight, insight, and foresight on public programs.

The decision by Parliament to place the Parliamentary Budget Officer within the parliamentary library under the terms of the Federal Accountability Act confirms that this function was intended to be consistent with other services provided, such as by the research branch, in supporting the work of parliamentarians. This positioning in the parliamentary library also meant that the Parliamentary Budget Officer would be close at hand to work with parliamentarians, and because the Library of Parliament is institutionally and administratively independent from the government, it meant that the Parliamentary Budget Officer automatically had independence from government.

No other interpretation can be placed on the expressed provisions—that were debated and amended and then passed by Parliament—that the Parliamentary Budget Officer would empower parliamentarians in their work on behalf of Canadian citizens. His work would enhance the voice of Parliament as a more informed and authoritative voice, and it would be the voice of parliamentarians, not his, that would be heard.

The core issue here is about an officer of Parliament usurping the rightful voice of Parliament and parliamentarians. Who speaks in Parliament, and who speaks on behalf of Parliament? It is you. It is senators of Canada and it is members of the House of Commons of Canada.

Kevin Page draws upon the authority of Parliament in voicing his views in public, yet simultaneously he seeks to present himself with credibility as an independent voice to Canadians grown skeptical of politicians. Such two-sided behaviour by an officer of the Library of Parliament is not supportive of parliamentarians, but instead undermines their role.

● (1220)

That there are willing supporters in the news media is not surprising, since the story has the ingredients that make it newsworthy. That some parliamentarians themselves view the issue as an independent official versus the government, rather than being about one of their own officers versus their own constitutional role, is perhaps not surprising. But it is unfortunate, because it reframes the issue in a way detrimental to parliamentarians themselves.

When Kevin Page seeks a public forum for himself rather than supporting parliamentarians in their work, it subverts the very intent of the statute enacted by Parliament that brought his office into existence in the first place.

The issue, in my view—I make this submission to you, senators and members of the House of Commons, in all seriousness and sincerity—is that we are facing here a contempt of Parliament.

Erskine May, in his authoritative work *Parliamentary Practice*, in chapter 10 deals with contempt of Parliament:

It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

Here on this side of the Atlantic, in our own Marleau & Montpetit, we read that contempt “affronts against the dignity and authority of Parliament”. It also defines contempt as follows:

any action which...tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or Officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House....

Perhaps, since we all have lots to say and you have many questions to ask, we could return to the question of the details of these contemptuous acts of Parliament. There are easily half a dozen or more that I'd be happy to cite for you and discuss with you.

● (1225)

The Joint Chair (Mr. Peter Goldring): Perhaps we could move on to hear from other presenters. I'm sure some of this will be brought out in the general questioning afterwards.

Madame Dalphond-Guiral, could you make a few comments, please.

[*Translation*]

Ms. Madeleine Dalphond-Guiral (former Member of Parliament, As an Individual): Thank you, Mr. Chair.

I am pleased to come and sit in the witnesses' chair, a chair I have never sat in before and will probably never sit in again. I want to commend the work done by all of you. I want to tell you why I agreed to appear before this special committee with regard to the application of the adopted legislation.

The idea of creating the position of Parliamentary Budget Officer was an excellent idea in my opinion. And I want to tell you why. I was a member of Parliament for 11 years. I am not an economist nor a financial expert. I am quite good at preparing my own budget, but that's about it. For 11 years, I had the opportunity to see, as part of my parliamentary duties and during my time on committees, the absolutely urgent needs that existed in the population. Any budget by the Parliament of Canada must respond to the needs of various groups.

That is why it was extremely frustrating, during all that time, to see that the government in power, which had impressive resources at its disposal, was never able to determine with any accuracy its deficits or surpluses. In all the years I was here, there were astronomical surpluses. We are talking about tens of billions of dollars. Obviously, if I have \$100 but I only think that I have \$50, I will only spend \$50.

So, this is a golden opportunity to play a role as a citizen by taking part in this committee. Mr. Chair, some opposition parties were able to closely estimate the future government surpluses. Why then can the government, with all its experts, not do so? There was a problem. I thought that a Parliamentary Budget Officer would clearly be a very interesting, even essential, tool for parliamentarians.

That is what I wanted to tell you and to explain why I agreed to appear before this committee, in spite of my lack of economic expertise. The economy is not the only thing that matters in life, and I hope that you all know this.

● (1230)

[*English*]

The Joint Chair (Mr. Peter Goldring): Thank you very much, Madam.

We will now turn to Mr. Breau.

[*Translation*]

Hon. Herb Breau (former Member of Parliament, As an Individual): Thank you, Mr. Chair.

I am pleased to be here with you and with my colleagues. I realize that I am likely the dean here. I first arrived in 1968. I don't think any of you were here in 1968.

As a result of history, we have a political culture expressed through positions, political parties, and partisan perspectives. The convergence of these partisan perspectives must lead to debate and discussions and we hope to ultimately reach better solutions as a result. However, the solutions themselves are never perfect, because the debate is not necessarily a rational one.

When I heard about the creation of this position under the Federal Accountability Act, I was surprised that a part of the Prime Minister's platform from the 2004 and 2006 elections was to create a kind of organization ensuring the dissemination of better information, better analysis and better analytical resources on financial and budgetary matters. I was surprised that this was being done in the context of this legislation. I was even more surprised when I was asked to testify before the committee on the Library of Parliament.

I think that the objective should be to satisfy your needs. The members and senators of all parties need to have greater strategic resources in order to enhance debate.

[*English*]

It seems to me that to have more independent analysis and have more so-called independent information, if there is such a thing—I think all information is kind of biased, as all history is, but that's the nature of the beast—you have an overload of information.

When I was a member of Parliament in 1968—I was just getting out of university—at that time I had an overload of information. At the time, I had an overload of so-called independent analysis. What I needed was not more of that. What I needed was strategic resources.

In your partisan position—I would like to see more members of Parliament stop apologizing for being partisan, because that's the nature of your job, that's why you're here—unless you have better strategic resources to marshal this information into political debate, you will not improve the debate. It's very unfortunate that this step that was taken, hopefully to improve the debate, is now turning out to confuse the debate.

I was out of the country during the election. I voted before I left, and I made sure my MP knew. But I just about fell off my chair when I read on the Internet—I had to follow the election, it's too much in me—that the Parliamentary Budget Officer was going to publish a report on the cost of the Afghanistan war. I just about fell off my chair.

My worst fears, going back to when I had these discussions informally with the Library of Parliament, and when I met with Mr. Page in a private meeting, came upon me: this is not what it was meant to be; this is not improving debate, this is confusing debate.

The job of anyone who's supposed to buttress and strengthen the Library of Parliament.... By the way, the Library of Parliament is a

good organization. It always has been a good organization, since I've known it. If there's anything I still believe, it's that members of Parliament and senators don't use it enough. But the strength of the library is that it is supposed to buttress you in your job so that you create the debate. Otherwise, you're hurting yourselves.

I've seen this in the last 40 years. I must say that I was actively involved in the first debates that led to the fundamental changes in the role of the Auditor General, from the first confrontation that Mr. Bud Drury had with the Auditor General, Mr. Henderson, at the time. The role started to change from being one of an accountancy—not accounting—organization to being one concerned with value for money. We shifted the focus to value for money, which is actually a political debate. It has nothing to do with accountancy and nothing to do with accounting. At the same time, we left members of Parliament with few resources, and with not enough of what I call strategic partisan resources to help you in your committees and help you in your offices. How else can you manage all this information around you if you don't have these resources?

So I think in terms of analytical information, independent information, you can have all of that 100 metres from here. You just need to make phone calls and you can have double that. That's not what you need.

I would hope that this committee, if it turns out that there is a will to improve the situation—one never knows in these instances if there is that will—would interpret the position so that this turns out to be a resource that will strengthen you, but that has no business intervening in debate, has no business talking to the media, and has no business doing other than responding to your requirements.

Thank you.

• (1235)

The Joint Chair (Mr. Peter Goldring): Thank you very much.

We'll now start with the questioning.

Senator Jaffer.

Senator Mobina S.B. Jaffer (British Columbia, Lib.): Thank you very much.

I want to thank all of you. You're much more knowledgeable than I am on this issue.

I look at what the minister at the time, Minister Van Loan, said when the appointment happened:

As promised in the...Accountability Act, the Parliamentary...Officer will provide independent analysis to Canadians on the state of the nation's finances. With his expertise in economics....

Then he went on to say that he would report to the speakers of both chambers.

In the context of what is happening around us now in the economic crisis that we are all facing, why shouldn't parliamentarians and Canadian taxpayers have access to independent analysis that is timely, relevant, and authoritative?

I ask this question of any of you who wants to respond.

Hon. Herb Breau: Well, you do have access to all the independent information you need or you want. I just can't see that, as a member of Parliament, you cannot get whatever independent information you want.

Name me an example of something that you can't get that's independent.

Senator Mobina S.B. Jaffer: Then maybe I should go about it another way.

For those who were on the accountability committee when this was put through....

Were you there, Mr. Adams, on the committee that looked at the parliamentary officer's role?

Hon. Peter Adams: No, I was not, but I will comment on the original question.

I retired three-plus years ago, so I just missed that. What struck me was...being on a committee that apparently had nothing to do with the nation's finances. Let's say it was human resources and skills development, or the status of persons with disabilities. But you were needing there some way to look at the government's estimates as they affected that area of our society.

Although I agree with my colleague that tons of information is out there, as he himself said, you need information that will give you a base for argument. What would happen on a committee such as the one I just mentioned is that you're greatly concerned about the status of persons with disabilities and what they're doing, and you put your mind to it. Then somebody says you have to look at the estimates.

Colleagues, you have all been in that situation, where it's too late, or, if we don't do anything, the estimates will go through the next week, and this kind of thing.

So it seemed to me that this was a type of information we were not getting. The idea behind this was—and by the way, I believe it still is—a really good one: that members, particularly committees, could extract that information; that the committees might, for example, set up a subcommittee that would be chugging away all year looking at its own estimates, advising its own members of that.

Now, you've heard some of the comments here. That's the way I envisaged the information flowing. It was to individual members and senators or to the committees, and it was about the nation's finances as they apply to the estimates, which are the responsibility of each of the 50 committees or whatever number of committees there are.

I don't know if that gets to the point. That's what I thought it was about, and I still do. I think it's still very important.

Perhaps I can add one thing to what my colleague Patrick said. I think for you as a committee, there's another point about this. It's a good idea, but one that appears to be going wrong. It's early days, so this is the time to correct that. This is something that could directly affect the effectiveness of the library as a whole, as a support for parliamentarians. You, as a committee, should seriously think about that. If in fact it weakens the existing support platform, which is the library, then that's a serious matter—as well as the points that Patrick made.

Thank you.

• (1240)

Senator Mobina S.B. Jaffer: Mr. Breau, you said the information is available. You have been in the system longer than I have. Of course the information is available. But at one point, Parliament felt, and certainly the government felt, that it needed some independent analysis. This is what the Parliamentary Budget Officer, from what I understand, provides. It's an additional step to help parliamentarians.

Yes, of course there's information all over. These days, with the Internet, you get information everywhere. It's the analysis of information that people may not be able to do.

Hon. Herb Breau: Sure, and I didn't say that I disagree with having more analysis for you. What I'm saying is that it shouldn't be through intervention on the basis of a public official. It should be for *you*.

I didn't like the objective, but that's a different issue. The objective was decided by Parliament. You had it created. I dealt with that, in my thinking, with, "It's done, so let's see how it can better help you". I believe that it can help you better if it is, politically, a completely neutral role that responds to members of Parliament, as the Library of Parliament does, and cannot do anything else. I just feel continually frustrated to see that in the system, the whole culture is always going away from strengthening members of Parliament and senators in their partisan role in what I call a strategic role.

I studied the American system a bit. I was chairman of the Canada-United States Inter-Parliamentary Group, and I was on its executive for 10 years. I spent time there, particularly in the late seventies and early eighties, with powerful chairmen of committees and with staff. The big difference—people talk about the Congressional Budget Office and all that—is that they have strategic resources, which could be adapted here. Certain things cannot be adapted from the congressional system. The big weakness here is that we tend to apologize for partisan strategic proposals. I think you need that in your offices. I think the chairmen need that, and I think the committees need that.

I chaired many committees when I was here. Two very successful committees, in terms of improving debate, I believe, were the first parliamentary task forces that Mr. Trudeau wanted to form in 1980. I chaired two of them, and I think the big difference at the time was that we were given resources that were outside normal parliamentary resources. There was a simple change. There was an announcement by the Prime Minister that we were going to be asked to do this, and that gave us incredible moral authority. And we experienced having strategic resources.

I authorized, in the fiscal arrangement task force in 1981—I was chairman—that the staff of the committee would actually meet with the caucus research staffs. We would make sure that when an issue came before us as members, all of the staff of all the caucus research groups would have access to the same thing, and it worked very well.

•(1245)

The Joint Chair (Mr. Peter Goldring): Thank you very much.

We'll move on to the next questioner.

Mr. Gurbax.

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Thank you, Mr. Chair.

I would like to welcome all the parliamentarians to this meeting.

We are now in a very serious situation involving the Parliamentary Budget Officer and the Parliamentary Librarian. Do you have any suggestions as to how we can resolve the situation?

Hon. Herb Breau: I'm sorry, I didn't hear the question.

Hon. Gurbax Malhi: We are now faced with a serious situation involving the Parliamentary Budget Officer and the Parliamentary Librarian. Do you have any suggestions for a solution to the situation?

It is to anyone.

Mr. Douglas Rowland: I think, if I may, you will discover that there isn't any kind of unanimity among us about how best to approach it. It might be of assistance to you if you heard two or three different approaches.

The Joint Chair (Mr. Peter Goldring): Thank you, Mr. Rowland.

Go ahead, Mr. Boyer.

Mr. Patrick Boyer: Thank you, Chairman.

The solution, as I see it, and as I put forward for your consideration, is that there is ample evidence that the incumbent Parliamentary Budget Officer is in contempt of Parliament, that a finding of his being in contempt of Parliament by the presiding authorities of both houses would result in the office being vacated.

That would enable Mr. Page's replacement to fulfill the parliamentary intent as expressed in recent legislation, voted by both houses of Parliament, and as set out in a very clear job description, as developed with the assistance of former parliamentarians across parliamentary lines who care about this institution and the role of parliamentarians. That is still a very clear and valid description under law, the Constitution, doctrines of responsible government, and parliamentary precedent.

This derailment, as my colleague Peter Adams was referring to, is at an early stage. It's gone wrong; this is a time to fix it. I think that is the way this can be cleanly and expeditiously resolved in the short term.

Contempts of Parliament are not something that can be tolerated indefinitely, but must be dealt with expeditiously. That avenue or solution, if you choose to follow it, also puts to rest another idea that I hear and see floating around as I read the Hansard reports, Chairman, of prior witnesses appearing before your committee, that there may be some need to redefine this role, that there may be some need to reconstitute this position, to rethink the whole thing.

This is after a couple of years of Parliament itself having been engaged with calling forth this officer, and the whole effort by the

office-holder, Mr. Kevin Page, to in fact redefine what Parliament has enacted and the job description that was clear and explicit, and which he voluntarily agreed to operate within as a framework when he came on board. All of that is in place.

We can get into more aspects of the contempt of Parliament, but the largest one, overriding all others, is the fact that he has sought to call forth a parliamentary budget office when Parliament created a Parliamentary Budget Officer. He has sought to have his authority redefined by Parliament. He has gone outside the normal channels for dealing with this.

I can get into many more aspects about that, but I want to keep it very clear, in answer to the member's question, that I think that is the clear, fair, and just manner in which to proceed.

Thank you.

•(1250)

The Joint Chair (Mr. Peter Goldring): Thank you very much.

I just want to mention that we're going to try to keep it to the five-minute period of time for questions and answers too.

Moving right along, Mr. Braid, please.

Mr. Peter Braid (Kitchener—Waterloo, CPC): Thank you, Mr. Chair.

Thank you very much to our former parliamentarians for being here today. Even more sincerely, thank you for your previous service to your constituencies and your communities, and your ongoing service to our country as a result of your work with your association.

My introduction to politics 20 years ago was in working for one of your former colleagues, the Honourable Walter McLean. I know I still certainly benefit personally from his advice, wisdom, and perspective. So thank you again.

As my first question, you were all involved in providing input to Mr. Darling as the position of Parliamentary Budget Officer was being created. Did any of you envisage that this role, the Parliamentary Budget Officer, would reside outside of the Library of Parliament?

[*Translation*]

Ms. Madeleine Dalphond-Guiral: In my opinion, the legislation seemed quite clear: it was a senior official with real responsibilities but who, under no circumstances, was to go beyond the framework of the Library of Parliament. I think that Mr. Page was aware of that.

The current difficulties—and I'm going to use the euphemism—in adapting are not minor. Whenever a new position is created—and this was a first in Canada—there are difficult adjustments that need to be made. If the Standing Joint Committee of the Library of Parliament is studying this issue, this means that it is serious. I think that at this point, there aren't many solutions: either the legislation remains as it is, and if Mr. Page refuses to comply, he should step down, or the legislation needs to be changed and it is up to the House of Commons and the Senate to make that change. The objectives of the legislation need to be examined. However, if the objectives are still valid, the law should be maintained and perhaps amended. However it seems quite clear to me that the current situation cannot continue. In my opinion, when you stretch an elastic band too far, at some point it breaks and perhaps that is what Mr. Page is doing.

[English]

The Joint Chair (Mr. Peter Goldring): Mr. Adams.

Hon. Peter Adams: Mr. Chair, my answer to the question is no. I had some concerns about it, but I envisaged the position as strengthening particularly the role of individual members and senators. And I've seen it within the Library of Parliament. The Library of Parliament is, in fact, the base for individual members developing their own arguments and positions and things of this type. So my thought was that it was a way of strengthening, in-house, individual members of both houses in their functions.

So my answer is no.

• (1255)

The Joint Chair (Mr. Peter Goldring): Thank you very much, Mr. Adams.

You have a little time remaining, Mr. Braid.

Oh, Mr. Boyer, go ahead.

Mr. Patrick Boyer: At the time when we former parliamentarians were convened by our chair at that time and Doug Rowland to work with the Parliamentary Librarian, Mr. Young, who was very keen on seeing this new officer made operational within the Library of Parliament, Parliament had already spoken. The law had been passed and the Parliamentary Budget Officer was situated right within Parliament. So it was very clear that was where it was.

We then began to look beyond that, and I believe, Mr. Chair, that you and all members of the joint committee have a copy of our parliamentary group's report and recommendations that led to the job description.

Part of the answer to this is that we noted that the Parliamentary Budget Officer should be as follows:

...a mature professional, not someone who is still building his/her career and who therefore might be suspected of harbouring a particular agenda for getting ahead....Members also felt strongly that "prima donnas" should be avoided at all costs. The PBO needs to understand that he/she is working for Parliament and parliamentarians.

The Joint Chair (Mr. Peter Goldring): Thank you very much, Mr. Boyer.

Mr. Dryden.

Hon. Ken Dryden (York Centre, Lib.): Thank you.

I'm not a regular on this committee. I'm just a substitute, so I'm hearing the discussion for the first time and trying to imagine how we got to this place. There have been some suggestions on how and why, but from what I've heard, it sounds as if the question is whether the Parliamentary Budget Officer was to provide independent information to Parliament or to the public.

Having been a member of Parliament for the last few years, I would say that the public doesn't find our information very credible. The public doesn't find very independent or very credible the information that we provide as members of Parliament. Even in the event that we have better information, the public is very suspicious of us and the kind of interpretation we apply, that partisan interpretation we may apply to that information.

So that information, which may come to us independently and from an independent person, applied in a certain way, won't necessarily come out sounding like it is independent or very valid, very credible, or very useful to any kind of public debate. I think that's probably the reason why there's been the push to create independent people: to provide information publicly as a way of having that information out there before we in fact use it in whatever way we decide to use it.

For somebody who's a Parliamentary Budget Officer who is saying, in this case to himself, that this information is supposed to be independent, non-partisan, and so on, the only way he can be sure that it is going to have that kind of life is to give it life himself by offering that information publicly, not just privately, in-house.

From what everyone is saying here, it sounds like, whether that's the case or not, whether that's the scenario or not, and whether that's how all of this happened or not, the purpose was an internal purpose. It was to improve the quality of information internally for us to use however we were going to use it, with whatever public credibility that may have, but it sounds like that's where the information was to come from and that's how it was to be used.

Briefly, I'd just like to hear your comments.

• (1300)

Hon. Herb Breau: Do you really think, Ken, that there's anybody out there, other than judges, who is independent? I studied economics in the early sixties. My economics professors, until they died, were continuing to push their own interpretations of numbers, forecasts, and budgets.

There's no such thing as pure independent information, just as there's no such thing as pure interpretation of history. It's all biased. Now, some can be better than others, and some can be more balanced than others, but I think it's a serious mistake for you to admit that you, being the vehicle for this debate, are the legitimate vehicle. I don't think there is any other vehicle.

To comment on Walter McLean's former assistant about other things, to answer your question, when I, like Madam Guiral, started this, it was a *fait accompli*: the act had been passed. But if you really want to create more debate outside of here that can be helpful, go back to the experience of the Economic Council of Canada. It was a think tank that was set up with government money. They went out and they raised money, but it was set up by the government, and it provided so-called more independent advice.

It also became biased, but it was different from what was coming out of government departments. It was, unfortunately, scuttled in one of Mr. Mazankowski's budgets for, I suppose, legitimate reasons. I don't want to comment on that. The Economic Council of Canada was supposed to provide independent forecasting, budget policy, and that sort of thing, but it was clearly outside of here. It did get government money, but it also got money from elsewhere.

I don't think there is such a thing as purely independent analysis of much of these things.

The Joint Chair (Mr. Peter Goldring): Thank you.

Senator Stratton.

Senator Terrance Stratton (Manitoba, CPC): Thank you, Chair.

Welcome, gentlemen. It's wonderful to have you here.

Madame, pardon; it's good to have you here as well.

Ms. Madeleine Dalphond-Guiral: Don't forget Madame. There aren't a lot of Mesdames around here.

Senator Terrance Stratton: My apologies.

I want to go back to the origins of your discussion as to why you had the PBO report to the library and then, hence, to the two speakers. Did you have a discussion of the officer's complete independence of Parliament, reporting directly to the public, as he is now doing? Was that discussion held? If it was held, why was it rejected?

Mr. Patrick Boyer: It was not held by us.

Sorry, Doug, did you want to answer? Go ahead.

Mr. Douglas Rowland: It's simple. As Patrick was beginning to say, we did not hold that discussion. We were asked by the parliamentary library to address the officer's job description, in effect, and his statement of qualifications within the context of the legislation. I think it fair to say that in the course of our discussions, it became clear that there was a consensus amongst us, at least to the extent that we felt that this officer should be a servant of Parliament, not independent of it, and that he should conduct himself in that fashion.

One of the concerns that all of us had was that there would inevitably be pressures placed upon that person to act differently—pressures from the news media and pressures from you and your colleagues—in the pursuit of some short-term advantage.

When I look at this institution, which all of us love, it concerns me to see Parliament becoming itself a mechanism for reinforcing public perceptions that it's an institution that's greatly lacking. Why do parliamentary committees insist that there be an outside public inquiry into matters, rather than using the resources they have to do it themselves? Why do we need yet another independent officer to put himself or herself in opposition to the government, rather than using our own people to provide members with what they need?

It's a matter of concern to all of us who have served here to see Parliament acquiescing to the suggestion that it's incapable of handling these things properly.

● (1305)

Mr. Patrick Boyer: Doug Rowland has said it so well. I just want to add a thought of my own to his point about the pressures that might be placed on such a Parliamentary Budget Officer in this system.

It is in fact because he is in the Library of Parliament, and the Library of Parliament is in Parliament, that he is protected from pressures. This is the degree of anonymity that we envisaged, and that you, who enacted this law as part of the Accountability Act, envisaged by creating a Parliamentary Budget Officer in the Library of Parliament.

In fact, if anything brings additional pressure on this officer of Parliament, it is his intentional efforts to seek media and publicity, to be on the national news, and to be out there speaking on issues clearly beyond his ken, while doing all this in the name of Parliament, as an officer of Parliament, and putting himself into the debate, which can only lead to more and more pressure on him, diminishing thereby his capacity to function as intended, for your benefit as senators and members of the House of Commons.

This is yet another aspect of the way that this behaviour is so utterly in contempt of the Parliament of Canada.

The Joint Chair (Mr. Peter Goldring): Thank you, Mr. Boyer.

Ms. Hughes.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskaing, NDP): Thank you very much for your presentations and for being here.

I don't think the issue here is whether someone is in contempt or not, as I keep hearing from Mr. Boyer. It's more that we are trying to really understand how it was that...

We know why the PBO's position came into place. They wanted reports to be independent. I don't think any of you will disagree in any way, shape, or form that the information Mr. Page has provided has been beneficial. It certainly has been beneficial, as far as I'm concerned. I'm sure others will agree that the content certainly has been beneficial.

From what I can understand, there is a need for an independent PBO, obviously, because that discussion was had when he was put in place. The disagreement here is whether or not he should go public with the information, from what I can gather from your comments.

Basically, in the stakeholder consultation presentations, the consulted parliamentarians and other experts recommended an open and transparent operating model for the PBO, consistent with the guidance issued by the OECD for the legislatures of its members' countries.

I had to ask the question of whether or not the PBOs who are currently in place actually do release information. My understanding is that, yes, the Congressional Budget Officer puts it on his website.

I'm just trying to get some sense of whether you disagree with that. It's being done down there; it's not an issue. He does put the information out.

Contrary to what Mr. Breau mentioned, that he's not really independent, that he can't give an independent report, I think he does give an independent report.

Hon. Herb Breau: Well, I was making the comment in the sense that in my experience—I'm in business now, and this is even in business projections—there's always an element of bias, in a sense. You use information that is so-called independent because it's public.

To comment on your question, we never discussed, we never debated, we never studied whether it should be an organization like the CBO in Washington. By the time we discussed this, it was already in the act that it was going to be in the Library of Parliament. We tried to see how we could manage that.

Our advice was meant to see how we could manage that in the sense of increasing the support of the Library of Parliament because that's what the act said. If you ask me whether there should be a CBO in Canada, I would say no. I don't think you need that.

You may want to encourage something like the Economic Council of Canada was, but I don't think a CBO can work in a parliamentary system. That's my analysis. I don't think it can. The Congress in Washington is a very different beast from the House of Commons and the Senate. It is a very different thing. I don't want to get into that. It has its own history. They're elected under different auspices than you are and I don't think it could work here.

We tried to merge this idea that was the platform of the Conservative Party and came into the Federal Accountability Act with the fact that it was in the Library of Parliament. That's what we tried to do. It's very complex, obviously.

If you ask me what you should do about it, as the gentleman did earlier, I believe it could be helpful that if it really is the intent of this committee to do that—you never know in a partisan setting, and there is nothing wrong with that—if the objective is really to see in the long run how you can repair this, if that's the intent of all the parties here and you get together and you prepare a letter, you prepare a report, and you interpret how you see the act, how you see his appointment, how you see what was said before, and you publish that letter and you give it to him....

Whether he likes that or not, it seems to me that the moral suasion, the moral authority that you would bring to this, would help in the definition of the role. Unless you want to change the act, I don't think it's your role either to redefine what the intent of the government was.

• (1310)

The Joint Chair (Mr. Peter Goldring): Thank you very much.

There's also the appropriateness of issuing these reports during a writ period, which might be of interest to question.

Mr. Rickford.

Mr. Greg Rickford (Kenora, CPC): Thank you, Mr. Chair.

Welcome, colleagues. Thank you for taking the time to come to speak with us today.

I want to shift the focus away from any specific individual in this context. As to solutions, I would like to return to the legislation itself

and make sure there's no lack of clarity or uncertainty in the way it's written.

Peter, you mentioned concern about the language of the act with respect to the PBO. Can you be more specific? Or did I misunderstand you?

Hon. Peter Adams: You may have misunderstood. When I was first involved with it, my first thought was, "Why is this position under the Library of Parliament?", and second, that there might be a place for an independent officer. We weren't addressing that. We were addressing something under the Library of Parliament.

The Library of Parliament, to me, is a euphemism for the support system for private members, to put it very briefly. I addressed it in those terms, and not in the ideal or what might be better, but in those terms: would this or would this not strengthen the position of members and senators?

The answer to that, in my own mind, was yes, this could, and should.

Thank you.

Mr. Greg Rickford: Then I want to ask a question to all of the witnesses here.

In its pith and substance, does the consolidation of the existing provisions of the act regarding the Library of Parliament itself, with respect to the role of the Parliamentary Librarian and the PBO, achieve its objectives as it's written? Is part of the solution simply understanding that there's sufficient legislation there to have clearly laid out—then, following, you have a job description—and satisfy what the role of the PBO is?

• (1315)

Mr. Douglas Rowland: My response to that is a simple yes. But clearly, now that there has been what I consider to be a deviation from the intent of the act, then probably there has to come, from somewhere, a statement that draws us back to the text.

Mr. Greg Rickford: Is there any specific concern in the article that attracts your attention?

Hon. Herb Breau: If I were you, I would try to get a consensus report from this committee—unless tactical advantages prevent you. I know this is always a difficult thing. This is a difficult political issue, I realize, for the government. I'm not one of your supporters anyway—

Voices: Oh, oh!

Hon. Herb Breau: —but I recognize that it's tactically risky.

I would debate it, if I were you. I would look at and interpret the act. I would look at what we've said and what others have said. I would interpret the role, I would send it to him, and I would say, "That's it." And then, if it were me in his position, and I thought as strongly as he seems to, I would resign.

Mr. Greg Rickford: I just want to focus on the legislation.

Hon. Herb Breau: But if it were me, I wouldn't be doing the job like he is.

First of all, I wouldn't have applied for the job.

Voices: Oh, oh!

The Joint Chair (Mr. Peter Goldring): Mr. Boyer.

Mr. Patrick Boyer: Thank you, Mr. Chair.

I want to answer Mr. Rickford's question the same way that Doug Rowland did, with the answer of "yes". I think the act and the job description are very clear to anyone who reads them, as far as understanding what this role is, what it entails, and how it's meant to work.

Hon. Peter Adams: Just as I thought then, I think this is a good idea. I had envisaged it being revisited in a few years, but it's being revisited for particular reasons now. I think it's a good idea.

To go back to Mr. Malhi's point, now's the time to look at it again and catch it. What we're seeing here is not what was envisaged in our discussions at all. It was a way of strengthening individual members of Parliament. That's what it was.

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Mr. Asselin.

[*Translation*]

Mr. Gérard Asselin (Manicouagan, BQ): Thank you, Mr. Chair.

I want to welcome our witnesses. As the saying goes, let him who is without sin cast the first stone. I would be curious to see who would cast the first stone. Before showing contempt for Parliament, we need to see whether the Parliamentary Budget Officer has exceeded his mandate. What is his mandate? We also need to know whether he believes his role is really arm's length. An independent member is not tied to party lines; he may vote according to his conscience and opinions. Did Mr. Page believe this to be true? His role is to inform not only both Houses, but also the public. Is that his role? If so, all that needs to be examined.

Clearly the legislation needs to be studied from the first to the last section. We also need to take another look at the job description that he was given. If it is not clear, it needs to be clarified. Do we want the Parliamentary Budget Officer to inform both Houses, only to then be muzzled? People don't want him to inform the public or to make public statements. He is to inform both Houses and to report to his boss, the Director of the Library of Parliament. Is it appropriate for him to come under the library? Should he not be separate from the library? Was a mistake made in putting him with the library? Should he not instead answer to the Auditor General? He must direct staff and manage a budget. He is somewhat tied by decisions: he is entitled to say some things but not others. It must be a little difficult to have a job where your role is at arm's length.

Were the statements that he made done so in bad faith, or did he simply feel the need to be transparent and advise a particular department and the public, which are the major source for the resources in the budget?

Could the Parliamentary Budget Officer not answer to the Auditor General rather than the Librarian? That is the question we need to ask. If we revise the legislation and the job description, he will feel as if they have been changed at the request of the librarian or simply to prevent him from doing the job he is supposed to do. Or might he

have misunderstood his role and the reason why this position was created?

• (1320)

[*English*]

The Joint Chair (Mr. Peter Goldring): Dr. Adams.

Hon. Peter Adams: The problem we have is that I see the Library of Parliament as a support system for senators and members in their private capacities and in committees. As we dealt with this matter, that's how we thought of it. We thought of it as strengthening the Library of Parliament as a support system for individual members and senators.

Therefore, the purpose of the budget officer was to support the individual members. He would produce independent information and help members argue a case. I would ask the Library of Parliament for all the arguments against something, or all the arguments in favour of something, for example. That's what the support system represents.

I did not envisage that the material that was published, particularly at the time it was published, would appear from an independent office. It's a different function.

So my view is that under this act, this office is to support individual senators and individual members of the House, not act in some other independent way.

The Joint Chair (Mr. Peter Goldring): Thank you.

Madame Dalphond-Guiral.

[*Translation*]

Ms. Madeleine Dalphond-Guiral: Thank you, Mr. Chair.

I have already responded to Mr. Asselin's comments, but I would like to add something nonetheless for everyone to think about. If the Parliamentary Budget Officer answered to the Auditor General, I wonder whether he would have tabled a report when Parliament wasn't sitting? In my opinion, that would not have been tolerated. That is clear. It's not a difficult question to answer. We need only think of all the precautions that the Auditor General takes. When there are leaks, this is also being in contempt of Parliament.

That is all I wanted to add.

[*English*]

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Mr. Boughen.

Mr. Ray Boughen (Palliser, CPC): Thank you, Mr. Chair.

Madam, gentlemen, let me echo my colleagues' comments and welcome you here. Thank you for taking time out of your busy day to share your thoughts with us on this very timely question.

We've heard a lot about things that have happened, and my question to all of you would be this: how do we fix it? We know it's not functioning the way we envisioned it should function. How do we make it work the right way?

Mr. Douglas Rowland: The first thing that I think has to happen inside the committee, if it's to fix it, is to determine amongst you whether or not your hope for the office is that it will ultimately end up being, on the revenues side, the equivalent of the position that the Auditor General now occupies. Is that what you want? If that's the case, then I would suggest you also have to recommend some radical changes to the legislation as it now exists.

There's no consensus amongst us in terms of whether or not the incumbent should be dismissed from his post immediately. But it's a valid point of view, which I think you should hear.

If you agree with my colleagues and me that the appropriate and most valuable role that could be performed by a Parliamentary Budget Officer would be to subordinate himself to the institution itself and act in support of you people as you do your jobs, then I think you have to develop instructions along those lines that can be passed on as advice from this committee to the two speakers, to whom he ultimately reports through the librarian.

I think it's really important, though, that rapid action be taken on this, because if it's allowed to go unchecked and unchallenged, you will de facto arrive at having a Parliamentary Budget Officer position that wasn't contemplated by the legislation and that may or may not be something with which you agree. It has a dynamic, and if you wish to change that dynamic, it's going to take some statements from you people.

• (1325)

The Joint Chair (Mr. Peter Goldring): On the question of how to fix it, Mr. Adams.

Hon. Peter Adams: I can only comment, Mr. Chair, that normally we would have this sort of hearing after, let's say, three years of experience of this new office. I mean, these things are new, and you don't know how they work out. It's been precipitated because of an apparently very strong interpretation of what the position was, something that those of us who were involved earlier did not envisage.

My thought is to try to deal with this individual situation. But then you, in support of your colleagues, should try to return this position to one that will help individual members of the House and Senate in their day-to-day functions here.

We all think—those of us here—that it's very important that parliamentarians get the sort of budgetary advice and support that was envisaged through this office. So if you can deal with this specific case and then return to the position as it is under the legislation, maybe in the longer term you can revise it.

I'm of the view that the idea was a good one in principle.

The Joint Chair (Mr. Peter Goldring): Mr. Boyer is next.

Mr. Patrick Boyer: Thank you.

On the question of how to fix it, I submit to committee members that the way to fix it is to replace Mr. Kevin Page as the Parliamentary Budget Officer and, in his wake, to see appointed someone who does understand what Parliament meant when it enacted this provision in the Accountability Act and created the position, someone who does understand what is very expressly there in the job description, the same job description that Mr. Kevin Page

voluntarily subscribed to when he assumed the office and before he decided to reconstitute everything his own way.

Mr. Chair and members of the committee, if in any other organization—a corporation, a union, a religious entity—someone had been hired for a certain position to carry out a particular function according to a clear definition and job description, and the behaviour was so aberrant as to actually undermine the role, to redefine it and subvert the larger institution, there wouldn't be 10 minutes' thought about the need to dismiss.

I want to make it very clear that I am not saying this about contempt of Parliament lightly. To answer Carol Hughes' two earlier questions, there is no question on my part about the content of these reports. That's not the issue. The issue is the use of the information by the intended parties, namely senators and members of the House of Commons.

You mentioned about hearing this word “contempt”. What is contempt of Parliament? This is serious. These are grounds for which an officer of the Library of Parliament would be vacating the office. I'm thinking of publicly releasing reports that by law and procedure should be made to parliamentarians, who themselves would then decide how to use those reports.

Another example of contempt is stipulating to Parliament how he would provide information—for example, that he would only appear before parliamentary committees as a witness, rather than as an officer of the Library of Parliament taking direction from Parliament on how parliamentarians themselves deem it most appropriate and in what forums to receive his independent analysis.

A third example is making public a report on the cost of the Afghan mission at a time when there was no Parliament existing but rather was in the process of being elected. That was in contempt of protocols and practices of Canadian parliamentary democracy that even officers of Parliament, let alone officers of the Library of Parliament, respect.

Another is to be—

• (1330)

The Joint Chair (Mr. Peter Goldring): To move this along, Mr. Boyer, you can make these comments further into the discussion, but on this round of questioning I would also like get Mr. Breaux's opinion. Then we'll move on and bring these details out in the next round of questioning.

Did you wish to make a comment, Mr. Breaux?

Hon. Herb Breaux: I'm not sure anything ever gets fixed around here, but it's not meant to be fixed. I think you have to deal with the cards that are dealt to you. The cards that are dealt to you are that a political objective came into the Accountability Act, and put this position into the Library of Parliament. I think it's incumbent upon you to try to make it work. Will it accomplish the original political objective? I don't think so. But that's beside the point.

As I suggested to you earlier, you interpret the role as you see it. As I see the political timing these days—I still have my views on that—I don't really see it as being realistic politically that this person can be removed in any way at this point. But I think an interpretation from you would be worthwhile, and would probably carry a lot of weight. Or it should; if I were a public official and I got an interpretation from a joint standing committee of the House of Commons and the Senate, I would certainly read it carefully.

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Monsieur Plamondon is next.

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): I do not want to prolong the debate; I know that the senators have to leave at 1:30.

Welcome and thank you for coming. I have been listening to you, and you are right, but when I allow my heart to speak, I find that you are wrong, because I like what the Parliamentary Budget Officer is doing, I like his public statements, I like the reports he is providing to us. I feel that this is good for the people, parliamentarians and senators. I like what he is doing.

You are telling me that he should report to the Parliamentary Librarian. Indeed, this has been written in his mandate, except that it has also been written that he should work within the framework of the library's established tradition. I do agree, tradition has a great deal of importance here, but we must not simply serve tradition. We must serve the people.

My solution is not to keep Mr. Page quiet or prevent him from continuing to do his job, which I feel he is doing well. We must enable him to do his job without there being any problems with the library. And if it turns out that we have to get him out of the library, then we should give him a position outside of the library. That way, there will no longer be any conflicts between the Parliamentary Librarian and him. Otherwise, he will simply become one more researcher at the library. And is that what the budget officer position is all about: one more researcher to serve the Library of Parliament and, indirectly, parliamentarians?

Personally, I want somebody who talks, who does research, who gives opinions and allows the people and parliamentarians to come to an opinion as well.

• (1335)

Hon. Herb Breau: Were you there when the Federal Accountability Act was adopted?

Mr. Louis Plamondon: Yes.

Hon. Herb Breau: This was when you should have made such an intervention. Because that is not what the act says. I may agree with you, but that is not what the act says.

Mr. Louis Plamondon: The act does not state this, but it should. So let's change it. We should be moving forward, not backward.

Hon. Herb Breau: As you know, changing the law is a complicated thing. It is up to you, in this partisan atmosphere, to do so.

We did not comment on the legislation. We accepted it as is. My initial reaction was to try to make believe that we had a different mechanism, and I had written a memo on this issue to ensure that we would have it at the first meeting. I resigned myself to the fact that this was more than a researcher. He does in fact have a budget of \$2 million plus more staff and resources. So I understood this to be an improvement. If I had believed the opposite, I would not have attended or participated in the meeting. However, I did attend the meeting and I even had a private meeting with Mr. Page, following his appointment. This was when I realized that you were going to have some problems.

If that had not constituted a real change, I would not have bothered to take the time to participate. I do think that this is, nevertheless, an improvement to the system. Now, you need to interpret his role, as you see it, taking into consideration what the act states. If you want to change the law, it's up to you to do so.

[*English*]

The Joint Chair (Mr. Peter Goldring): Mr. Adams, do you have a comment?

Hon. Peter Adams: Mr. Chair, Monsieur Plamondon has given the dichotomy that's before us.

There would be a place for some sort of budgetary officer out in the public domain. In this particular case, it's a budgetary officer who provides independent information to strengthen the work of private members and senators. That specifically what it is. It's to provide independent information on the nation's finances, independent information on estimates of the government, and independent information on trends in the economy for members of Parliament in both houses.

That's this person's role, and that's what we addressed. By the way, we thought it was a good thing, because it would strengthen the role of individual members and senators.

The idea of a public person in the same position certainly has its merits and could be debated. But that's not what this position was designed to be.

The Joint Chair (Mr. Peter Goldring): Thank you.

Are there additional comments from our presenters?

Yes, Madame Dalphond-Guiral.

[*Translation*]

Ms. Madeleine Dalphond-Guiral: I'm going to make a comment with a little dose of humour. When the report came out, during the election campaign, I said to myself that many of the opposition parties were certainly going to be delighted with this report which provided them with tools. I would like to thank my friend Louis for saying so in such a clear fashion.

We must wrap our heads around the fact that we are faced with a piece of legislation, and if it is not followed, we, as elected parliamentarians or even as independent parliamentarians, do not have the right to shut our eyes to it.

That's it. My comment was not funny, but it did have a little sprinkling of humour. And Louis is not even looking at me.

Mr. Louis Plamondon: I was listening to you.

[English]

The Joint Chair (Mr. Peter Goldring): Thank you.

Monsieur Bélanger.

[Translation]

Hon. Mauril Bélanger: Thank you, Mr. Chairman.

[English]

It's a very complex situation that we have here, folks. Essentially, we've been asked by the two speakers to provide our opinion or advice on the current situation. I think there's a general acknowledgment now that there is a conflict, or, as Monsieur Darling described it at our last meeting, a lack of dialogue, to say the least. But it's more than that.

[Translation]

The act is not quite clear. According to section 79.2 of the act, this individual has the authority and mandate to undertake studies and provide them to Parliament, but it does not stipulate how this is to be done. The responsibility profile states, once again, that the incumbent is encouraged to show leadership and initiative.

Has he shown initiative and leadership? In some instances, I think that we can say yes. Could some interpret that to be an affront to Parliament? Perhaps. Even if the opposition parties benefit, I find it inappropriate for an officer of the Library of Parliament or an officer of Parliament to make statements during an election campaign, just as it is inappropriate for the RCMP to do so, as I said the last time. We really do have to take all of these things into consideration.

• (1340)

[English]

He has three more things in the mandate, paragraphs 79.2(b), (c), and (d). There I have a problem with the behaviour, because it is instigated by a committee, or individual senators, or members of Parliament, and one would expect that the information requested would go back to those who asked for it, if it's a committee in camera, so they can debate what they want to do with it, as we debate when we're tabling a report. I wouldn't expect to see that on a website, yet that's been the approach. So there are some difficulties.

In fairness, we will have to hear from Mr. Page as well, and I hope that happens fairly soon.

[Translation]

Thank you, everyone, for being here today. Mr. Breau, you're right. We have to come up with a solution and make sure that we do not exacerbate the problem. Parliament appoints a number of officers, currently there are seven or eight. I can imagine the potential conflicts between parliamentary officers.

[English]

If we make the PBO an independent officer of Parliament, could we envisage some day having the Auditor General and the budgetary officer going at it like King Kong versus Godzilla in a parliamentary mode? We have to be careful what we want, because we may get it. I agree with Mr. Breau that we could be undermining the role of

parliamentarians over time. We should also put that consideration in our deliberations.

The entire budget of Parliament—the Senate, the House of Commons, and the Library—is about one-half of one percent of the entire budget of the nation. Yet we have the role of legislators and overseers for all of this. So perhaps we ought to consider the resources available to parliamentarians, Senators or MPs, in their capacity to.... Yes, we will confront each other on partisan lines. That is the nature of the beast. But that's what we advocate to countries who are trying to establish democracy in their own home.

I'm just trying to determine where we go next. I'm beseeching us to be careful about the solution we will advocate. We ought not to amplify problems or trends that may not be in the best interests of serving democracy.

I don't have a particular question.

[Translation]

I am very grateful to you, Ms. Dalphond-Guiral, Mr. Boyer, Mr. Adams, as well as Mr. Rowland and Mr. Breau with whom I've had the pleasure of working. I thank you all for having voted before

Some honourable members: Oh, oh!

Hon. Mauril Bélanger: Thank you for being here and for your sustained interest in the parliamentary process. It is the foundation of our society.

Hon. Herb Breau: You did not make any assumptions on how I voted.

Hon. Mauril Bélanger: Not at all, Mr. Breau. I congratulate you for having exercised your civil duty.

Thank you.

[English]

I have no questions.

The Joint Chair (Mr. Peter Goldring): That was exactly five minutes for the comment.

Hon. Mauril Bélanger: I know.

The Joint Chair (Mr. Peter Goldring): Have you a short response for that, Mr. Breau?

Hon. Herb Breau: Mr. Chairman, I hope Mr. Bélanger is not agreeing with me only because I'm his constituent, but I don't see, in section 79.2, where he has the authority to initiate any studies. I haven't seen that.

Hon. Mauril Bélanger: It's paragraph 79.2(a). That's how it's been interpreted.

The Joint Chair (Mr. Peter Goldring): Mr. Adams.

Hon. Peter Adams: Mr. Chair, when we're reading the legislation, we should remember that this person was deliberately put in or under the Library of Parliament. And the Library of Parliament is this name we use for the support system for MPs and senators. That's what it is.

If we were re-establishing this whole operation here this year, we probably wouldn't call it the Library of Parliament. It's the support system for members of Parliament, as distinct from those in the executive branch.

So when you read the information in the legislation, you have to bear in mind that it was deliberately put there—not as a public office but as a support, a further support, in a very important area, the nation's finances, for private members and senators.

You, as a committee, should bear that in mind. It was not put in, as Monsieur Plamondon said, as another officer of Parliament to do something, although that might be a great idea; it was put in to strengthen the role of individual members in both houses and their committees.

• (1345)

The Joint Chair (Mr. Peter Goldring): Thank you very much.

We've gone through our initial speaking list, so we'll start with second questions from Senator Jaffer, please.

Senator Mobina S.B. Jaffer: Thank you.

I have a question for you, Mr. Boyer. You have done quite a bit of research. Is there any jurisdiction in the OECD where you see how you would like to see the parliamentary budget officers functioning? Have you any comment on another jurisdiction in the OECD?

Mr. Patrick Boyer: Thank you.

Although I have taught, at university, courses in comparative democratic institutions and that sort of thing, I'm increasingly of the view that looking to other countries does not materially help us here to devise structures and procedures that are best suited to Canadian needs and fulfill Canadian aspirations.

Robin Sears, who is very prominent in the New Democratic Party, was a panellist along with me and others just before this Parliament resumed after its amazing closure. Robin, who has worked internationally a great deal and has spoken about the very things you're asking, made the point that Canada is *sui generis*, which is a Latin term meaning “unto itself”.

As Ontario Premier John Robarts once said, we need to find made-in-Ontario solutions for made-in-Ontario problems. Generalized to our national level, I really do believe we need to find a made-in-Canada solution to the 21st century issue facing our nation, which is to have a relevant, effective, national Parliament that's in phase with the way this country is now working and to get rid of the relic aspects of an institution that are no longer suited to a modern, pluralistic Canadian society, and where, above all, parliamentarians still retain their 700-year-old role. That role is to scrutinize the operations of government, to vote any taxes that are going to be excised, to approve any funds that are going to be spent, and to supervise and monitor any spending to ensure that taxpayers' money is being spent on what the government announced the programs were to be.

We are the best ones to do that here, according to our own Canadian political traditions, and we should not be looking to beg and borrow from other systems that are interesting but not really our own.

That's why I started talking about the three trends that produced the Parliamentary Budget Officer; those are inherent in Canadian public life. That is why it is incumbent upon all of us—those of you who are now in Parliament and vested with this mandate from the two speakers to address this, and those of us who are private citizens and care profoundly about the workings of our country and seeing that the national Parliament can be relevant—can take hold of this issue in a way that really serves the people and recognizes that we're talking here about our institutions and the principles of responsible government that transcend the career and agenda of any one individual who temporarily struts upon the public stage.

The Joint Chair (Mr. Peter Goldring): Does anybody else care to add to the commentary?

Senator Mobina S.B. Jaffer: I appreciate what you're saying, that other parliaments in the OECD are different from ours. However, since you're so knowledgeable, do you see any others that we could follow in terms of a PBO in another jurisdiction in the OECD?

• (1350)

Mr. Patrick Boyer: No, I don't. I think what we want are Canadian representatives who fulfill their mandate. In fact, that's what the legislation says. It was enacted by our Parliament. That's what the job description says. It was developed by Canadians here and suited to our needs.

It was after Mr. Kevin Page took on this position as Parliamentary Budget Officer, knowing what Parliament had enacted but perhaps not familiar enough with the procedures and practices of a parliamentary democracy and the functioning of Parliament, that he made a trip last July to Washington and became mesmerized by the operation of the Congressional Budget Office and began to think that what needed to be done was for him to spearhead a re-engineering of what Parliament itself had already expressed was going to be something quite different.

The Joint Chair (Mr. Peter Goldring): Thank you.

Mr. Adams, for a short answer.

Hon. Peter Adams: It's a really good point that the Senator is making. In our notes, it mentioned 11 countries in which there are budgetary officers. None of them was designed, as this one explicitly is, as a support system for the members of Parliament. They were designed in a much more general case of a sort of public budget office or something of that type.

So Patrick's point is well taken. This is designed to strengthen the role of individual members of Parliament. I don't think we should lose sight of that. The problem that has arisen in this very early stage of the appointment is that it has gone off that particular track.

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Ms. Hughes.

[Translation]

Mrs. Carol Hughes: There were some comments over the fact that Mr. Page had tabled his report on Afghanistan when the government was not sitting. It must be clearly noted that all parties had given their consent. Mr. Harper was asked the question, and the Prime Minister answered that because Mr. Page is independent, he is able to publish his report when he wishes. This has to be made clear.

In fact, I wonder if the Parliamentary Budget Officer didn't apply his own interpretation. It's like a new business starting up and learning from its mistakes. Perhaps he believed that he was able to make his reports public, as is done in other countries.

I would like to know your opinion on the possibility of tabling these reports in the same manner that the Auditor General tables hers currently.

I'd also like to return to the question of the approximate \$900,000 that will be withheld from his budget. Do you believe that

[English]

would hamper his ability to function even more properly?

The Joint Chair (Mr. Peter Goldring): Would anybody care to respond to that?

[Translation]

Hon. Herb Breau: I do not like to disclose what was discussed in private conversations, but from my understanding, Mr. Page fully understood the risks. I recall giving him my opinion, in private, with respect to public statements. I reminded him of the difference between helping an MP like yourself and making a public intervention. He was aware of this difference, and I believe he is certainly more aware of it now.

Mr. Chair, this is how I would reply if you were to ask me which mechanism I favour and what efforts I would deploy if the current act was different. In fact, earlier, somebody mentioned what we would do. In my opinion, one way of improving the debate, other than taking on the task yourselves, is to not make officers or supposed officers accountable to the Library of Parliament, or anywhere else.

One can simply turn to the relevance of the Economic Council of Canada, which was in existence for 15 years. It is a group of economists, sociologists, and social policy experts who are at arm's length from Parliament, and who were given a certain amount of money. The council also had to raise funds elsewhere. Its role was to scrutinize everything that came out of government, the public service, departments, ministers' offices, MPs' offices, and publish everything. This was the role of the council, and it did not report to Parliament, nor the Library of Parliament.

Now, you must try and improve what you already have. But if you want to do something else, my opinion is that the only thing you need to do is help organizations somehow.

• (1355)

[English]

You could convene once a year or twice a year. Parliamentarians could do that. You don't need the authority of the government. You could convene economists, social experts, and sociologists twice a

year to come here, paying their expenses, and to debate with you for two or three days about forecasting and information and about what exists in the country. You could do that now. You don't need the government to do that for you.

But if you want to change anything in the debate, that's what you have to do. Otherwise, anything in here has to be done to buttress you and your work, not to have somebody intervene in the media or intervene in the political debate outside of here.

The Joint Chair (Mr. Peter Goldring): Thank you very much.

Mr. Rowland.

Mr. Douglas Rowland: May I just add something? It will be very short.

First of all, let's assume that Mr. Page has done this in all goodwill. He hasn't set out deliberately to change the act or the way the act is operating. Let's assume that.

I think the variance of opinion about what he should be doing that exists in this room demands that someone, probably you people, give him some instruction about what he should be doing. I know that's not going to...because there will be a variance of opinion.

I agree with Herb; if you want an independent agency that speaks to the public, first of all, then it's a different kind of beast from what this legislation was setting out. Again, it becomes extremely important that you people give some instruction, I think.

Second, another problem that's becoming apparent is that perhaps your library is under-resourced in terms of providing you with the kind of information and assistance you require, not only in the financial field but in others. Maybe that's something you'll want to address when you budget—

The Joint Chair (Mr. Peter Goldring): Thank you, Mr. Rowland.

We'll now move on to the final questioner, Monsieur Bélanger.

Hon. Mauril Bélanger: I have a very quick question, and I don't need the answer today. If you want to call me or send something to be distributed, that's fine.

The government kept the ability to appoint the budgetary officer by order in council. Is that good, bad, or not of any consequence, according to you?

Hon. Herb Breau: I think that with the kind of objective it had, I can't see how it could have been done differently. If you were going to make it the type of officer who is within the parliamentary library, I can't see how you could have done it otherwise. I can't see it coming through the Public Service Commission, for example. I think the order in council is probably....

Hon. Mauril Bélanger: Could it have been through Parliament, perhaps?

Hon. Herb Breau: Well, you do that through Parliament for the Commissioner of Official Languages, and you do that, informally, for the Supreme Court of Canada, I suppose, for the Chief Justice, and you do that for the CBC, I believe.

When this came down, it was clear that it was not supposed to be something like the CBC or the Commissioner of Official Languages or the Auditor General. So I don't see, if you're going to have it this way, how you could do it other than through an order in council.

Orders in council, I've always said, are probably the best of a bad bunch of means to do things.

Mr. Douglas Rowland: I think you've put your finger on one of the anomalies that's led to this.

If indeed it was the clear intent that this office serves Parliament through the library, then probably the Parliamentary Librarian should have appointed the person and been accountable to Parliament for his appointment, rather than having that taken outside. That's my view.

● (1400)

Hon. Herb Breau: I think even the appointment of the librarian is done by order in council, basically by the Prime Minister.

I think you have to assume that the office-holder of the Prime Minister's Office will always be reasonable and will always be objective and will always want to make sure that officers of Parliament can do their jobs independently. I don't foresee any Prime Minister who's going to do otherwise.

The Joint Chair (Mr. Peter Goldring): Thank you.

Mr. Boyer, did you have a comment?

Mr. Patrick Boyer: Just very briefly—

[*Translation*]

Mr. Gérard Asselin: The last time, Mr. Breau was unable to say that with any seriousness.

Hon. Herb Breau: No, I am serious about what I am saying. I count on normal constraints the Prime Minister is bound by when he makes appointments at certain levels. I believe that we must rely on political culture, to a certain degree.

[*English*]

The Joint Chair (Mr. Peter Goldring): Thank you very much, gentlemen.

Mr. Malhi, do you have a comment you wish to make?

Mr. Patrick Boyer: Well, I was going to answer.

The Joint Chair (Mr. Peter Goldring): Order, please. Thank you.

Yes, Mr. Malhi.

Hon. Gurbax Malhi: Thank you, Mr. Chair.

I wish to give notice of the following motion on the Parliamentary Budget Officer:

That, in the interest of ensuring accountability and transparency in government spending as well as adequate and informed parliamentary oversight of Government expenditures, we therefore regret the budgetary shortfalls faced by the Parliamentary Budget office and:

- (a) urge the government to increase the budget of the PBO to previously committed funding levels, and to do so
- (b) without reducing the existing resources of the Library of Parliament.

Thank you.

The Joint Chair (Mr. Peter Goldring): Thank you.

On that point, we'll have this translated and distributed. I believe the timing for notice of motion is 48 hours, so it will be proceeded with on that basis.

I wish to thank you very much for continuing to serve your country and helping the government with your testimony that you have made.

Once again, thank you, madame, and thank you, gentlemen, for appearing here today.

The meeting is adjourned.

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