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House committees should end gridlock, truly elect committee chairs: expert

Conservatives in the last Parliament wanted real elections, but Liberals blocked the move. The Tories are now doing the blocking.

By **ABBAS RANA** and **BEA VONGDOUANGCHANH**

To avoid gridlock in House committees in minority Parliaments, governing parties should not insist on getting committee chairs from their own caucus, says a former Commons committee clerk, who believes some committee chairs are torn between being loyal to their party or the committee.

"The government has definitely been putting pressure on them [committee chairs] especially when

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Imagine Canada recruits Norquay, Boessenkool to meet with PM Harper

Lobbyists awaiting final lobbying regulations

By **SIMON DOYLE**

Imagine Canada, an organization representing Canada's charitable and non-profit sector, has recruited some high-profile volunteers to lobby the Prime Minister's Office on its campaign for a national charities strategy.

Top Conservative lobbyists **Geoff Norquay**, of Earncliffe Strategy Group, and **Ken Boessenkool**, of Hill

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Photograph by Jake Wright, *The Hill Times*

Run, Forrest run! NDP Parliament Hill staffer Theresa Kavanagh, third from left, an iron woman distance triathlon and marathon runner, led her now regular 'Running on the Hill' group last Monday, flanked by the glorious Chateau Laurier Hotel on the Hill's horizon. Ms. Kavanagh said about 70 Hill staffers from every political party have registered in her program aimed at helping runners to run in the Capital Race Weekend at the end of May. Runners meet every Monday and run about three kilometres around the Hill. Ms. Kavanagh said her group has also raised approximately \$600 for the United Way.

Tories abusing 'Ten Percenters,' free mailings, say federal Liberals

Conservatives are targeting NDP MP Paul Dewar's Ottawa Centre riding with mass and free mailings.

By **BEA VONGDOUANGCHANH**

The governing Conservatives are abusing the House's free and unlimited "Ten Percenters"

flyers program by sending massive amounts of partisan material into unheld ridings anywhere in the country, say some Liberal MPs who now want to kill the service offered to all MPs.

"It's a very loose system of accountability. There's no tracking of where it actually goes," said Liberal MP Garth Turner (Halton, Ont.), who

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Climate change 'offset system' was ready to go for June 2006

But Environment Minister John Baird's office says Liberal plan was 'buying billions of dollars of hot air credits from Russia instead of actually reducing greenhouse gas emissions.'

By **SIMON DOYLE**

The Environment Department told former environment minister Rona Ambrose in April 2006 that by the following June the government

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Photographs by Jake Wright, *The Hill Times*

Public policy on the environment: Environment Minister John Baird, left, and former environment minister Rona Ambrose.

Corbett trying to determine if charges should be laid, says NDP Comartin

Prime Minister Stephen Harper says legal action against Elections Canada will be heard and resolved in court.

By **SIMON DOYLE** and **ABBAS RANA**

The federal Conservatives are saying last week's sensational raid on the Conservative Party headquarters in Ottawa was related to the party's lawsuit against Elections Canada, but NDP MP

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Conservatives confusing public on 'in and out' financing says Prof. MacIvor

It's the content of Tory Party's ads in question

By **BEA VONGDOUANGCHANH**

Conservatives are confusing the public when they say that opposition parties conduct their own "in and out" financing during national election campaigns, says Heather MacIvor, one of the country's leading experts on the Canada Elections Act, who also says it's completely legal for federal candidates to transfer money from the national party to local candidates and participate in regional ad buys.

Transferring money is not what's at issue, said Prof. MacIvor, who teaches political science at the University of Windsor. It's the

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NEWS

How Conservatives manage RCMP raid controversy will be important politically, says Nanos

Conservatives say Elections Canada position 'absurd,' candidates should be allowed to campaign promoting national leader, party policy

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Joe Comartin says the raid has much more serious consequences, and that it was designed to help Elections Commissioner William Corbett determine whether charges should be laid against the Conservative Party relating to its so-called "in and out" advertising scheme.

Mr. Comartin (Windsor-Tecumseh, Ont.), a former criminal lawyer who is familiar with Mr. Corbett's investigation and the Canada Elections Act, said the search of the party headquarters for documents and computers is part of Mr. Corbett's quasi-criminal investigation into whether the Tories overspent by \$1.2-million in campaign advertising during the 2005-06 election campaign.

Mr. Comartin said he thinks Mr. Corbett believes there is enough evidence to be gathered through the search warrant to determine whether charges should be laid against the Conservative Party or individuals within the party who may be responsible for the scheme.

"[It's] to finally determine whether he's going to lay charges under the Elections Canada Act," he said, adding that Mr. Corbett would lay the charges himself. "If Corbett does have the evidence, hopefully he does move quickly on it, and I suspect he will. He's a former prosecutor. He understands the consequences of the charges being laid."

The federal Conservatives are engaged in a legal fight with Elections Canada over the so-called in and out scheme in which the Conservatives may have exceeded election spending limits in the last federal election by \$1.2-million. At issue are television ads funded by cash transfers that the party directed to candidates across the country, primarily in the key battlegrounds of Ontario and Quebec. The candidates returned the money indirectly to the party by paying for "regional" TV and radio ads that, according to Elections

Canada, do not qualify as local advertising and local campaign spending. Many of the advertisements promoted the national party and referred to the local party candidates in "taglines."

Elections Canada has identified 67 Conservative candidates who participated in the media buy program. Of the 67 ridings, 17 elected Conservative candidates in the last election. Conservatives have challenged Chief Electoral Officer Marc Mayrand's determination in Federal Court. Last April, Mr. Mayrand referred the case to Commissioner of Canada Elections William Corbett, who has the power to enforce the Elections Canada Act, to "examine the circumstances surrounding the media-buy program." Elections Canada says the RCMP conducted the search on behalf of Mr. Corbett, who is not a party in the Federal Court case between the Conservatives and Elections Canada.

Last week, the RCMP, with Elections Canada officials, executed a search warrant at the Conservative Party headquarters on Albert Street in Ottawa. The officials continued their search over two days, removing materials, but questions remained as to exactly what Elections Canada was looking for and what kind of material they took from the party headquarters. *The Toronto Star* reported last Friday that "at least some of the material" seized, however, served as "the basis for the party's planned questioning of elections officials in the lawsuit challenging their interpretation of campaign financing rules." Elections Canada says that the search was not related to the lawsuit.

Prime Minister Stephen Harper (Calgary Southwest, Alta.) in the House last Wednesday, the day after the RCMP raid, said that the Conservative Party was set to examine officials from Elections Canada, which have now been delayed, but said the party's legal action against Elections Canada will be heard in court and resolved.

"It was the Conservative Party who initiated this lawsuit. We are very confident of our position. In fact, today we were scheduled to examine officials from Elections Canada, but that will happen at a later date. We remain very confident about our legal position," Mr. Harper said.

Government House Leader Peter Van Loan (York Simcoe, Ont.), who is responsible for the Canada Elections Act, responded to opposition attacks in the House Chamber for most of the week.

"I am comfortable telling the House that the dispute we are talking about is one between the Conservative Party and Elections Canada. The position of Elections Canada in this dispute is that Conservative candidates are not permitted to campaign promoting our national leader and our party policy. We happen to think that is an absurd position. We further think it is unfair, that it is an interpretation that applies only to Conservative candidates and not to those of other parties equally. That is why we took Elections Canada to court, and that is what this is all about," declared Mr. Van Loan.

Upon hearing that Elections Canada officials were at the Conservative Party's headquarters when CBC NewsWorld broke the story, other news organizations and opposition parties subsequently shot their videos of Elections Canada officials walking around the party headquarters and taking boxes of materials out. It is expected that the opposition parties will use this video for attack ads in the next federal election campaign. Clips have also been posted on YouTube.

Conservatives raised questions last week about how the media and opposition parties found out about the raid so quickly, and how they reached Conservative HQ within minutes. Tories have alleged that Elections Canada may have leaked the news to some reporters ahead of time.

However *The Hill Times* hears that the tip came

from neither the Liberals (assuming the Liberals had a tip) nor Elections Canada. The tip to the CBC did not come from the Liberals because, like the other networks, they are said to have scrambled to get to the scene after seeing the CBC break the story in a live news hit at 11 a.m. Although a source tipped off the CBC about the raid, and the broadcaster got the story first, *The Hill Times* hears that it did not come from Elections Canada.

Mr. Comartin said he would not be surprised to learn that the tip did not come from Elections Canada, adding that it could just as easily come from the RCMP or the Toronto courthouse where the search warrant was issued. "It could have come out of the RCMP. They're rather notorious for their leaks," Mr. Comartin said. "I would put those, as sources of leaks, ahead of Corbett's office."

Still, Conservatives are raising questions about the search and how so many got there so quickly. Conservative MP Pierre Poilievre (Nepean-Carleton, Ont.) told *The Hill Times* last week that the Liberals may create attack ads out of the footage gained at the party headquarters, but added that the Liberals need to "tell the whole world who invited them to participate in the circus."

Mr. Poilievre said the Tories "remain perplexed as to why this visit was required when we've given Elections Canada all the documents they've ever asked for."

Liberal MP Robert Thi-bault (West Nova, N.S.) dismissed the speculation that the Liberals were tipped off ahead of time. "I'm told by the party officials that we had no prior knowledge," he said. "Our headquarters is like a block away from the Conservative headquarters. People from our party, some staffers, found out about this raid by watching TV, and when they got there, the RCMP were already there, the

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Photographs of CBC NewsWorld and Mike Duffy Live, youtube

Money and politics: NewsWorld broke the news last Tuesday of the RCMP raid on Conservative Party headquarters in Ottawa, and other media followed, pictured above. Elections Canada has identified 67 Conservative candidates who participated in the party's media buy program, and of the 67 ridings, 17 elected Conservative MPs in the last election. Conservatives have challenged Chief Electoral Officer Marc Mayrand's determination in Federal Court.

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news media were already there, because obviously, they were watching this on Newsworld or CTV NewsNet or one of those networks. So, they grabbed a camera and went over.”

Conservatives last week tried to characterize the search of party HQ as a “visit,” not a “raid,” but Mr. Comartin chuckled at that suggestion. “I’m on the raid side of it,” he said. “It’s part of the normal police conduct in a criminal investigation.”

Mr. Comartin said the Tories have had a strategy in place to try to stall on the “in and out” issue, filibustering its study before the House Procedure and House Affairs Committee and launching a lawsuit against Elections Canada as a delay tactic.

“There’s a strategy there, and this may break the back of that strategy,” he said of Mr. Corbett’s investigation. Mr. Comartin said that the Tories would not have known about the raid in advance. He said Mr. Corbett would have had to swear an affidavit, which would be taken before a judge to request the search warrant. The affidavit and the warrant is then sealed, he said. The Liberals last week called on the Conservatives to unseal the warrant, but Mr. Van Loan told the Commons that the party had not yet seen the supporting court documentation. “We have not seen the affidavit, documents supporting the warrant,” Mr. Van Loan said.

Several media organizations were also fighting to get the warrant unsealed.

The Conservatives say they are being singled out by elections Canada because all parties use “in and out” funding schemes to support local candidates.

But Mr. Comartin said that the Conservatives are not being singled out in the investigation because the issue is the party’s spending and the nature of their advertising, not the transfer of funds. He said that the NDP will transfer national party funds to a local candidate if he or she has a good chance of winning but has had trouble fundraising, for instance.

“It’s usual that funds flow from the national party to the local ridings, and that does happen, but that’s not what this is about,” Mr. Comartin said. He added that when the NDP gives funds to a riding association, the candidate runs local ads identifying the candidate and local issues, but the Conservatives were running national ads. “We’ll stay within our national limits of what we can spend. It’s about them exceeding it, and knowing they’re going to exceed it and developing this scam to bypass the laws.”

But Conservative MP Leon Benoit (Vegreville-Wainwright, Alta.) told *The Hill Times* last week that Conservatives have operated within the law, are being unfairly targeted, and are seeking information about the allegations against the Conservatives.

“We just don’t have it, and as our spokespeople have said, we’ve given Elections Canada everything they’ve asked for. It’s hard to understand why they would come in. We’ll find out in time,” he said. “It’s really odd that we’re treated separately from the other parties. If they feel that there’s an investigation necessary, why don’t they investigate all parties? We have done nothing different than what other parties have been doing for a long time. We haven’t criticized them doing this in the past. We think it’s legal.”

Mr. Benoit added that he doesn’t understand the controversy over the Tories’ advertisements. “I can’t figure it out. How is having national television advertising any different than a sign of the leader in a local constituency? It’s hard to figure out. I wait anxiously for the explanation and I don’t have answers. Until Elections Canada or the commissioner gives us those answers, I suppose these questions will continue.”

Nik Nanos, president of Nanos Research, told the *The Hill Times* that how the Conservatives manage the controversy will be important politically, and that the party and the prime minister cannot afford to be seen as too litigious, aggressive, or combative.

“The lawsuit against Elections Canada shows Canadians that maybe it’s not as black and white as the Liberals would try to make it, and this is part of a more complex and complicated story. The problem is that the Conservative Party can’t go around suing everybody every time they don’t like something that they say, because just by doing that, it says something about the party,” Mr. Nanos said. “Canadians by their nature want people to work things out. We’re not a litigious nation like the United States. In the United States, they’ll sue someone at the drop of a hat, but that’s not part of who we are in Canada. The Conservatives can only play this card so many times.”

Recently, Conservatives also sued the Liberal Party for putting articles on their website claiming that Mr. Harper knew of an alleged bribery attempt against the late MP Chuck Cadman. The Conservatives say the articles are completely untrue and defamatory.

Mr. Nanos pointed out that the Conservatives won the last federal election on the promise of providing clean government to Canadians, but with last week’s events, there’s an opening for the NDP to launch attacks against both the Liberals and the Conservatives on ethical issues at the same time.

“This is the perfect issue for Jack Layton [Toronto-Danforth, Ont.] and the New Democrats because they’re the one party that can attack the Conservatives and at the same time they can attack the Liberals on trust and ethics. This is tailor-made for Jack Layton. It might be a bit of an opportunity for him to kind of jump start NDP support. For the Liberals, it’s a little more difficult because whenever they attack the Conservatives on this, Conservatives throw back at the Liberals the advertising and the sponsorship scandal,” said Mr. Nanos.

“The challenge for the NDP right now is that they’ve been focusing so much on attacking the Conservatives that they’re laying the groundwork for their own voters to strategically vote for the Liberals in order to block Stephen Harper. This is a good issue for them because strategically they get to attack both of the larger parties at the same time. When they attack

the Conservatives for being too socially Conservative or insensitive, their voters go to the Liberals. But when Jack Layton attacks both the Conservatives and the Liberals in regards to ethics and how they conduct themselves, it keeps his people with him,” Mr. Nanos said.

Mr. Thibault declined to say whether the controversy will have any effect on the timing of the next federal election, but Liberal MP Garth Turner (Halton, Ont.) told *The Hill Times* last week that: “I think we moved a few inches closer to that. With the RCMP activity against the Conservative Party, it is emboldening a certain [number] of my colleagues who perhaps were sitting on the fence waiting for more of an issue,” he said. “How much more of an issue do you need than the governing party has the national police force on their doorstep. It certainly raises questions that we’ve been trying to answer in here about corruption and lack of accountability and transparency on the part of the government. It’s an important point. Given a whole bunch of other policy failings and allegations of misconduct, it certainly taints Mr. accountability and Mr. clean government.”

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MATIÈRE À RÉFLEXION POUR LE JOUR DE LA TERRE :

« ON ESTIME QUE LES ÉMISSIONS
DE GAZ À EFFET DE SERRE RÉSULTANT
DE LA DÉFORESTATION CORRESPONDENT
À PLUS DE 18 % DES ÉMISSIONS
TOTALES DE GES. »

Rapport Stern sur les changements climatiques, octobre 2006

Compte tenu d’un taux de déforestation virtuellement nul et de plus de forêts vierges, de forêts certifiées et de forêts protégées que tout autre pays, le Canada est un chef de file de l’aménagement forestier durable depuis un certain temps déjà. L’industrie canadienne des produits forestiers s’engage à l’amélioration continue et elle souscrit à cette déclaration du Groupe d’experts intergouvernemental sur l’évolution du climat : « À long terme, la stratégie d’aménagement forestier durable qui vise le maintien ou l’augmentation des stocks de carbone en forêt, tout en assurant un rendement annuel soutenu en bois, sera la plus avantageuse en termes d’atténuation continue. »

Il est temps que le reste du monde suive
l’exemple du Canada dans l’aménagement durable
des forêts — le climat de la planète en dépend.

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