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**Tuesday 15 April 2014**

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des débats  
(Hansard)**

**Mardi 15 avril 2014**

**Standing Committee on  
Justice Policy**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

## STANDING COMMITTEE ON JUSTICE POLICY

## COMITÉ PERMANENT DE LA JUSTICE

Tuesday 15 April 2014

Mardi 15 avril 2014

*The committee met at 1500 in room 151.*

### MEMBERS' PRIVILEGES

MR. PETER WALLACE

**The Chair (Mr. Shafiq Qaadri):** Chers collègues, j'appelle à l'ordre cette séance du Comité permanent de la justice. Je voudrais accueillir notre prochain présentateur, Mr. Peter Wallace, secretary of cabinet and clerk of the executive council of the government of Ontario, who will be affirmed by our Clerk.

**The Clerk of the Committee (Ms. Tamara Poman-ski):** Do you solemnly affirm that the evidence you shall give to this committee touching the subject of the present inquiry shall be the truth, the whole truth and nothing but the truth?

**Mr. Peter Wallace:** I affirm.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Wallace. Your five minutes of introductory remarks begin now.

**Mr. Peter Wallace:** Thank you very much. I'm Peter Wallace, secretary of cabinet and head of the Ontario public service.

Let me start off by providing my condolences on behalf of the Ontario public service to the friends, family and colleagues of Jim Flaherty. Personally, I had the privilege of working with Mr. Flaherty when I was an assistant deputy minister at Ontario Cabinet Office during the late 1990s, and again extensively during the 2008 and 2009 period when I was the Deputy Minister of Finance, when Ontario and federal finance combined, under the leadership of ministers, to make significant progress: in terms of unlocking asset-backed commercial paper; in terms of securing the competitive future of Chrysler and General Motors; reducing tax burdens and compliance through harmonized sales tax and reductions in corporate income tax; and we made significant progress towards a national securities regulator.

I very much personally regret the loss of such enormous leadership and capacity to our province and country. On behalf of the Ontario public service, I express my very sincere condolences.

I know that the committee is familiar with me so I will not read a lengthy opening statement. I understand that members will have had an opportunity to review, in preparation for this, my earlier testimony. They will have seen in that the fundamental distinction between the ad-

visory and administrative roles of the Ontario public service and the responsibility and accountability of elected officials and political staff, particularly in terms of the management of their political records. I can confirm that I am confident that the Ontario public service has acted and will continue to act in the best of faith in fulfilling its obligations.

With that, I am of course happy to take your questions.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Wallace. Thanks, as well, for reminding us of the passing of the honourable Jim Flaherty, of course, husband of our colleague Christine Elliott. I think almost the entire Liberal caucus and I'm sure other caucuses will be attending the state funeral tomorrow, Wednesday, at 3 p.m., at which time we'll have an opportunity to more personally express those.

I will now invite Mr. Fedeli and welcome him back to the committee, although I think it's likely a transient, temporary engagement. But in any case, Mr. Fedeli, your 20 minutes begin now.

**Mr. Victor Fedeli:** Thank you very much, Chair.

Mr. Wallace, thank you very much for your opening thoughts and reminding us all of the role of the honourable Jim Flaherty. That was very thoughtful of you to express your thoughts on behalf of the public service. I appreciate that from you.

In your opening sentences, albeit brief, you talked about basically the difference between the role of the public service versus the role of the elected and political staff. Is there anything you want to define in the differences of those roles?

**Mr. Peter Wallace:** I went into this fairly extensively earlier, in my March 2013 presentation. It's well established in law, convention and precedent that public servants serve at the direction of the government of the day. We provide advice from time to time. We have core administrative and statutory responsibilities. But our fundamental role, and particularly my fundamental role as the secretary of cabinet, is administrative on behalf of the government and advisory on behalf of the government.

For the issues that are at hand here, there are two, I think, fundamental separate sets of issues. They relate to the management of documents. I am responsible and accountable for, and pleased to take responsibility and accountability for, management of the documents generated and created by the Ontario public service. The management and disclosure or treatment of the documents of

the elected officials and their political staff are fundamentally the accountability and responsibility of those elected officials and their political staff.

Similarly, in terms of policy implementation and policy development, we provide advice as public servants, but the direction we take—and the direction we take proudly and specifically, but it is direction we take—is in terms of the implementation of those policies.

**Mr. Victor Fedeli:** There has been a tremendous amount of media and testimony here. The OPP were here. The OPP have been a wide subject of newspaper articles. There has been a lot of talk about a couple of people specifically—David Livingston and others.

In reviewing the testimony of our last visit together, you had talked about David Livingston. Is there anything that you can expand on what we learned back then, the first time you were here, and today, now knowing the different things that have been said by David Livingston and the OPP?

**Mr. Peter Wallace:** I appreciate the question. I'm pleased to offer an answer to that. I do know substantially more than I knew at that point in time. In this context I'm going to rely primarily on the information disclosed, obtained or made available through the information to obtain sworn by the Ontario Provincial Police.

As indicated in the information to obtain, I was made aware by my executive assistant, Steen Hume, in late January of 2013, of what we both took to be a passing comment by David Livingston with respect to the management of the Premier's records and the potential to have somebody in from the outside to deal with their political records. I need to clarify that it's not their cabinet records. Cabinet Office and you have had an opportunity to review the record schedule attached to the information to obtain. Cabinet Office undertook all of those steps outlined within that record schedule with respect to the official cabinet records. This has to do with their political records, for which it is very clear they have sole accountability and responsibility.

I did understand, through Mr. Hume, on a second-hand basis, that Mr. Livingston had made a passing comment. As indicated by the ITO, I placed no weight on that whatsoever. It struck me, to the extent it struck me at all, as a stupid comment, as an indication of passing frustration, and not something that one would reasonably expect any experienced executive to actually contemplate with any seriousness, let alone execute or apparently execute.

**Mr. Victor Fedeli:** Mr. Wallace, what was the comment?

**Mr. Peter Wallace:** What I understood the comment to be was that they would bring in a third party to manipulate the hard drives associated with the political records of the former Premier's office.

I subsequently learned from the OPP, in a second interview with me, that they did, in fact, find good reason to believe—this is confirmed in the information to obtain—that such an activity may have in fact taken place. They offered a clear allegation to that effect.

My reaction to that in the ITO is genuine. It is well documented, and frankly, I stand by the language and sentiment. I was extremely surprised to learn that there's an allegation that the actions had crossed from a stupid idea to something really stupid to what the OPP were telling me was potentially criminally stupid in that context.

To be very, very clear—I think this is abundantly obvious—had I had any reason to take those earlier comments seriously, I would have taken very different steps.

1510

**Mr. Victor Fedeli:** What was the date, approximately, of those comments, just to put it in context?

**Mr. Peter Wallace:** I don't know the actual date, but in a practical sense, it was during that last week of January. So it overlapped with the events of—and I'm sure you will ask me about the meetings we held and things like that, but it overlapped with that time period.

This was a fairly frenzied time, when we were engaged in a tremendous number of activities, both with response to the outgoing Premier and preparing for the incoming Premier. So I apologize for not understanding the exact date, but, as you'll know, I've treated this as a passing comment.

If you don't mind my explaining and putting on the record what I think is already abundantly obvious, but had I known, or had I had any reason to take this seriously, I would have behaved differently in that context. It's clear from the ITO, it's clear from my earlier testimony, it's clear from the evidence and from the memos, that with reference to—even though I have no formal accountability and responsibility for the records of the Premier's office, the political records, I was concerned with any suggestion that these would be dealt with in an inappropriate way. I spoke forcefully to Mr. Livingston about them. I ensured that he was informed both verbally and in writing through a very detailed, very bureaucratic, very clear memorandum of his responsibilities about which he already knew but was crystal clear on those.

Had I thought that he might be using an outsider, I certainly would have added in an extra gratuitous comment—"Don't use an outsider to do these things"—into the memo as well, just to be crystal clear on that. Obviously, had I known this, I would have disclosed this to the committee in the earlier meeting, had I put any material reliance on this.

**Mr. Victor Fedeli:** So beyond the ITO that we're speaking about, the OPP's ITO, is there anything that you can share about how the decision was made and who may have directed Mr. Livingston, then?

**Mr. Peter Wallace:** No. I do not have any insights into the motivations of Mr. Livingston beyond his language that he told me, that I've already talked about in earlier testimony. But I have no insight into his motivations or what he might have been thinking or any instructions he might have received.

**Mr. Victor Fedeli:** I saw your comments and the language you used, and the idea—I think you said that it went from a stupid idea to a really stupid idea to now an

OPP comment. Was it something that was simply stupid, premeditated, or do you think there was actually a little bit more thought put into it than that, in hindsight now?

**Mr. Peter Wallace:** I really can't put myself in the mind of Mr. Livingston in that context. You will appreciate, I think, that those are questions that are more properly put to others.

**Mr. Victor Fedeli:** Do you know of anybody else—

**The Chair (Mr. Shafiq Qaadri):** Mr. Fedeli, I'll allow you to continue. It's just that the question that you just asked was a little bit on the hypothetical side, especially with the entering into a mindset of another.

**Mr. Victor Fedeli:** Oh, I apologize.

**The Chair (Mr. Shafiq Qaadri):** But, anyway, go ahead.

**Mr. Victor Fedeli:** Okay.

**Mr. Peter Wallace:** I can't answer in any event.

**Mr. Victor Fedeli:** Well, I was going to ask you who else may have been involved in that thinking. Do you know of anybody else who was involved in that thinking? I'm not sure if that's a hypothetical—

**Mr. Peter Wallace:** That is a question I can answer, and I do not know of anybody else who was involved in it.

**Mr. Victor Fedeli:** Okay. Last time we were together, you started talking about the fact that you were approached by members of the transition teams from the likely winners. I cut you off, and we got a little side-tracked on another topic. You were about to tell us who the people were who engaged you. Can you carry on that conversation?

**Mr. Peter Wallace:** Absolutely. I'm only going to talk, of course, to the team—

**Mr. Victor Fedeli:** The successful one.

**Mr. Peter Wallace:** —that's being associated with that. But the primary person was Monique Smith, a former member of the Legislature, well known to me as well as a former member of the treasury board in that context. A series of others came in line as well, but it was Monique Smith who was the primary contact at that point in time.

**Mr. Victor Fedeli:** What kind of contact was there? What were the discussions that you would have had with Monique Smith?

**Mr. Peter Wallace:** We had many, many conversations over an extended period of time. The conversations related to basically preparing the incoming team to govern. So they would have dealt with, from the mechanics of swearing in, to the process of selecting a cabinet, to the major issues at play at that point in time, and they certainly would have dealt with things like fiscal context, steps towards preparation of a budget, and major commercial transactions in play. Of course, they would have dealt with the issues that were vital and in front of this House, including issues of the privilege of the Legislature and the issues associated with, more generally, the return of the Legislature and possible recall of committees.

**Mr. Victor Fedeli:** In our discussion, again, you said, “[O]ne of these stunning things is that the committee

itself had not, at that point, turned its attention, for whatever reason, to the production of documents by the Premier's office.” I said, “Of all the Premier's office officials, who were involved in the gas plant scandal at the time.” We ran out of time when you said, “Of those who were part of the Premier's office at the period of transition.

“I can also confirm to you—” And we were done. Do you want to carry on, then? You were surprised that we had not talked about the transition team and their production of documents from the Premier's office. So let's have that discussion, then.

**Mr. Peter Wallace:** Let me refer to what I was dealing with at the time and then we can continue with the issue raised, which I frankly understand to be a slightly separate issue, but I'm happy to discuss it. What I was referring to at the time is the way the committee requests were initially worded. They did not necessarily capture records from the Office of the Premier.

**Mr. Victor Fedeli:** You mean our requests wouldn't have captured—

**Mr. Peter Wallace:** Exactly, and I was surprised at that. I was surprised that that fairly elemental part had been missed. I was also surprised that the focus of the conversation was as much on the volume of Ontario public service documents that had been disclosed and not on the relative absence of documents from elected officials and their political staff. Both of those were surprising to me. I had expected you to question me on those. I was not questioned on those, so I was surprised that those had not come out.

If you want to rephrase the secondary question or go back to it—I'm not sure I caught the gist of it as it related to the transition team.

**Mr. Victor Fedeli:** You obviously were surprised that there were very few documents from the Premier's office turned over in our net, if you will. Can you tell us, in your opinion, what you know today, now, why that occurred?

**Mr. Peter Wallace:** I have no further insight from that point in time. From a reasonableness or a common-sense perspective, I would have understood that the call for production of documents produced a massive tsunami of documents from the Ontario public service and from the relevant agencies. There were few, if any, documents from the government of the day. In fairness, I am compelled to note that this issue and this question was a priority of the new Premier to correct. She did request, from me and through my officials, access to the passwords of the former Premier's office so that her officials could review back, get documents and disclose them.

**Mr. Victor Fedeli:** I missed the beginning of that. Could you just repeat that?

**Mr. Peter Wallace:** The material disclosed to this committee was disclosed once Kathleen Wynne became Premier. For the sake of completeness, she did request that her staff review and discover whatever records were available and did make those, if they were responsive, available to the committee. But prior to the transition, my

understanding is that few, if any, records were found to be responsive, associated with the Premier's office or by ministers or their staff.

**Mr. Victor Fedeli:** You were also talking, at one point, about—you had a lengthy discussion with Mr. Yakabuski about—deleted emails versus—I call them “parked”—disabled emails. Do you feel, knowing what you know today, that many of the disabled emails ended up becoming deleted or destroyed emails? Is that something that would have occurred?

1520

**Mr. Peter Wallace:** This is something that I may have to write the committee on because the fine details of disabled versus deleted are not something with which I am completely familiar. My understanding is that in December 2012, staff from my office, or staff from Cabinet Office, took the initiative because we were concerned about the request—I believe from Mr. Tabuns. There was a freedom-of-information request from Mr. Tabuns that we took very seriously, and we were worried that as individuals left the Premier's office, if their accounts were deleted, that FOI request would perhaps not be fulfilled. So we stopped the practice of deleting the email accounts and instead only disabled them, meaning that they would be available for future recovery. So in that context—and because I am not an expert on this thing, I may have to write with a different answer, but that is absolutely my understanding. That was a proactive action from Cabinet Office to prevent the possible loss of records.

I want to emphasize something here: Cabinet Office is on very, very dicey ground—

**Mr. Victor Fedeli:** I'm sorry?

**Mr. Peter Wallace:** Cabinet Office is on dicey ground in this context. These are the records of the Premier's office. We are attempting to preserve those records as they relate to Cabinet Office; it may have inadvertently included some other records, but it's designed to capture the records as they relate to Cabinet Office.

Should anybody have left the Premier's office—and we were certainly aware of people leaving at that point in time—their records would not be subject to deletion but would be preserved. The technical mechanism is that you disable the account rather than delete it. Disabling it means it just sits there.

**Mr. Victor Fedeli:** Except for the fact that we've learned now that the accounts of 24 computers, according to the OPP, were wiped. Are these the very accounts that you're speaking about?

**Mr. Peter Wallace:** I think there's a key distinction here. I hope you will have an opportunity in the future to question a genuine IT expert in this context. I want to be careful with my own comments here because they don't hit a particularly high understanding of what goes on here. But as I understand it, the email accounts themselves are stored on servers. The issue associated with the administrative access has to do with access not to those servers but to individual hard drives; effectively, as I understand it, the C drive. If you had a document that you did not store on a network drive but you stored on your

personal drive, that would be the C drive; that would be accessible through the password. As I understand it, that would not primarily affect the emails.

**The Chair (Mr. Shafiq Qaadri):** One minute.

**Mr. Victor Fedeli:** You spoke earlier about passwords. Can you elaborate a little bit further on who got the passwords? Who were they given to in the Premier's office?

**Mr. Peter Wallace:** I know this primarily from the information to obtain. You will appreciate that this is not something I would normally deal with. I made a decision—and you may want to revisit or question me further on that decision—that once I understood that the Premier's office already had access to administrative passwords, I had no basis for denying access to administrative passwords. That continued in a business-as-usual approach, which was a standard I was aiming for. My understanding from the ITO is that operations folks then gave the administrative password to Wendy Wai—

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Fedeli. We'll pass the floor to Mr. Tabuns of the NDP.

**Mr. Peter Tabuns:** Mr. Wallace, thank you for returning to the committee.

I took a look at previous testimony prior to today, and I know that in the past we've asked you very narrowly about matters, and not necessarily given you an opportunity to speak broadly about how you assess the events that led up to and culminated in the alleged destruction of documents. You've been fairly forthcoming here with Mr. Fedeli. Perhaps you've given us the full perspective that you want to give, but if there are things here that would illuminate the broader terrain for this committee, we would appreciate hearing your perspective on the approach of the McGuinty government to record-keeping and the events from the summer of 2012 until a new government, a new Premier, came in.

**Mr. Peter Wallace:** I appreciate the question. I need to be careful that I don't ramble on.

**Mr. Peter Tabuns:** I appreciate you being careful.

**Mr. Peter Wallace:** It is very genuine; I don't want to eat up time.

This file has not been a labour of love for the Ontario public service. It has been an exceedingly difficult file in two contexts. The first has been simply the mechanics of it. I think it would have been the preference of the Ontario public service and of the agencies that the gas plant contracts not be cancelled, and if they were to be cancelled because of a legitimate political decision, that the mechanics of unwinding those contracts be left with the formal contract holders and be left to a legal process envisioned by those contracts; and if there were a further decision to relocate those gas plants, that that be made through a more formal transparent cabinet process and that the costing and other things associated with that be transparent in terms of the sunk costs and the broader costs. I think, more generally, these have been the subject of frustration and challenge in my world, in the public service world and, frankly speaking, more broadly in the agency world as well.

Public servants have understood, and it took us a couple of days, frankly, to understand the broad privileges of the Legislature. When the first orders from a minority Parliament came through, the orders of the Legislature, I received legal advice that these superseded the traditional protections normally afforded us of solicitor-client privilege, commercial confidentiality, cabinet advice, personal information—all of those things. It took us a little bit of time. I went off and asked a bunch of different lawyers and sought to get a different answer. We very quickly did understand that those powers were compelling.

We set about trying to pull together the best possible record of responsive material and present that to the committee. Our efforts were not perfect, and we've taken full responsibility for the imperfection of our efforts in that context. I do believe that that approach was not fully shared, that there was an enormous effort by the public service to disclose all of the responsive records. There were far fewer responsive records that were found in others. Others have provided their explanations for that; that's not an area in which I can speculate. I can only say that it has been very challenging for the Ontario public service to put together the volume of records, keep track of it, put disclosure in good faith, deal with the mishaps that inevitably occur in that process, and account for our activities to the Legislature.

I will emphasize that I feel we have done that comprehensively, and we have provided full and fair disclosure to legislative committees. I think, to be very frank, we learned those lessons through this committee, and we have continued to apply them through the other committees of the Legislature, providing full disclosure. This has been a very difficult and time-consuming process for us, and it has distracted us from other files we would have done, but we do it out of legal requirement and obviously respect for the Legislature.

I apologize for the length of my answer.

**Mr. Peter Tabuns:** Okay. I appreciate you giving us that broader context.

David Livingston was given special administrative access to computers in the Premier's office. At the time you were asked for this, did you understand the scale of activity that is alleged to have taken place?

**Mr. Peter Wallace:** I did not. I think, in fairness, it's not the kind of thing that a secretary of cabinet considers. We do think in a very practical way. These administrative right privileges are not something we think about all the time. I think of them to some extent as a privilege like a credit card or something like that. You're provided with a government credit card; you know the rules with the credit card. We don't expect you to share that credit card with a third party. We don't expect you to charge personal expenses. We don't expect you to do anything untoward with that credit card.

Having said that, and I don't want to appear in any way disingenuous in this context, I was acutely aware of the broad debate and public interest associated with political records. I took, to be very direct, extraordinary steps with respect to first trying to ascertain whether or

not we were setting new precedent. I was told we were not setting a new precedent; therefore, I allowed the additional access to be issued.

**1530**

Secondly, even believing that it was not an additional precedent, I took a great deal of caution to ensure that Mr. Livingston was made aware of his accountabilities, writing an extremely bureaucratic memo, informing him in the most graphic language I could—and that is referred to in the information to obtain—of the type of inferences that he would leave himself and his government open to, and then provided him with, you know, the memorandum in writing.

This is, to be frank, not something we do every day. You will not find other memos of this sort. It reflects the fact that we were very concerned at this point in time.

**Mr. Peter Tabuns:** I'm going to turn it over to my colleague Mr. Singh for a period because he's going to be taken out of committee shortly.

**Mr. Peter Wallace:** I'm at your disposal, of course.

**Mr. Jagmeet Singh:** Thank you. I just want to work my way through this. You mentioned one thing off the bat that I think merits some time. If you could just summarize very briefly, you indicated that you had certain concerns around the overall steps that were taken: the decision process, the transparency around the cancellation and the relocation, particularly with respect to the manner in which it came to be. I think you also applied some emphasis on the manner in which the legal contracts were disposed of or dealt with. Why did you feel that that was of particular concern to you?

**Mr. Peter Wallace:** I remain acutely concerned—and I'll be very direct here. I remain acutely concerned that the respective roles of public service and political actors be distinguished. The roles of the public service and its context are to provide administrative support and advisory support. These are not to be distinguished from the decision-making roles. But we are sentient beings. We do have policy views, we do have policy advice and we prefer to work for systems that are functioning well.

Obviously, in that context, I would have preferred events to work out differently, and I would have preferred—and I think this is only echoing, to be frank and clear, the testimony of officials from the Ministry of Energy or the Ontario Power Authority or others—that these be dealt with within the contractual processes established when we entered into a series of commercial transactions with private enterprises with respect to the production of energy from gas-fired plants.

**Mr. Jagmeet Singh:** I'm going to put it a little more directly: Do you think that the lines were blurred? Is that fair to say, that the lines that should have been kept discrete were not kept discrete and were blurred?

**Mr. Peter Wallace:** Absolutely I do not feel the lines were blurred. I feel that they were completely kept apart. I'm worried that others in retrospect may see them as blurred and I want to make it crystal clear that, in my view, they were not blurred.

**Mr. Jagmeet Singh:** Okay. In retrospect, do you feel that the decisions made were made in a way that would

compromise the interests of Ontarians—that compromised the interests of the people of Ontario?

**Mr. Peter Wallace:** I think there's been a great deal of testimony in front of this committee. I think the committee has had an opportunity to review the report of the Auditor General.

**Mr. Jagmeet Singh:** I want to just ask you some of the timeline. Mr. Livingston came to you with this request for special administrative access. You assessed that this wasn't something that was not already in existence? This type of administrative access did exist already?

**Mr. Peter Wallace:** That's correct.

**Mr. Jagmeet Singh:** Okay. And—

**Mr. Peter Wallace:** So the answer to the question, the way you phrase it: That is what I assessed. I learned from the information to obtain that that may not have been strictly accurate, but that is my understanding at that point in time; correct.

**Mr. Jagmeet Singh:** Okay. And your understanding was, given that understanding, that's why you agreed to provide the access; is that correct?

**Mr. Peter Wallace:** Yes, that I had no basis for denying what they already had.

**Mr. Jagmeet Singh:** Right.

**Mr. Peter Wallace:** I assumed, frankly, that Mr. Livingston was asking what he had already received and that he had come to us rather than checking with his own people first.

**Mr. Jagmeet Singh:** Okay. Did that strike you as not flowing completely logically, that if he already had something similar, why would he need to request it through you?

**Mr. Peter Wallace:** It did not strike me as particularly unusual. Mr. Livingston is a high-powered, very smart, not patient man. He would not necessarily check those things with his own folks. He might naturally just come to us or to us and Mr. Nicholl, ask the same question of us, without going through his own folks. His office may have been in some chaos at the time; he may have preferred to come to us. So frankly, I did not find it surprising that he would ask us the question, or that he would ask the question of several of us simultaneously, or more or less simultaneously.

**Mr. Jagmeet Singh:** In making your decision or in this relation, were there any points in time where you had contact with or you provided updates to or information to anyone in the current Premier's office?

**Mr. Peter Wallace:** No.

**Mr. Jagmeet Singh:** Okay. Did you provide updates to anyone not perhaps in the Premier's office, but perhaps to any minister's office or anyone affiliated with any of the ministers?

**Mr. Peter Wallace:** No, I did not.

**Mr. Jagmeet Singh:** With respect to the cyber security report, are you aware of the cyber security report?

**Mr. Peter Wallace:** I am aware of the cyber security report in that it's mentioned in the information to obtain, and I had earlier awareness of the fact that the cyber security branch had been asked by the OPP to undertake

certain activities with respect to the chain of evidence and potentially certain activities with respect to initial review of that evidence, but I have no direct knowledge of the report. My understanding is that that was done on behalf of the Ontario Provincial Police and is not something I would expect to have any visibility into.

**Mr. Jagmeet Singh:** The Premier indicated—

**The Chair (Mr. Shafiq Qaadri):** Mr. Singh, just for a moment, just on behalf—first of all, with regard to your questioning, the cyber security report questioning, I'd just invite you to bring your questions to the mandate of the committee as it exists.

Please continue.

**Mr. Jagmeet Singh:** The Premier indicated that she recognizes—claimed that she needed to implement a number of fixes, that there were certain problems going on, particularly with respect to record-keeping. She didn't explain how she knew about these concerns. Do you know what she was attempting to fix or why she had a perception that there were some problems that needed to be addressed?

**Mr. Peter Wallace:** I can't speculate what was in the mind of the Premier, but I do know what was very broadly known at that time—

**Mr. Jagmeet Singh:** What was broadly known at that point?

**Mr. Peter Wallace:** What we knew at that time was that there were very serious issues raised in this Legislature prior to prorogation, and in the public after prorogation, around the quality of document production from the Ontario public service but primarily from elected representatives and their officials, and that we did inform Premier Wynne of those issues and she would have known that these were pressing issues—in my view, she would have known that these were pressing issues of public policy.

**Mr. Jagmeet Singh:** Were you consulted or did you provide any feedback with respect to problems that you saw with respect to record-keeping and record-keeping practices and convey that concern to the Premier's office?

**Mr. Peter Wallace:** Yes, I did. I need to distinguish this in a very, very critical way, and I'll appreciate your patience as I try and explain this.

**Mr. Jagmeet Singh:** And when did you do this?

**Mr. Peter Wallace:** Continuously through transition.

**Mr. Jagmeet Singh:** Beginning when?

**Mr. Peter Wallace:** As soon as Monique Smith called me, but this will be less interesting after I explain it.

**Mr. Jagmeet Singh:** Sure, but roughly when was that, though?

**Mr. Peter Wallace:** A few days before the leadership convention. So let's call it January 22 or something along those lines.

**Mr. Jagmeet Singh:** Sure. And you conveyed concerns around the record-keeping—

**Mr. Peter Wallace:** I indicated that for the successful Premier, there would be a series of challenges, and these challenges were already well known. They would relate



to the fiscal challenges, they would relate to budget preparation, they would relate to things associated with the teachers' action at the time, so they would relate to broad issues.

**Mr. Jagmeet Singh:** And in referencing the gas plant situation?

**Mr. Peter Wallace:** Exactly. With reference to the gas plants, we would distinguish and we would talk to them about the records of which the Ontario public service was particularly concerned, which is the requests made by legislative committees.

**Mr. Jagmeet Singh:** And when you say you were communicating with them—

**Mr. Peter Wallace:** Sorry, I just need to be clear on one thing. We did not express any advice with respect to the management of political records or the hard drives or the emails associated with the former Premier's office. I indicated this back in March. If they wanted information on those issues, I would not be an appropriate source for that information. That would be something that they would appropriately obtain through the direct mechanism of the former Premier's office.

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**Mr. Jagmeet Singh:** When you indicated that you were communicating with them, who do you mean by "them"?

**Mr. Peter Wallace:** With Monique Smith, but also with others. So we had—

**Mr. Jagmeet Singh:** Others including—

**Mr. Peter Wallace:**—broad conversations around the issues in front of the Legislature; about document production by the public service; about the absence of document production by others; about document production by the Ontario Power Authority and others.

The area that we did not cover, because we had no visibility into it whatsoever, was the management and the practice of the former Premier's office with respect to its records management, whether it be hard drives or other mechanisms, of its political records.

**Mr. Jagmeet Singh:** Sure. I'm just going to slightly change track a bit. When the ITO was unsealed, have staff or elected members asked you for briefings about your understanding of the events?

**Mr. Peter Wallace:** They have not.

**Mr. Jagmeet Singh:** They have not.

Do you believe the Premier has regular contact with Emily Marangoni, Brianna Ames, Leon Korbee and Rebecca MacKenzie?

**Mr. Peter Wallace:** These are, as I understand it, officials in the Premier's office.

**Mr. Jagmeet Singh:** Yes.

**Mr. Peter Wallace:** I have regular scheduled meetings with the Premier; interact with her on cabinet business on a regular basis.

**Mr. Jagmeet Singh:** Right.

**Mr. Peter Wallace:** I have no understanding or visibility into her relationship with members of the staff, and to be very frank, I don't even know if these individ-

uals are located in the Whitney Block or in the Legislative Assembly.

**Mr. Jagmeet Singh:** From February 7 until today, have you ever briefed any political staff about the deletion of emails, wiping of computers or the special administrative right provided to David Livingston?

**Mr. Peter Wallace:** I know absolutely that I have not provided any briefing to the Premier.

**Mr. Jagmeet Singh:** And any political staff?

**Mr. Peter Wallace:** I do not recall any briefing. I do not recall any briefing to any member of the political staff.

The reason I'm going to distinguish these is because I have a very good understanding of what I've said to the Premier. The meetings with political staff, you will appreciate, are constant and ongoing, and I could not in good conscience absolutely guarantee to a high degree of evidentiary certainty that I have never made a passing comment to a member of political staff. But there was never a formal briefing, and here's why: If they are concerned about those issues, they will not get that; that is not my business. I took steps. I would have had every reason to believe that when I established the most astonishingly obvious set of bureaucratic notes about what to do and what not to do with respect to elements, any member in the Premier's office would have actually followed that path. Frankly, I had assumed that Mr. Livingston would follow that very clear direction laid out.

**Mr. Jagmeet Singh:** I understand. In terms of your informal discussions, what would you have disclosed in your informal discussions as it relates to the deletion of emails or the wiping of hard drives or the actions of Mr. Livingston with respect to the special administrative password?

**Mr. Peter Wallace:** I can't say that, because I have no recollection of informal discussions. I'm merely saying that I cannot exclude the possibility that, in a number of months, such a conversation did not occur. I can say absolutely that no such conversation occurred with the Premier. Simply because of the volume of conversations, many of which take place at different times, I cannot provide you with—

**Mr. Jagmeet Singh:** Sure. Did you inform anyone of the OPP investigating you or their interview during their investigation with you?

**Mr. Peter Wallace:** No. The OPP investigation was not a secret. It was requested by members of this committee, I believe. I—

**Mr. Jagmeet Singh:** But after, when—

**Mr. Peter Wallace:** I don't recall specific conversations about that.

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Singh.

We pass now to the government side: Mr. Del Duca.

**Mr. Steven Del Duca:** Thank you, Mr. Wallace, for being here with us again today.

Before I get into some of the questions that I do want to ask, I did want to go in the direction of clarifying

something we heard a little bit earlier in one of the answers or in a couple of the answers that you gave to the opposition.

You said earlier that Premier Kathleen Wynne's office requested passwords to the former Premier's office email accounts after she was sworn in as Premier. I just want to clarify, regarding that particular matter, that on May 7, 2013, this committee passed a document production motion seeking all gas plant documents from the Premier's office. On May 21, 2013, Tom Teahen, Premier Wynne's chief of staff, wrote to this committee in response to that particular request, and I want to quote from the letter from Mr. Teahen to the committee: "In addition, on May 9, we were advised by Cabinet Office IT that the email accounts of 52 individuals formerly employed in the Premier's office could be accessed. A search of those accounts was conducted by my office and any available records, applicable to the committee's motion, have been included. I have enclosed with this letter a list of the 52 individuals."

So I just want to clarify, when you said that Premier Kathleen Wynne's office had requested access, it was to complete the search of those accounts. Is that correct?

**Mr. Peter Wallace:** That is correct.

**Mr. Steven Del Duca:** I just want to note for the record that 30,000 documents from the Premier's office were provided to the committee at that particular time.

So with respect to the Kathleen Wynne government and their efforts to undertake or to deal with issues around transparency, I want to ask you about the steps that the new Premier, the current Premier, has taken to commit our government to openness and to transparency. I think you're aware that in the last year Premier Wynne's office has coordinated mandatory document retention training for all political staff at Queen's Park. Are you aware of that?

**Mr. Peter Wallace:** I am aware of that, yes.

**Mr. Steven Del Duca:** Thank you.

Premier Wynne has also taken many steps to be open and transparent on the gas plant issue in particular, including calling in the auditor to review the Oakville relocation, recalling the Legislature right away and offering the opposition a select committee. When the opposition rejected that particular offer, she significantly expanded the scope of this particular committee. Premier Wynne has testified at this committee twice, along with several other members of the current and the former government, and she's provided tens of thousands of documents in response to committee motions, including the 30,000 documents that I referenced a second ago. I understand that a number of materials that have been disclosed to this committee include documents from Cabinet Office, which I know you discussed a little bit in the previous two rounds of questioning.

Can you comment for us, or elaborate a little bit for the committee, on the concerns that exist when documents from the Cabinet Office are turned over to a committee? In a general sense.

**Mr. Peter Wallace:** The committee has legitimate and appropriate powers, but they are substantial. I do know

that members of the Ontario public service have from time to time struggled with the nature of document disclosure in terms of commercially confidential or other information, and have worked with this and, particularly, other committees to ensure that that information is treated in a respectful and appropriate way. It's been my experience that officials have had an opportunity to raise those issues and that they have been dealt with appropriately and respectfully by this committee and other committees of the Legislature. But these, because of the volume of information and because some of the things that we do do require an element of confidentiality, and confidentiality only in the public interest, but confidentiality—we have raised those issues and they have been dealt with appropriately, in my view, by the various committees of the Legislature.

**Mr. Steven Del Duca:** Thank you for that. So just to be clear, despite the risks that you discussed a second ago, can you confirm for the committee—I think you have, but I just want to make sure that we get this emphasized correctly—that your office has acted in good faith to turn over documents as per the committee's requests.

**Mr. Peter Wallace:** We have always acted in good faith to turn over all of the documents at the committee's request.

**Mr. Steven Del Duca:** Thank you.

With respect to Premier's Wynne's office, can you comment on what you have seen in terms of Premier Wynne's office's commitment to proper record retention and disclosure?

**Mr. Peter Wallace:** I need to be slightly cautious here because the question implies specificity of knowledge that I do not have. Just as I did not actually have direct visibility into the record management processes of the former Premier's office, I do not have direct visibility into the record management practices of the current Premier's office.

I have seen enormous change in the types of questions being asked of me. The concerns that I felt were raised by prior questions that caused me to take fairly exceptional steps, including writing memorandums and ensuring they were read out over the phone and those kinds of things—I have not seen any of those. In fact, the requests of my office have been oriented towards arranging training for political staff and securing access to the accounts so that records can be produced. So it has been a very different dialogue and approach. But I emphasize that that is an indirect answer, because from a direct answer, just as I had no certain knowledge about the approach of the former Premier's office with their documents, I obviously don't know what is happening. But it is my understanding, and certainly the types of questions in my interaction with the Premier's office is very, very different at this point with regard to these matters.

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**Mr. Steven Del Duca:** Can you elaborate on the different kinds of questions? You have mentioned that a couple of times. I'm just wondering if you can give us a little bit more regarding the differences.

**Mr. Peter Wallace:** I've testified and indicated my concerns associated earlier—both in earlier testimony and earlier this afternoon. The orientation of the questions now is around ensuring full and fair disclosure.

**Mr. Steven Del Duca:** I'm not sure if this is getting into that area of specificity or however you referenced it a second ago, but I'm wondering if you can discuss with us at all the current Premier's office's response to the issues that were raised specifically by the Information and Privacy Commissioner. For example, can you comment on the reaction of Premier Kathleen Wynne's office to that particular IPC report?

**Mr. Peter Wallace:** I'm struggling to remember this, and I apologize for this, but it's my recollection that the Premier's office undertook some efforts to accept the report, ensure training for their staff and so on.

**Mr. Steven Del Duca:** Okay. So beyond some of these specific or somewhat narrow areas, I'm wondering if you can provide us with your perspective about the other undertakings that Premier Wynne's government has set about to embrace with respect to opening up government, becoming one of the most transparent governments across the country of Canada, generally speaking—if you can talk to us a little bit about some of the other initiatives that Premier's Wynne's government has embraced, has moved towards.

**Mr. Peter Wallace:** I could burn up a lot of time here, but I won't, frankly.

The Open Government Initiative is vitally important from an Ontario public service perspective. We understand the limitations on public policy, and we understand the need to make information, including high-quality digital information, available to the public so they can participate more fully in public policy, both the design of public policy and ultimately, I am very hopeful, in the delivery of public policy. The Open Government Initiative lays the groundwork for that, and we're working in a very firm and established international context and trend.

**Mr. Steven Del Duca:** Just out of curiosity, how does Ontario compare, the initiatives that are being undertaken, to other provinces across Canada?

**Mr. Peter Wallace:** I think it puts us largely in the mainstream. I think the UK is probably a little bit ahead. The United States government has a number of highly specific initiatives. It's my understanding that in general, we're towards—

**The Chair (Mr. Shafiq Qadri):** Mr. Del Duca, just as you continue, I once again call your attention—this line of questioning with regard to open government in other provinces is not directly material to the mandate of this committee, and I would invite you to return to it. Thank you.

Continue.

**Mr. Steven Del Duca:** I appreciate that. It was a fascinating answer, but I do appreciate that.

I want to take just a minute or two to ask some questions. Earlier, in the previous two rounds of back and forth that you had with the opposition, there was some discussion around the transition period, and so I wanted

to talk a little bit about that transition period from the former Premier's government to the current Premier's government. I understand, or I gather, that things can tend to move fairly quickly when the torch is passed from one Premier or one administration to the next. Is that correct?

**Mr. Peter Wallace:** That's correct. It's a busy time.

**Mr. Steven Del Duca:** It's a busy time. So you became secretary to cabinet in the fall of 2011, so it would seem, then, that this is the first time that you've had the chance to oversee that kind of new government move in, that kind of transition. Is that correct?

**Mr. Peter Wallace:** That's correct.

**Mr. Steven Del Duca:** Could you talk to the committee a little bit about what that process specifically is like and what role Cabinet Office plays in that process?

**Mr. Peter Wallace:** Sure. Cabinet Office has a formal and an informal role. The formal role deals with things like maintaining custody of cabinet documents, maintaining the continuity of government decision-making, preparing for the formal swearing in of the new Premier, liaison with the Office of the Lieutenant Governor, and a whole bunch of other things broadly associated with the machinery of government, and that rests very much with the central agency of Cabinet Office.

We're also expected to provide decision-making continuity more broadly, which is to say that we provide access and information to the incoming Premier's office with respect to priorities, issues of the day, legislative challenges, fiscal issues, things like the ongoing issues at that point in time associated with the teachers' negotiations, and a handful of other aspects.

We also liaise extensively with the individual ministries who are preparing for their new ministers, preparing briefing information. We consolidate that information in a way to make material available to the incoming Premier and his or her transition team. That's with respect to preparing for an incoming Premier of any stripe, whether a transition within the same party or a transition between parties.

We also take an approach with respect to the outgoing Premier, which is a business-as-usual approach. So effectively we regard this as a caretaker period, and we guard against, or, rather, try and maintain, a situation in which the government of the day—shortly not to be the government of the day—does not take any moves that would bind the future government.

That's the intent of the informal protocols. They are written loosely, but they are very well understood as part of Westminster-type bureaucracy. So we treat the outgoing Office of the Premier as a caretaker period and essentially deal with the incoming Office of the Premier as a preparing to govern, both in terms of machinery of government and in terms of broad policy or operational issues.

**Mr. Steven Del Duca:** Right. So, physically speaking, the two administrations, the outgoing and the incoming, would actually work out of separate offices. Is that correct?

**Mr. Peter Wallace:** They would. That's correct, yes.

**Mr. Steven Del Duca:** Can you talk a little bit or describe what that separation looks like and speak to that division of physical space?

**Mr. Peter Wallace:** I don't actually spend a lot of time on the issues of physical space or those things, and I appreciate the orientation of the question, but I can provide relatively little detail. I know that there was a transition suite associated with the incoming Premier. I know there was a suite dedicated to the offices of the outgoing Premier. I know that the break was relatively rigid, but I'm afraid I don't know anything about the physical space or the exact dates involved. That's information we can provide, but it's something that I didn't pay attention to.

**Mr. Steven Del Duca:** Thank you. I want to move on to talk a little bit or provide some clarity regarding when the Ontario Provincial Police investigation was made public. So much has been made in this committee about when it was known that the OPP were actually conducting an investigation. In fact, after Mr. Nicholl testified at committee last week, one of the opposition members noted in a media scrum that he found it quite interesting that Mr. Nicholl had noted that a lot of people knew that there was an OPP investigation going on. He went on to say that it was troubling that a lot of people knew about the OPP investigation but that it didn't come to light.

In fact, it is clear that the existence of an OPP investigation was public knowledge virtually from the beginning. We know, for example, that on June 6, 2013, the Progressive Conservative Party asked the OPP to look into the case of the deleted documents regarding the gas plants. The very next day, the OPP announced their intention to launch an investigation, and we have articles dated June 7, 2013, which state that the OPP confirm that an investigation has commenced.

If you can let us know, when did you and the rest of Cabinet Office first become aware of the police investigation?

**Mr. Peter Wallace:** I would have become aware through—the rest of Cabinet Office I can't speak for, but obviously, we were not given a heads-up by the members of the opposition. We became aware of it coincident with their public announcement.

**Mr. Steven Del Duca:** So it's fair to say that you found out about the timing of the commencement of the investigation sort of when the rest of the public would have, through the media?

**Mr. Peter Wallace:** Obviously, we found out about the opposition request for an investigation, and we found out about the OPP's acceptance of that investigation at the same time those were broadly known to the public.

**Mr. Steven Del Duca:** Thanks very much.

**The Chair (Mr. Shafiq Qadri):** Mr. Del Duca, once again, the Chair extends an invitation to you to confine your remarks to the mandate of the committee. Please continue.

**Mr. Steven Del Duca:** Is there anything else you'd like to add in this first round of questioning? No. Thanks very much.

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Del Duca.

To the PC side: Ms. MacLeod.

**Ms. Lisa MacLeod:** Thanks very much. Welcome to the committee, Mr. Wallace. I apologize that I wasn't here at the very beginning. A little matter of a \$2-million lawsuit kept me away for a short period of time.

You said earlier that Kathleen Wynne asked you for passwords to Dalton McGuinty's staff's former computers. Could you provide me with a date of when that took place, please?

1600

**Mr. Peter Wallace:** Absolutely. Just to be very clear about that, that's with respect to the production of documents that were provided to this committee—but I'm happy to do that.

**Ms. Lisa MacLeod:** What was the date?

**Mr. Peter Wallace:** I don't know the date offhand.

**Ms. Lisa MacLeod:** You don't? But you can provide that to me?

**Mr. Peter Wallace:** Absolutely.

**Ms. Lisa MacLeod:** When you spoke earlier with the Premier, did you indicate that this odd arrangement with Peter Faist and David Livingston had occurred?

**Mr. Peter Wallace:** No, I did not.

**Ms. Lisa MacLeod:** You did not? You didn't consider that to be a breach of your duty to report any unfortunate incidents within the former Premier's office?

**Mr. Peter Wallace:** Two critically important points here, one of which is that this is with respect to the management of political records. Formally, I would not have anything to do with that. Informally, of course I would have considered that to be simply appalling, had I known and had I not disclosed that. But of critical importance: I did not know that.

**Ms. Lisa MacLeod:** During the discussions that we've now learned about in the OPP ITO—there seem to have been a number of various meetings between yourself, David Nicholl and several other bureaucrats. At any period in time, did you notify Dalton McGuinty that this was happening and that this odd request from David Livingston was being made?

**Mr. Peter Wallace:** No, I did not.

**Ms. Lisa MacLeod:** Why?

**Mr. Peter Wallace:** Chiefs of staff—and I think this is true nationally—operate with the consent and under the direction of their first ministers. Cabinet secretaries do not reach beyond chiefs of staff.

**Ms. Lisa MacLeod:** But deputy ministers and cabinet secretaries are about maintaining the right and being right and ensuring that institutions and the right of the institution is protected, and that there are no breaches not only of law, but that those breaches would be reported. Did you not find it necessary at any point in time to go to Dalton McGuinty or to Kathleen Wynne to explain that this was happening?

**Mr. Peter Wallace:** I did not, and I'm happy to explain why. You've had an opportunity to review the Premier's office records retention schedule. You will

understand two critical things associated with that: I am responsible for the cabinet records; the Premier's office is responsible for their political records. It does, in fact, contemplate, and it is actually entirely permissible, for the Premier's office to deal with their records as they feel fit once they have maintained and once they have undertaken all of the activities to preserve the appropriate records under the schedule—

**Ms. Lisa MacLeod:** But you knew that that wasn't going to happen because you even said in the ITO that you were thinking it was very strange that they didn't follow the rules, but you weren't going to write a memo because nobody would be that stupid. Apparently, we've met stupid, and it was the former Premier's office. But I digress.

I have a real issue: that there appeared to be this breach happening and no one decided to make it vocal, not even you—twice—to this committee previously, where you had two five-minute statements in order to clear the air and indicate that to my colleagues, as well as to the public.

I have one final question, and then my colleague Mr. Fedeli will finish up. What is the normal transition period from any Premier with respect to their hard drives? Are they locked away?

**Mr. Peter Wallace:** They are. They are, as I understand it, and I may need to seek technical advice on this and write technically to the committee. I'd ask you to invite me to do that.

We don't have a huge number of transitions in an era of computers, but as I understand it, the practice has been, as the Premier's office finishes with the hard drives, to take them into the secure custody of Cabinet Office. I believe that happened in 1999—I understand that; I'm not 100% certain of that—and I believe that happened again this time around. I believe that's why Cabinet Office officials were able to retain them.

I do need to step back, because you did ask a vitally important question. You did start off your remarks, and I appreciated it, with a brief apology for not being here, so you will respectfully understand that the question you asked, the implication you provided was one that had already been asked. The reason I did not provide additional information to the committee is because I did not understand at that time that the passing comment by Mr. Livingston was actually anything serious.

**Ms. Lisa MacLeod:** Okay. But it was. It turned out to be. Now—

**Mr. Peter Wallace:** And I learned that—and it's very clear, and I rely on the ITO—through the police investigation. And when I learned that this had in fact happened, my shock and my concern—

**Ms. Lisa MacLeod:** And can I ask you a quick question on this?

**Mr. Peter Wallace:**—and my language was crystal clear.

**Ms. Lisa MacLeod:** Sure, except I think there's still a lack of clarity coming from all corners on this. So my final question—because I do have a supplementary. In

reading your previous testimony, you talked about an investigation by the Attorney General's office into a bureaucrat at the Ministry of Energy with respect to some documents being withheld. I'm wondering, given what we know now with the breach within the cyber security unit within your department: Have you or Kathleen Wynne ever decided to undertake an internal investigation into how this has happened and how it cannot happen again?

**Mr. Peter Wallace:** I'm sorry. I'm frankly not aware of any breach within the cyber security unit.

**Ms. Lisa MacLeod:** Well, Peter Faist walked into the Premier's office, accessed 24 computers, wiped some of them, and now we have an ongoing OPP investigation. So I think there—

**Mr. Peter Wallace:** That's not a breach within the cyber security unit. You will understand, and it has been clearly established by my earlier testimony, unchallenged, that the accountabilities for the use of anything, whether it's a credit card, an expense claim, severance, compensation—anything we administer on behalf of the Premier's office—reside clearly with the Office of the Premier. If there were breaches that took place, and I understand fully the serious allegations made by the OPP, and I am very concerned about that—

**Ms. Lisa MacLeod:** So it would be safe to say, then, that, no, an internal investigation was not done by you with what happened in the Premier's office?

**Mr. Peter Wallace:** Absolutely not—

**Ms. Lisa MacLeod:** Okay.

**Mr. Peter Wallace:**—because I have no authorities whatsoever with respect to the Office of the Premier.

**Ms. Lisa MacLeod:** Thank you.

**Mr. Peter Wallace:** The Office of the Premier is overseen by the Office of the Premier, not by the secretary of cabinet. That is a vital distinction, and one I would appreciate being maintained.

**The Chair (Mr. Shafiq Qadri):** Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much. Mr. Wallace, you mentioned in the first 20 minutes that you and the transition chair, Monique Smith, talked a lot at length. Was there discussion regarding the privilege, as well as gas plant—

**Mr. Peter Wallace:** Remind me what you mean by “the privilege.”

**Mr. Victor Fedeli:** The point of privilege brought by member Leone, which triggered the whole gas plant—

**Mr. Peter Wallace:** Yes. Absolutely, yes.

**Mr. Victor Fedeli:** So can you describe the nature of those discussions—and I think we've got about two minutes.

**Mr. Peter Wallace:** We would have provided extensive information on the nature of the privilege, the advice we had offered to the previous administration with respect to the management of their records, the legal advice—the advice that had been offered to the previous Minister of Energy and so forth. A great deal of that information—all of that information and advice, to the

best of my knowledge—has in fact been disclosed to this committee.

**Mr. Victor Fedeli:** The management of their records: What specifically was discussed with respect to the management of their records?

**Mr. Peter Wallace:** Specifically, everything from soup to nuts. We would have been very, very clear about the obligations as we understood them under law to this committee—not to this committee; sorry. To the earlier committee. My apologies.

**Mr. Victor Fedeli:** You also mentioned when we left off that you gave a password to Wendy Wai.

**Mr. Peter Wallace:** I did not personally give a password to Wendy Wai—

**The Chair (Mr. Shafiq Qadri):** One minute.

**Mr. Peter Wallace:** —but the password was provided to Wendy Wai, yes.

**Mr. Victor Fedeli:** Who did you provide the password to?

**Mr. Peter Wallace:** I did not provide a password to that. Just to be really clear on this—

**Mr. Victor Fedeli:** Oh, you gave the access.

**Mr. Peter Wallace:** —I gave—so once the decision was raised to my level, it becomes de facto my decision. I had no reason and no capacity to block it, the password provided. I did not say, “Give the password to pass it to Wendy Wai,” but it was provided to Wendy Wai.

**Mr. Victor Fedeli:** And this was not just an administrative password, but it turned into a global password, as I understand it?

**Mr. Peter Wallace:** It turned into a more powerful vehicle.

**Mr. Victor Fedeli:** And do you know who gave that password to Wendy Wai?

**Mr. Peter Wallace:** I don’t actually know the individual involved, but I understand that the password was—it came from Mr. Nicholl.

**Mr. Victor Fedeli:** I’m sorry?

**Mr. Peter Wallace:** From Mr. Nicholl, I believe.

**Mr. Victor Fedeli:** And when you learned of this whole thing, what was your reaction?

**Mr. Peter Wallace:** I learned of it through discussions with the OPP and subsequently confirmed through the information to obtain.

**Mr. Victor Fedeli:** And what did you do about it?

**Mr. Peter Wallace:** I was very, very disappointed—

**Mr. Victor Fedeli:** And what did you do in terms of other computers that may or may not—

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Fedeli. To the NDP side: Mr. Singh.

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**Mr. Jagmeet Singh:** Yes, if you could just finish that question: What did you do with respect to any other computers?

**Mr. Peter Wallace:** I’m learning of this far past the time when I have a practical impact on the computers themselves, so I did what would be expected of me, which was to put in place a screen between Mr. Nicholl, cyber security and the information management aspects of the Ministry of Government Services.

**Mr. Jagmeet Singh:** What was the screen?

**Mr. Peter Wallace:** The screen is, those report directly to the deputy minister, and one of them reports directly to a different assistant deputy minister.

**Mr. Jagmeet Singh:** Why did you do that?

**Mr. Peter Wallace:** Because I was very disappointed at the advice I received. I was deprived of an opportunity to make additionally clear—and I think it is completely clear—that as I became aware of any of the risks associated with the management of the political records of the Premier’s office—notwithstanding the fact that I have no direct accountability for them; I am aware of the broader public interest issues of these—I took significant steps to ensure that they were aware of their accountabilities. Had I known what I know now to be clear, I would have, of course, made abundantly obvious what is abundantly obvious—that you can’t use outsiders—and I would not have authorized any access in addition to the access or the privilege already in place.

**Mr. Jagmeet Singh:** Thank you very much. I’m just going to set up a scenario for you here—

**Mr. Peter Wallace:** Why would, I in a context of business as usual? The only reason I pulled together the meeting, the only reason I took the extraordinary step of pulling together a meeting to deal with what otherwise would be a simple request for a credit card or a privilege, was because I wanted to attend as closely as I possibly could to the business-as-usual convention of transition, and I am sorely disappointed that we were not able to do that.

**Mr. Jagmeet Singh:** Thank you for making that clear. I just want to clarify a couple of points here. One is, you became aware—and these are straightforward things just summarizing what you said—that there were some significant problems with respect to the record-keeping on the political side, though that wasn’t your responsibility as a member of the OPS, but you did recognize that there were some significant problems with record-keeping when it came to the political side. Is that correct?

**Mr. Peter Wallace:** There are two issues at play here. Broadly speaking, I am aware of what every member of this and other committees of legislators—

**Mr. Jagmeet Singh:** Just in the interest of time, you were aware of concerns, right?

**Mr. Peter Wallace:** There’s a difference between the disclosure of records associated with the gas plants, OPS versus the political side. I was also, at the very end, during the transition period, aware that there were requests that raised broader issues, which I addressed.

**Mr. Jagmeet Singh:** Okay. One of the things that you indicated in the ITO is that one of your responsibilities is to continually and regularly advise the Premier’s office and to provide them with any assistance to facilitate their work. Is that a fair assessment of your job?

**Mr. Peter Wallace:** That’s correct.

**Mr. Jagmeet Singh:** One of the things that you raised—and I think you did a great job in doing so—was the concern, and I’ll paraphrase, that the only organizations that don’t maintain records are essentially criminal

organizations. Rightly so, you were raising the issue that if you don't have records, then you aren't able to show that you didn't do anything wrong, and if challenged with allegations of improper activities, you can show and point to some evidence and say, "No, no. I didn't. Here is the evidence and here is the chain of events." Is that correct?

**Mr. Bob Delaney:** Chair, on a point of order.

**The Chair (Mr. Shafiq Qaadri):** Point of order, Mr. Delaney.

**Mr. Bob Delaney:** What is this hypothetical speculation intended to achieve? I would like the gentlemen to show how it, in any way, relates to the agenda.

**Mr. Jagmeet Singh:** I'm just saying—

**The Chair (Mr. Shafiq Qaadri):** Thank you. Just a moment, Mr. Singh.

Thank you for your comment, Mr. Delaney. We're mindful of the mandate. We'll let you continue, Mr. Singh, but we are listening intently.

**Mr. Jagmeet Singh:** Sure. I hope you all are. That's what you indicated, that obviously it's very important to keep records and that the only organizations that don't are criminal organizations, for the reasons I put out.

**Mr. Peter Wallace:** Here is what's happening here. I owe a broader duty of care to the Office of the Premier. I owe a broader duty of care to the public of Ontario. I understand and appreciate the niceties of their records versus my records and I will rely on that as I need to in terms of formal accountabilities, but this is not where I want to rest or where I want to spend my career. I took it upon myself, in the most blunt terms, to save David Livingston from himself in this context. I thought that the idea, at this late stage, given the intensity—

**Mr. Jagmeet Singh:** Sorry. My question was just that it's important—you did indicate that it is important—

**Mr. Peter Wallace:** I did. Given the intensity of the interest in records management issues more generally, the idea that a Premier's office would ask me for additional incremental passwords or anything like that, and might use those to eliminate information off a hard drive of any description, would leave them open to an adverse inference. In order to get David, who is not an inherently political person—he's a business guy—in order to give him an understanding of what that might look like, I explained to him as clearly as I could what it would look like if they left behind an office that had no records. And I don't mean no transitory records; I mean no records retained within the context of the Premier's office records retention schedule.

So I did two things. I reached out to him verbally, and I explained to him—an effort to save him, an effort to give him some knowledge that I had. I'm experienced; he was less experienced in these areas. I gave him the benefit, in the most graphic way, of my experience. Once I had given him that benefit, I am compelled to share that benefit with the Ontario Provincial Police, and the Ontario Provincial Police put that in the ITO. That is as it should be. That is the functioning of the investigation working as it should be. But I shared that with him.

Similarly, I then thought, "We need to document this. We need to make clear, and we need to lay very clearly the accountability on his shoulders." Again, that is confirmed by the information to obtain. The information to obtain clearly indicates that our efforts, in a Cabinet Office context—not in anger, but in sorrow, frankly—to ensure that the Premier's office was aware and that that was documented, were very, very clear. So I used strong language and great clarity in order to make that clear.

**Mr. Jagmeet Singh:** Sure.

**Mr. Peter Wallace:** I had no visibility into the idea that, really, somebody might reach outside the Ontario public service—

**Mr. Jagmeet Singh:** Thank you very much for that, sir.

**Mr. Peter Wallace:** —sorry—reach outside of individuals who are sworn or who otherwise have access.

**Mr. Jagmeet Singh:** Thank you very much for that, sir. You indicated before that to understand the problems that were going on with respect to the political side, the best place to make those inquiries would be of the political staff, of that office, and to ask, essentially, then-Premier McGuinty's staff at the Premier's office, to understand the full level of what was going on there. Is that correct?

**Mr. Peter Wallace:** If anybody wants to understand the relationship, or the rationale, of the former Premier's office and its records, I'm not, with respect, the person to answer that question.

**Mr. Jagmeet Singh:** Exactly.

**Mr. Peter Wallace:** It would be the holders of those records. It would be those who were clearly defined in law and by convention with that accountability, which would be the members themselves.

**Mr. Jagmeet Singh:** Exactly. You raised your concern—did you raise your concerns with Monique Smith in terms of the record-keeping component?

**Mr. Peter Wallace:** We raised the very broad concerns around, "The Legislature's going to come back. The Legislature's going to be demanding answers; they're going to be demanding documents. You need to be ready. You need to have an appropriate and legally defensible answer to those. Your guys did not leave you in the best of positions with respect to that document, and here's how you might get yourselves in a better position."

We absolutely had that conversation with them. We did not have a conversation with them about the specific behaviours of the former Premier's office. If they wanted to discover those, they can discover those from the former Premier's office.

**Mr. Jagmeet Singh:** Did you suggest that she—exactly what you stated—did you suggest, in order to find out the full scope and nature of the problem, that Ms. Smith speak with McGuinty's office or the folks who were involved in Premier McGuinty's office?

**Mr. Peter Wallace:** I did not feel that was necessary.

**Mr. Jagmeet Singh:** Okay.

**The Chair (Mr. Shafiq Qaadri):** One minute.

**Mr. Jagmeet Singh:** Do you think that in order for Premier Wynne to have understood the circumstances of what needed to be fixed, she needed to have consulted with, or at least have her office connect with Premier McGuinty's office, to understand the level to which the record-keeping was abysmal?

**Mr. Peter Wallace:** That's a speculative question. What I can answer is that we provided them with a great deal of information in order to fulfill the requirements to the Legislature, and then they did work hard through us to fulfill those specific requirements to the Legislature.

**Mr. Jagmeet Singh:** But you're not aware, one way or the other, of whether or not Premier Wynne spoke with or had her staff speak with folks at the ex-Premier's office?

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**Mr. Peter Wallace:** I would not expect to be aware, nor am I aware.

**Mr. Jagmeet Singh:** Last question, if I can squeeze it in: You indicated that you learned from Mr. Hume about Ms. Miller's intention to involve her life partner in terms of the email deletion. How did you learn of that?

**Mr. Peter Wallace:** No, that's not—

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Singh.

Just before I offer the floor to the Liberal side, I would just remind committee members that within your phrasing of the questions, whether it's "alleged," "criminal," "criminality," etc., these are still subjects before the courts and the OPP investigation. I just call your attention to that.

The other thing, also: We seem to be quite active with our speculative questions, which are neither material to this committee nor necessarily to be answered by the witness, especially when we're asking our witnesses to comment on mindsets and motivations of others who are not present. Just be mindful of that, committee, please.

To the Liberal side: Mr. Del Duca.

**Mr. Steven Del Duca:** I don't have a lot of questions left for the final round here. I did want to go over some territory because I thought I had clarified it the last time I had the opportunity to speak, but it came up again in questioning from both the Conservatives and, to an extent, indirectly, from the NDP as well.

Just to make sure that there is absolute clarity around this fact, because I believe Ms. MacLeod asked you to provide information relating to when requests might have come from Premier Wynne's office with respect to passwords: As I said earlier in my first round of questioning, I want to clarify that on May 7, 2013, this committee passed a document production motion seeking all gas plant documents from the Premier's office. On May 21, 2013, Tom Teahen, Premier Wynne's chief of staff, wrote to this committee in response to that particular request. I want to quote from the letter from Mr. Teahen, which I have a copy of here and which I believe the committee has a copy of. In fact, the letter was written to the Clerk:

"In addition, on May 9th, we were advised by Cabinet Office IT that the email accounts of 52 individuals

formerly employed in the Premier's office could be accessed. A search of those accounts was conducted by my office and any available records, applicable to the committee's motion, have been included. I have enclosed with this letter a list of the 52 individuals." That is from that letter from Mr. Teahen. Again, when you said earlier in the very first round of questioning, I believe in your response to the Tories, that Premier Kathleen Wynne's office requested access, it was, in fact, to complete the search of those accounts in response to the request from this committee. Is that correct?

**Mr. Peter Wallace:** That is correct.

**Mr. Steven Del Duca:** Again I will say, because Mr. Singh tried repeatedly—unfortunately, not caught by the Chair in time—to suggest a whole bunch of things that are not necessarily accurate or true, that in that particular request, 30,000 documents were provided from the Premier's office, and generally speaking—

**Mr. John Yakabuski:** Point of order.

**Mr. Steven Del Duca:**—since the very beginning, 391,707—

**The Chair (Mr. Shafiq Qaadri):** Just a moment—

**Mr. Steven Del Duca:**—documents have been provided.

**Mr. John Yakabuski:** Chair?

**The Chair (Mr. Shafiq Qaadri):** Mr. Yakabuski, point of order.

**Mr. John Yakabuski:** Yes. Thank you very much. I had to wait for Mr. Del Duca to turn off the radio.

**Mr. Steven Del Duca:** Well, you didn't say the magic word.

**Mr. John Yakabuski:** He's making accusations against a member of this committee, Mr. Singh—

**Mr. Steven Del Duca:** And the Chair.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Yakabuski. Mr. Del Duca, I once again invite you to observe parliamentary language. I do understand that there are contentious issues, but if we could at least show each other decorum and respect in this committee.

**Mr. John Yakabuski:** Thank you very much, Chair.

**The Chair (Mr. Shafiq Qaadri):** Please, Mr. Del Duca, continue.

**Mr. Steven Del Duca:** As I was saying in my last sentence, the 30,000 documents that were produced as a result of that particular correspondence are part of the 391,707 documents that have been provided to this committee since it began its work.

I thank you very much for being here with us today, Mr. Wallace.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Del Duca, for your questioning, and thank you, Mr. Wallace, for your presence. You are officially dismissed.

I'd just inform members of the committee that the justice policy committee, in its use of moral suasion, has persuaded Mr. Peter Faist to actually make himself available. I'll let Ms. Pomanski give you the details of that.

**The Clerk of the Committee (Ms. Tamara Pomanski):** We've heard back from Mr. Faist's lawyer, and



they're recommending a video conference for May 13. I just need direction from committee on that.

**The Chair (Mr. Shafiq Qaadri):** Mr. Fedeli, then Mr. Tabuns.

**Mr. Victor Fedeli:** I have a question for the Clerks or yourself, Chair. Was it Ben Chin who we had here at the committee when I was involved that did a video conference?

**The Clerk of the Committee (Ms. Tamara Poman-ski):** Yes, correct. We did a conference.

**Mr. Victor Fedeli:** Do I recall that when they took the oath, it did not apply here? Do I remember that?

**The Chair (Mr. Shafiq Qaadri):** I believe you are correct, Mr. Fedeli, that the Standing Committee on Justice Policy of the government of Ontario's jurisdiction is in Ontario. So if the testimony is out of that jurisdiction, neither the Speaker's warrants nor oaths etc. apply; is that correct?

**Mr. Peter Sibenik:** I believe that is correct, but I'm going to recheck what we did on that particular occasion and get back to you.

**Mr. Victor Fedeli:** Yes, I appreciate that, because I seem to recall rolling my eyes when we were told that the oath that would be taken by videoconference by Mr. Ben Chin in British Columbia—

**The Chair (Mr. Shafiq Qaadri):** The committee would never wish to induce you to roll your eyes, Mr. Fedeli.

**Mr. Victor Fedeli:** Well, I remember doing that. It's been a while since I've been at the committee, but I do recall that the oath did not count. Thank you.

**The Chair (Mr. Shafiq Qaadri):** Correct. Mr. Tabuns and Mr. Yakabuski.

**Mr. Peter Tabuns:** I look forward to Mr. Sibenik's comment on this, but frankly, if that's the case, it reinforces my feeling that he has to be here in person so that we can actually question him in a way that is more appropriate. It was very difficult to question Mr. Chin. I thought it was an inadequate forum.

As I've said to others, there are regularly scheduled flights between here and British Columbia; I'm sure he can find one. He should be here under oath, testifying in person.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Tabuns. Mr. Yakabuski and Mr. Singh.

**Mr. John Yakabuski:** Yes, I share those concerns, Mr. Chair. I recall the testimony of Ben Chin. With all due respect, the importance of his to this committee was far less than the concern we have with Mr. Peter Faist.

Once we received the sworn information to obtain from the OPP, it was clear that Mr. Faist was an absolutely central character. He is the person who has alleged to have actually done the deed of deleting these hard drives. This is the guy who wiped out the information that we're talking about.

Having a videoconference with him from British Columbia without having the assurance that he's taken an oath, sworn an oath that his testimony will be the truth, the whole truth and nothing but the truth, would actually

render this committee worthless because—I believe it's a stunt, quite frankly, on his part. There's no reason why, if Laura Miller can get to Toronto to testify, Peter Faist can't as well. It just clouds this whole investigation. Actually it's an insult.

He's aware of the rules, as we are, and I believe Mr. Sibenik will confirm this because I recall quite clearly at the time that Ben Chin testified that was the case, to the best of my knowledge and understanding. If that applies here with Mr. Faist, then his testimony is of little use to the committee by videoconference. It must be in person, and we have to take every step—and I reiterate that this has become, in my opinion, a Premier-to-Premier issue. Kathleen Wynne, if she believes this is important, and Peter Faist's testimony is important—Mr. Del Duca talks about open government and accountability and transparency. If we're going to get to the bottom of this, Peter Faist must appear before this committee.

I again reiterate, a letter should go from Kathleen Wynne to Premier Clark in British Columbia stating in the strongest possible terms that we require the co-operation of Laura Miller's boyfriend.

**The Chair (Mr. Shafiq Qaadri):** So a few things, Mr. Yakabuski—we appreciate your enthusiasm for our next witness. A couple of things: Mr. Peter Faist does not actually work for the government of British Columbia—

**Mr. John Yakabuski:** But his girlfriend does.

**The Chair (Mr. Shafiq Qaadri):** —and, therefore, likely the jurisdiction of Premier Christy Clark does not extend this capacity—

**Mr. John Yakabuski:** Perhaps they can use moral suasion.

**The Chair (Mr. Shafiq Qaadri):** —to every citizen. I would very much encourage everyone here to use moral suasion.

Secondly, I take it from the committee that we may be ready to reimburse reasonable costs—modest meals, no alcohol—for Mr. Peter Faist to transport the gentleman here. Alternatively, I think the committee may be considering taking the entire committee to British Columbia, if that's in order.

But in any case, Mr. Tabuns?

**Mr. Peter Tabuns:** Mr. Chair, first, I think that, given the distance travelled, it would make sense for us to have not just an hour-and-a-half session but two sessions when Mr. Faist appears, and we have in fact had precedent for that previously.

I would move that this committee request that Mr. Faist appear in person and that the Clerk report back on reimbursing those reasonable expenses that you have outlined.

**The Chair (Mr. Shafiq Qaadri):** Fine. I don't think we need a full motion for that; we just need agreement of the committee, and that letter can be executed instantaneously.

Are there any further comments? Yes, Mr. Delaney.

**Mr. Bob Delaney:** Our colleague has simply asked the committee to do what it already has the power to do anyway.

**The Chair (Mr. Shafiq Qaadri):** Sorry, Mr. Delaney. Once again?

**Mr. Bob Delaney:** My colleague Mr. Tabuns has merely asked the committee to do what it already has the power to do anyway.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Delaney. The letter to be executed to Mr. Faist: Mr. Singh.

**Mr. Jagmeet Singh:** One, I think we should certainly have a letter indicating—and it should be worded quite clearly and with some firm language—

**The Chair (Mr. Shafiq Qaadri):** Moral suasion, Mr. Singh?

**Mr. Jagmeet Singh:** —that the committee is requesting that Mr. Faist attend here in person, and also convey that we are willing to accommodate reasonable expenses as well. That should be clear.

The other issue is that even if—that's our first and foremost request. I shall leave it at that.

**The Chair (Mr. Shafiq Qaadri):** Thank you. But just to continue your point, as was mentioned in committee last time, for example, the extraordinary rendition—meaning physically, actually acquiring somebody, whether it's through the OPP or a Speaker's warrant and so on—that jurisdiction does not extend to outside of Ontario, just to be clear about that. Having said that, the letter will be executed to Mr. Faist's lawyer and so on.

There is one further issue with regard to Mr. Livingston and—

**Mr. John Yakabuski:** I have a question.

**The Chair (Mr. Shafiq Qaadri):** Yes, Mr. Yakabuski.

**Mr. John Yakabuski:** Supposing that, as the result of other testimony before this committee and the ongoing police investigation, it was determined—and I am speculating here—that Mr. Peter Faist was now the subject of a criminal investigation, I do expect that the OPP could compel him to return to Ontario. Is that true?

**The Chair (Mr. Shafiq Qaadri):** It's not a question for the justice policy Chair.

**Mr. John Yakabuski:** I'm just speculating. But my friend Mr. Singh: He's a lawyer. He might be able to help me with that.

**Mr. Jagmeet Singh:** Sorry, what was your question?

*Laughter.*

**The Chair (Mr. Shafiq Qaadri):** Thank you. We have some Mr. Livingston-related correspondence. The letter to Mr. Faist, full of moral suasion, will be executed imminently.

Go ahead.

**The Clerk of the Committee (Ms. Tamara Poman-ski):** I have received a letter from Mr. Livingston's lawyer because I gave options, again, to appear before committee. His lawyer would like to discuss issues arising out of the investigation and our invitation to his client with our committee counsel, whenever we appoint

it. So at this point, he'd like to speak with our committee counsel, I guess, before looking into appearing before committee.

**The Chair (Mr. Shafiq Qaadri):** Who has, as yet, not been appointed.

**The Clerk of the Committee (Ms. Tamara Poman-ski):** Right. That's the latest from Mr. Livingston's lawyer, as of April 14.

**The Chair (Mr. Shafiq Qaadri):** Thank you. Are there any further comments before the committee adjourns? Yes, Mr. Tabuns.

**Mr. Peter Tabuns:** Mr. Chair, this looks to me like a stall, frankly. I think that Mr. Livingston should appear before this committee. He has legal counsel already. He has retained legal counsel. He would appear before us fully advised as to what his rights and responsibilities are. I think we should tell him that he's quite welcome to talk to any counsel when one is appointed, but we want him to come before this committee sooner rather than later.

**The Chair (Mr. Shafiq Qaadri):** Your thoughts and desire are noted, Mr. Tabuns, but—

**Mr. Peter Tabuns:** And my hope is that the committee would convey that to Mr. Livingston.

*Interjection.*

**Mr. Peter Tabuns:** No. If he has refused to come forward, then I think we should go forward in compelling him to attend.

**The Chair (Mr. Shafiq Qaadri):** Ms. Thompson.

**Ms. Lisa M. Thompson:** Chair, we just chatted about it, and we concur with Mr. Tabuns. We don't want to waste any time. We have to get down to the bottom of this. He has had adequate time, and we're not going to allow him to spin the committee's wheels. We have business to do here and he's not going to delay it.

**The Chair (Mr. Shafiq Qaadri):** Thank you. Procedurally, I might then invite the committee to proceed with getting our legal counsel appointed.

**Mr. Peter Tabuns:** I gather that is the subject of business before us?

**The Chair (Mr. Shafiq Qaadri):** Incidentally, for that purpose, we've been trying to get a subcommittee, but obviously, with greater events—the passing of the honourable Jim Flaherty etc.—that's been put on hold. I would suggest next week.

**Mr. Peter Tabuns:** Is the subcommittee not meeting immediately after this committee?

**Ms. Lisa MacLeod:** No, the official opposition is departing for the viewing.

**Mr. Peter Tabuns:** I understand that.

**The Chair (Mr. Shafiq Qaadri):** The subcommittee, Mr. Tabuns, is so far tentatively scheduled for next Tuesday.

Is there any further business before this committee? Thank you, colleagues. Committee is adjourned.

*The committee adjourned at 1635.*



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