



Office of the
Conflict of Interest and
Ethics Commissioner

Commissariat aux
conflits d'intérêts et
à l'éthique

Annual Report

*Conflict of Interest Code
for Members of the
House of Commons*

2018
2019

Mario Dion

Conflict of Interest and
Ethics Commissioner

Conflict of Interest and Ethics Commissioner – Annual Report 2018-2019, made under the
CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS

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Office of the
Conflict of Interest and
Ethics Commissioner

Commissariat aux
conflits d'intérêts et
à l'éthique

June 2019

The Honourable Geoff Regan, P.C., M.P.
Speaker of the House of Commons
House of Commons
West Block, Room 233-C
Ottawa, Ontario K1A 0A6

Dear Mr. Speaker:

I am pleased to submit to you my report on the performance of my duties and functions under the *Conflict of Interest Code for Members of the House of Commons* for the fiscal year ending March 31, 2019, for tabling in the House of Commons.

This fulfills my obligations under paragraph 90(1)(a) of the *Parliament of Canada Act*.

Sincerely,

Mario Dion
Conflict of Interest and Ethics Commissioner

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COMMISSIONER'S MESSAGE

Having completed my first full fiscal year as Commissioner, I am pleased to report on the administration of the *Conflict of Interest Code for Members of the House of Commons* in 2018-2019.

The regimes administered by our Office reflect what are, in my view, the four pillars common to all effective conflict of interest regimes: accountability, transparency, fairness and consistency.

Accountability means being responsible and answerable for one's own actions.

Transparency relates to the public disclosure of public officials' private interests and providing the public with unobstructed access to that information.

Fairness requires lack of bias on the part of the decision-maker and relates to procedural fairness.

Consistency means ensuring the same results when the facts are the same.

With these imperatives in mind, our Office strives to continuously improve the way we administer the Code.

In last year's annual report, I identified several activity areas that required special attention as they are in keeping with the aforementioned pillars. I noted, for example, the continued need to provide clear and consistent advice to Members of the House of Commons and public office holders, the potential benefits of a

greater focus on education and outreach, the importance of conducting investigations in a timely manner, and the desirability of greater transparency.

This report

illustrates the progress that has been achieved in these areas, as well as the work that remains to be accomplished.

I have also identified several other areas of focus, including election readiness. In fact, I have requested and obtained a small budgetary increase to ensure continued operational excellence going forward as we prepare for the upcoming election.

I remain honoured to have been entrusted with the opportunity to administer two important components of Canada's ethical framework on behalf of Parliament and Canadians, and I would like to commend our employees for their dedicated work in 2018-2019.



A handwritten signature in black ink that reads "Mario Dion". The signature is written in a cursive, flowing style.

Mario Dion
Conflict of Interest and Ethics Commissioner

OUR MISSION

Our Office provides independent, rigorous and consistent direction and advice to Members of Parliament and federal public office holders, conducts investigations and, where necessary, makes use of appropriate sanctions in order to ensure full compliance with the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*.

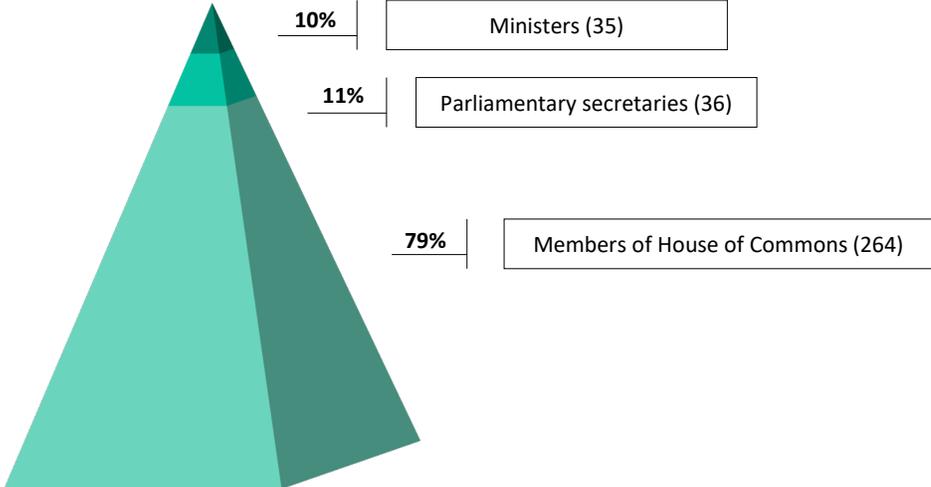
OUR STAKEHOLDERS

Our Office’s stakeholders include not only the individuals who are subject to the conflict of interest regimes that we administer, but also Parliament, academics, ethics practitioners and others with an interest in the field, as well as the media and the general public.

While this report touches on all of our stakeholder groups, its focus is on the 338 elected Members of Parliament who are subject to the *Conflict of Interest Code for Members of the House of Commons*.

The Code sets out a number of obligations aimed at preventing conflicts between private and public interests and prohibits various actions that could give rise to such conflicts.

Members who are ministers, ministers of state or parliamentary secretaries are also subject to the *Conflict of Interest Act*, which imposes additional reporting obligations and compliance measures on them, as reporting public office holders.



Graph 1—Members of the House of Commons on March 31, 2019
Note: Three seats were vacant on March 31, 2019

OUR ACHIEVEMENTS

Administering the *Conflict of Interest Code for Members of the House of Commons* requires our Office to undertake the following core activities, among others: informing Members about their obligations under the Code, giving them confidential direction and advice, receiving and reviewing their confidential disclosures and public declarations, maintaining a public registry of publicly declarable information, enforcing the Code as appropriate, and reporting to Parliament.

The following pages explain how we undertook these core activities during fiscal year 2018-2019.

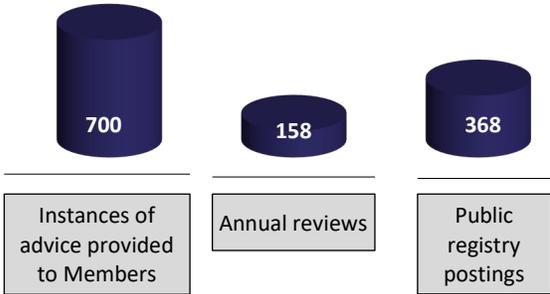
COMPLIANCE

Helping Members achieve and maintain compliance with the *Conflict of Interest Code for Members of the House of Commons* constitutes the core work of our Office. We have ongoing contact with Members from the time notice of their election is published in the *Canada Gazette* until they leave public office. Accordingly, the Advisory and Compliance Division accounts for over one third of our human resources. (Please see figure 1 on page 18.)

Our Office works with Members from the time they are elected to help them achieve compliance with the Code’s initial reporting requirements and to maintain compliance with the Code throughout their terms in office.

Among other activities, we provide Members with information when they are elected, we help them complete their initial compliance process, we send them reminders about their annual reviews, and we ensure that all declarable information is posted in our public registry. We also respond to all Members’ requests for compliance advice.

As a result of the five by-elections in 2018-2019, we distributed five information kits to newly elected Members. We completed four initial compliance processes, two of which resulted from by-elections in the previous reporting period.



Graph 2—Compliance activities completed for Members of the House of Commons in 2018-2019

Initial Compliance Process

The first step for Members to achieve compliance consists of preparing a confidential disclosure statement of detailed information on assets, liabilities, outside activities and other interests for themselves and their immediate family members. Each Member must submit a disclosure statement with supporting documents, such as financial statements, to our Office no later than 60 days after notice of the Member's election is published in the *Canada Gazette*.

Advisors in our Office review the information in the disclosure statements and advise Members on achieving and maintaining compliance with the Code. We might also request further information to clarify or confirm the information provided, and may also recommend specific compliance measures to prevent conflicts of interest.

Once all of the required information has been obtained, we prepare a disclosure summary. Members have 60 days to review and sign their disclosure summaries, which are then placed in the public registry maintained by our Office.

Our Office maintains a *Members' Compliance Status Report* that identifies where each Member is in the initial compliance process on a specific day. This report is available on our website and is updated as required, and more frequently after general elections.

Ongoing Reporting Requirements

Members also face a number of ongoing reporting requirements throughout their terms of office.

Annual review: Members must review their disclosures with advisors from our Office every year and update information previously disclosed to our Office. The current annual review process involves reviewing a summary of information and answering a questionnaire. If any changes are submitted, an advisor in our Office may contact the Member to advise if any additional compliance measures must be taken and whether an amendment to the Member's disclosure summary is required.

I have reviewed the rules of the Code and have determined that the current annual review process is not fully reflective of Members' obligations. However, I have not yet instituted any changes as I did not wish to modify the process before the general election scheduled to be held in October 2019. Our Office will continue to follow the current process until then. After the election and in accordance with paragraph 20(1)(ii) of the Code, each Member will be required to file a full disclosure statement 60 days after the date established by the Commissioner for the Member's annual review.

Material changes: Members must inform us of any material change to the information contained in their disclosure statement, within 60 days after the change. This also allows our Office to advise if there are any measures that must be taken and whether an amendment to the disclosure summary is necessary.

Gifts or other benefits: Members must publicly declare any acceptable gifts or other benefits related to their position that have a value of \$200 or more, within 60 days after acceptance.

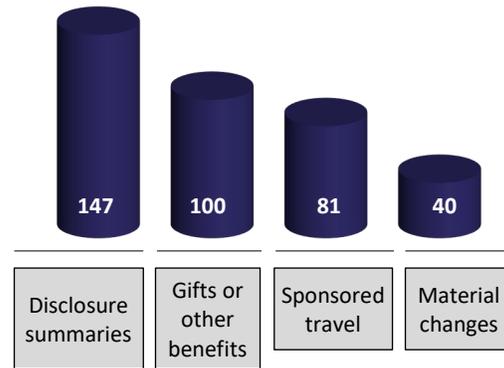
Sponsored travel: The Code allows Members to accept sponsored travel that arises from or relates to their position. In cases where the costs covered by the sponsor exceed \$200, Members must disclose the sponsored travel within 60 days after the end of the trip.

Public declarations of sponsored travel by Members are posted in the public registry maintained by our Office. Each year, we produce a list of sponsored travel for the previous calendar year that I must submit to the Speaker of the House of Commons by March 31 for tabling in the House. The *List of Sponsored Travel 2018* is available on our website.

Recusals: Members are prohibited under section 13 of the Code from participating in debate on or voting on a question in which they have a private interest.

Section 12 of the Code requires a Member who has a private interest that might be affected by a matter that is before the House of Commons or a committee to which they belong, if present during consideration of the matter, to disclose, orally or in writing, the general nature of the private interest at the first opportunity. The general nature of the private interest must be disclosed in writing to the Clerk of the House of Commons. The Clerk must ensure the disclosure is recorded in the *Journals* and send the disclosure to the Commissioner, who must file it with Members' public disclosure statements.

As required by the Code and in the interest of transparency, ongoing reporting requirements are posted in the public registry. Graph 3 provides a visual representation of the volume of public declarations made during the year.



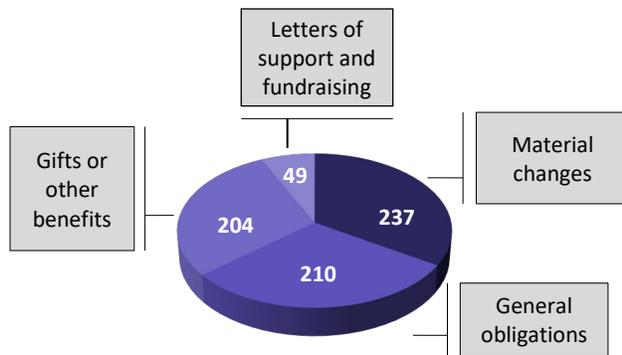
Graph 3—Public declarations made by Members of the House of Commons

DIRECTION AND ADVICE

Members of the House of Commons frequently seek advice from our Office. They may consult their advisors in our Office about how to arrange their affairs to comply with the *Conflict of Interest Code for Members of the House of Commons*, how to make a public declaration, and how to deal with various situations, such as whether they may accept certain gifts or other benefits.

Our Office provides tailored advice to Members both during and after the initial compliance process.

In last year's annual report, I identified a growing number of requests for advice from Members as a significant trend. While the number of requests for advice remained high in 2018-2019, we noted some fluctuations around the nature of the requests.



Graph 4—Types of direction and advice given to Members of the House of Commons in 2018-2019

Requests for advice relating to the acceptability of gifts represented 29% of the total requests for advice received by our Office in 2018-2019. This number is slightly higher than in past fiscal years; the average since 2010 was 22%. This may be attributable, in part, to our October 2018 release of an advisory opinion called *Gifts or other benefits to Members—Services of interns provided free of charge* (please see page 8).

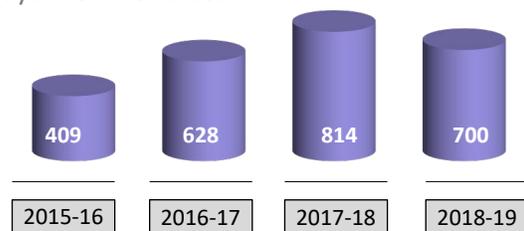
In last year’s annual report, I acknowledged the importance of ensuring the advice our Office provides to Members is clear and consistent. Different Members who find themselves in the same situation must receive the same advice in order to reduce uncertainty and confusion and to ensure all Members feel confident the advice they receive is fair and appropriate.

In 2018-2019, I continued to address this challenge by engaging in ongoing dialogue with employees who provide advice to Members. Our Office also reviewed internal processes in order to support advisors in providing comprehensive, clear and consistent advice.

Furthermore, our updated Integrated Case Management System, deployed in November 2018, was launched to maintain our ability to

assist Members who contact our Office for direction and advice. (Please see Our Tools on page 17.)

We recognize the importance of responding to requests for advice from Members in a timely manner and have established service standards to help us do so. The target for achieving those service standards was set at 80%. In 2018-2019, requests from Members and public office holders were dealt with within three business days in 92% of cases.



Graph 5—Instances in which Members of the House of Commons sought direction and advice

EDUCATION AND OUTREACH

While our Office conducts education and outreach on both of the conflict of interest regimes that I administer, I have a specific mandate under section 32 the *Conflict of Interest Code for Members of the House of Commons* to undertake educational activities for Members and the general public regarding the Code and the role of the Commissioner.

Our Office undertakes a range of education and outreach activities to help Members understand and meet their obligations under the Code. They are designed to supplement, not replace, the advice and direction provided to individual Members on a confidential basis by myself and by advisors in our Office, as well as other communications we have with them regarding the initial compliance and annual review processes.

In 2018-2019, we started developing webinars, online videos and other products using new media in order to inform and educate Members about their obligations under the Code. We have also started the development of a new mobile-friendly website with implementation planned in advance of the October 2019 general election.

Informational materials: We issue, update and disseminate various informational materials about the requirements of the Code, including backgrounders and advisory opinions about Members' obligations, which are posted on our website.

In April 2018, I launched a review of all informational materials our Office has issued under the *Conflict of Interest Code for Members of the House of Commons* to explain how the rules apply. The goal is to make them a more effective source of information for Members to consult. The new suite of materials will be released in October 2019 following the general election.

In May 2018, I issued an advisory opinion about the acceptability under the Code of barbecue services provided free of charge by a corporation for community events hosted by Members in their ridings.

I advised Members that I am of the view that those services are benefits as defined in the Code, which include services or the use of property provided without charge or at less than their commercial value. These services are therefore subject to the acceptability test set out in subsection 14(1) of the Code. It prohibits Members and their family members from accepting, directly or indirectly, any gift or other benefit that might reasonably be seen given to influence the Members in the exercise of a duty

or function of their office. Since the company offering the free services is registered to lobby the House of Commons and is frequently engaged in doing so, I am of the opinion that even if a particular Member has not personally been lobbied by the company, this benefit would not pass the Code's acceptability test, as it could reasonably be seen to have been given to influence the Member in the exercise of their official duties.

In fact, the importance of education and outreach in minimizing conflicts of interest is illustrated by a matter that was brought to my attention in September 2018. For years, third-party organizations have been providing Members with interns to work in their offices, at no cost to the Members. Such arrangements not only benefit the Members by providing them with free labour, but also benefit the interns by giving them parliamentary experience, and they could even benefit the sponsoring organizations, some of which are registered to lobby the House of Commons.

In short, Members who accept free intern services could be in a conflict of interest vis-à-vis the sponsoring organization.

To prevent such a situation from developing, I issued an advisory opinion in October 2018 under subsection 26(4) of the Code. In it, I noted that even though the interns are not paid by Members, they are not volunteers, because they are paid by the organization that placed them.

I am of the view that any intern services provided to Members free of charge by a third party are benefits as defined in the Code and are therefore subject to the acceptability test set out in subsection 14(1).

When the organization offering the intern services is registered to lobby the House of Commons—even if it has not lobbied the Member in question—the Code does not allow the Member to accept a gift or other benefit from that organization as it might reasonably be seen to have been given to influence the Member in the exercise of a duty or function of their office. The same applies if the Member has or may have official dealings with the organization, now or in the future. Furthermore, even where accepting intern services provided at no cost is allowed, these services are subject to the requirement to report the benefit within 60 days after the start of the internship, as prescribed in subsection 14(3) of the Code.

Presentations: We offer presentations to party caucuses and independents every year in order to remind Members about their obligations under the Code. This year, a presentation was offered to inform Members of their obligations leading up to an election period.

Social media: We have used Twitter to communicate directly with Members. For example, we tweeted reminders about deadlines for disclosing to our Office any outstanding sponsored trips in preparation for the annual publication of the list of sponsored travel (please see also Public Communications on page 13).

Collaboration: We started implementing the memorandum of understanding that I signed with the Commissioner of Lobbying in March 2018 to cooperate on education and outreach. Under it, we agreed to jointly organize educational activities for individuals affected by the work of both offices. Accordingly, in October 2018 I co-hosted with

the Lobbying Commissioner two webinars on the subject of gifts, one in English and the other in French, reaching over 110 participants.

ENFORCEMENT

While prevention is my major focus, I also apply the enforcement provisions of the *Conflict of Interest Code for Members of the House of Commons* as appropriate. The enforcement function also adds to the educational role of our Office, as it has the effect of promoting awareness and understanding of the rules under the Code.

29 concerns reviewed

3 inquiry reports published

2 inquiries have yet to be reported on

I can conduct inquiries of possible contraventions of the Code, and my inquiry reports are made public.

Any Member who has reasonable grounds to believe that another Member has contravened the Code may ask me to investigate by submitting a signed, written request that identifies the alleged non-compliance and provides reasonable grounds to believe that the Code has been contravened.

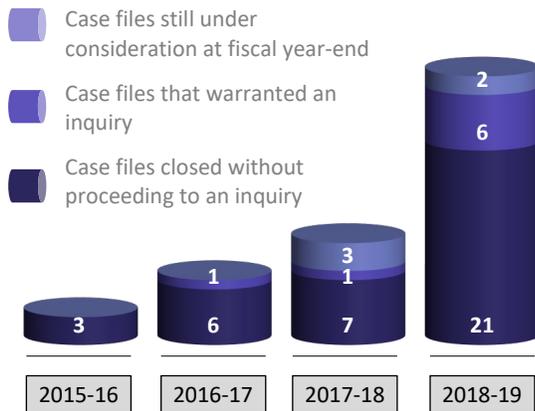
When I receive a valid request for an inquiry, I must forward the request without delay to the Member named in it and give the Member 30 days to respond.

After receiving the Member's response, our Office conducts a preliminary review to

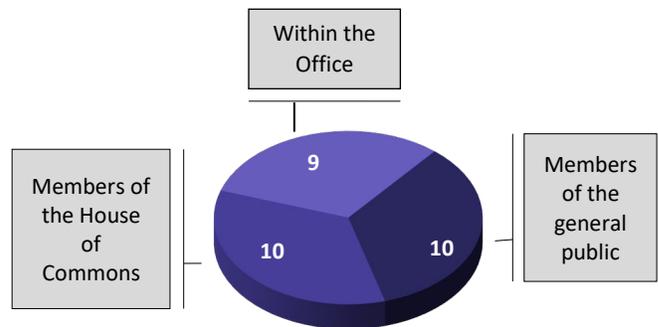
determine if an inquiry is warranted. Within 15 working days of receiving the Member’s response, we notify the originator of the request and the Member named in it whether or not an inquiry will be conducted. Under paragraph 27(5.1)(iii) of the Code, I may describe the reasons for not proceeding with an inquiry where the matter to which the inquiry relates has already been made public.

The House of Commons may also direct me, by way of resolution, to conduct an inquiry, although this has not yet occurred in the 15 years since the Code was adopted.

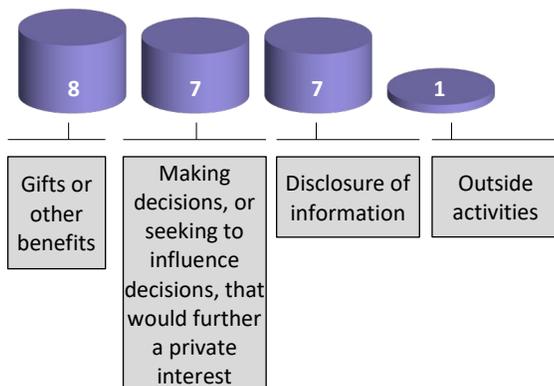
I also have the discretion to conduct an inquiry on my own initiative. From time to time, our Office receives information about possible contraventions of the Code, including through media reports or complaints from members of the public. In each instance, we review the information to determine whether the concern raised falls within the mandate of our Office and whether there is reason to believe that a contravention of the Code has occurred. Some of these preliminary reviews lead to inquiries; in other cases, an inquiry is not found to be warranted and the case file is closed.



Graph 6—Case files reviewed by our Office



Graph 7—Source of concerns raised



Graph 8—Nature of concerns raised
Note: Only the main concerns are represented.

I am not empowered to impose sanctions under the Code. I may, however, recommend sanctions in my inquiry reports. Section 28 of the Code provides that, following an inquiry in which the Commissioner concludes, for example, that a Member has not complied with an obligation under the Code and did not take all reasonable measures to prevent the non-compliance, or where a request for an inquiry was frivolous, vexatious or was not made in good faith, the Commissioner may recommend appropriate sanctions.

Only the House of Commons has the right to discipline its own Members, and is responsible for imposing and administering sanctions, including any that may be recommended by the Commissioner.

In 2018-2019, our Office issued three inquiry reports under the Code:

In the *Angus Report I* and *Angus Report II*, both issued on June 14, 2018, I found that Mr. Charlie Angus, Member of Parliament for Timmins–James Bay, contravened subsection 27(2.1) of the Code on two occasions, when he made public comments concerning two separate requests he had made for an inquiry into the conduct of two other Members of Parliament.

Mr. Angus' public comments were contrary to the Code because they were made before I had confirmed that the subjects of his complaints had received a copy and before 14 days had elapsed since I received each complaint.

However, I did not recommend the imposition of any sanctions, as Mr. Angus had apologized.

In the *Kusie Report*, issued on December 4, 2018, I found that Mrs. Stephanie Kusie, Member of Parliament for Calgary Midnapore, contravened subsection 27(2.1) of the Code in connection with public comments she made concerning a request for an inquiry about another Member of Parliament that she submitted to me.

The evidence showed that even though it was the Office of the Leader of the Opposition that sent a copy of Mrs. Kusie's complaint to the media, Mrs. Kusie did make public comments on social media before I had confirmed that the subject of her complaint had received a copy and before 14 days had elapsed since I received her complaint. These public comments were therefore contrary to her obligations under the Code.

However, I found that Mrs. Kusie was acting on advice she had received from employees at the Office of the Leader of the Opposition and her non-compliance with the Code was an error in judgment made in good faith. Mrs. Kusie had also apologized for having erred in not waiting before commenting publicly on her complaint. Accordingly, I recommended that no sanctions be imposed.

CONTACTS WITH PARLIAMENT

As an independent officer of the House of Commons, I report directly to Parliament, through the Speaker of the House of Commons.

I am required to submit an annual report to Parliament by June 30 each year on the administration of the *Conflict of Interest Code for Members of the House of Commons*. I report on my inquiries under the Code to the Speaker of the House of Commons. I must also submit a list of sponsored travel under the Code to the Speaker of the House of Commons by March 31 each year.

I also testify before parliamentary committees about our Office and its work. In 2018-2019, I was summoned to appear before two committees:

- On May 1, 2018, I appeared before the House of Commons Standing Committee on Access to Information, Privacy and Ethics about our Office's budgetary submission for the 2018-2019 Main Estimates.
- On June 7, 2018, I appeared before the Senate Standing Committee on Legal and Constitutional Affairs during its study of Bill C-50, *An Act to amend the Canada Elections Act (political financing)*.

Possible Amendments to the Code

At the beginning of my mandate, I did not feel I had been Commissioner long enough to be able to put forward possible amendments to strengthen the *Conflict of Interest Code for Members of the House of Commons*.

Moreover, during this fiscal year, my focus was mostly geared towards making recommendations to strengthen the *Conflict of Interest Act*, as I was asked about it during my appearance before the House of Commons Standing Committee on Access to Information, Privacy and Ethics on May 1, 2018.

Having formulated my general recommendations for strengthening the Act, which I have described in general terms in my annual report under that regime, I am now able to identify ways in which the Code could be strengthened. I wish to emphasize that I believe the Code allows our Office to properly fulfill its mandate in the immediate term.

I believe that going through this coming year's preparations for the 2019 federal election as well as the process of ensuring compliance among newly elected Members will provide me with a deeper knowledge of the Code.

I look forward to tackling this project with our Office during fiscal year 2019-2020.

PUBLIC COMMUNICATIONS

In last year's annual report, I identified an increase in the number of communications from members of the public and requests for information or interviews from the media as significant trends. Those numbers remained at relatively high levels in 2018-2019.

Our Office undertakes a range of initiatives aimed at educating and informing our stakeholders, including ethics practitioners, academics and others with an interest in the field, as well as the media and the general public, about Canada's federal conflict of interest regimes and the role of our Office in administering them.

Website: We make a wide range of information available on our Office website, which we update on an ongoing basis. In late 2018-2019, we started work on the development of a new website that will be launched in advance of the October 2019 federal election.

Social media: We have used Twitter to communicate more information about our Office and its activities and to retweet items of interest to our Office and the ethics community at large, such as relevant reports from other Canadian conflict of interest commissioners and international organizations. We currently have two Twitter accounts, one for each official language. Counting our followers for both accounts, we have more than doubled our number of Twitter followers (1,023 on March 31, 2019), surpassing the goal of 1,000 that I set for the end of 2018-2019 and increasing our Office's social media reach.

Presentations: Giving presentations to various organizations and at various events contributes to public awareness of Canada's federal conflict of interest regimes and increases public understanding of the Commissioner's role and mandate.

In November 2018, I delivered the Annual Public Policy Lecture at York University's McLaughlin College. I shared my perspective on the development of ethics regimes governing the conduct of federal officials in Canada and discussed the relevance of conflict of interest regimes to the broader field of ethics and to politics and democracy.

Also in November 2018, I gave two presentations to political science students at the University of Ottawa and a senior representative of the Office did so in March 2019. At the March event, we started using an Internet-based audience interaction tool that enables audience members to use their mobile devices to ask questions and participate in live polls.

Media and public inquiries: Cognizant of the important role the media play in promoting awareness of the mandate and activities of our Office, I have undertaken to ensure that we provide them with as much information as the regimes that I administer allow.

In our dealings with the media, we always take the opportunity to inform and educate them about my role and mandate and the functioning of the Code and the *Conflict of Interest Act*, in order to help them report accurately about our Office. We issue media advisories and news releases about our work, such as the release of public reports, and publicize other information,

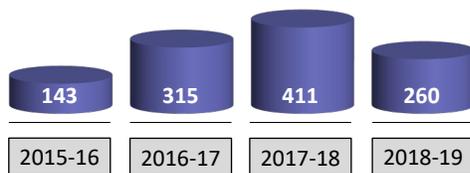
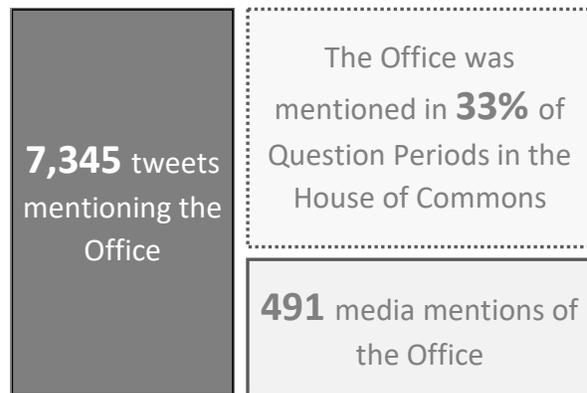
such as the imposition of administrative monetary penalties and compliance orders, via Twitter.

I participated in 14 interviews with journalists in 2018-2019.

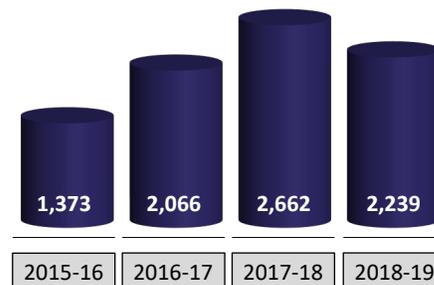
We also receive a large volume of inquiries from members of the public. When we respond, we take the time to educate them about our role and mandate and, when their concerns do not fall within our mandate, try to direct them to other organizations that might be better able to assist them.

Our Office received 2,499 communications from the public and the media in 2018-2019. This represents a 19% decrease compared to last fiscal year. This may be due to the fact that our Office as a whole received less attention on Twitter, in the news and during Question Period compared to the previous year.

We recognize the importance of responding to communications from members of the public and the media in a timely manner and have established service standards to help us do so. The target for achieving those service standards was set at 80%. Media requests were responded to within three hours in 86% of cases. Communications from members of the public were responded to within two business days in 81% of cases. Because of high volumes and in order to maintain the high quality of our responses, we are looking at revising our service standards.



Graph 9—Requests for information and interviews from the media



Graph 10—Communications from the public

COLLABORATION AND BEST PRACTICES

Our Office acts as an information resource for other jurisdictions and organizations, both domestic and international, by meeting with visiting delegations, responding to information requests and participating in conferences related to conflict of interest and ethics.

Our Office continued to work with counterparts in Canada and other countries in 2018-2019, exchanging information about conflict of interest rules and practices and discussing related issues in order to stay abreast of concerns and developments in the field.

Domestic Outreach

In May 2018, our Office participated in the Public Sector Ethics Conference in Toronto, where I took part in a panel discussion on financial disclosure.

In September 2018, several representatives of the Office and I attended the annual meeting of the Canadian Conflict of Interest Network (CCOIN), held in St. John's, Newfoundland and Labrador. Created in 1992, CCOIN is made up of conflict of interest commissioners at the federal level and from all Canadian provinces and territories. Our Office has coordinated information gathering for CCOIN since 2010.

International Outreach

Achieving a culture of ethics and integrity is a keystone of good governance. It is also necessary for the effective functioning of democracies. Individuals who hold public office, whether elected or appointed, are expected to always act in the public interest. Their decisions must never be guided by their private interests or those of their friends, families or relatives. A

legal framework setting out rules governing conduct helps to ensure the decisions of those who hold public office are made in the public interest.

Because these expectations are clearly embedded in the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*, many other countries look to Canada as a model for the development of their own conflict of interest regimes.

In July 2018, I helped found a new network of conflict of interest and parliamentary ethics organizations within the Organisation internationale de la Francophonie. The Réseau parlementaire will foster the sharing of best practices among commissioners and other ethics and conflict of interest bodies. The goal is to enhance expertise among the parliaments of Francophonie member countries in order to adopt ethics principles and conflict of interest rules.

In October 2018, a senior representative of our Office made a presentation on my behalf at the High-Level Conference on “Strengthening Transparency and Accountability to Ensure Integrity: United Against Corruption.” The event, which took place in Croatia, was organized jointly by the Group of States Against Corruption (GRECO) and the Croatian government. GRECO is the Council of Europe’s anti-corruption monitoring body.

In December 2018, several representatives of our Office attended the annual conference of the Council on Governmental Ethics Laws (COGEL), in Philadelphia. COGEL is a U.S.-based, international not-for-profit organization of government ethics practitioners of which our Office is a member. A number of Canadian conflict of interest and integrity offices are

represented as well. A senior representative of our Office participated in a panel discussion about reporting obligations.

In March 2019, our Office was represented at the Global Anti-Corruption and Integrity Forum hosted in Paris by the Organisation for Economic Co-operation and Development (OECD).

In 2018-2019, a number of our international counterparts approached our Office to organize delegation visits. During such visits, we provide a brief overview of the Canadian ethical framework, as well as the role and mandate of our Office. They are also an opportunity for our Office to learn firsthand about the ethics regimes in other countries. In November 2018, we hosted incoming delegations from the Haute Autorité de la Bonne Gouvernance of the Ivory Coast, and the Anti-Corruption and Civil Rights Commission of South Korea.

TRANSPARENCY

I believe Canadians should receive as much information as possible about the work of our Office.

In last year's annual report, I committed to making our Office and its work as transparent as possible, while respecting the strict confidentiality requirements set out in the *Conflict of Interest Code for Members of the House of Commons*, particularly regarding inquiries and advice provided to Members.

While respecting these constraints and other considerations, we are as forthcoming with Parliament, the media and the public as we are permitted to be under the Code.

In support of that commitment, in 2018-2019 we began releasing quarterly statistical reports. The purpose is to align our activities with our mission, assess our workload and identify current trends.

The quarterly statistical report contains data on various activity areas, including the provision of direction and advice to Members and public office holders, education and outreach, and enforcement. It also includes figures on how our Office meets its service standards.

We also use the data internally to gauge our workload and performance, and to measure progress towards the objectives set out in our Office's strategic plan (please see Our Plan on page 17). The data also contributes to strategic decision making.

Our quarterly statistical report is released on the last business day of the month following the end of the quarter for which the data is compiled. The aggregated data for 2018-2019 is published in this report and in the annual report under the *Conflict of Interest Act*.

OUR TOOLS

The success of our Office's mission is supported by the strength of our people, our plan and our infrastructure.

OUR PEOPLE

I recognize that any accomplishments I may have as Commissioner depend on the hard work and dedication of our employees at all levels within the organization.

Accordingly, I have taken steps to ensure our Office invests in employees' training and professional development and provides the tools and equipment they need to perform their jobs effectively and safely. I have also acted to ensure it offers a respectful, diverse and inclusive workplace and am mindful of the importance of an appropriate work-life balance.

The Quality Workplace Promotion Committee, which I established early in my tenure as Commissioner to promote employees' well-being, is playing a key role in some of these important areas. One of the initiatives introduced through the Committee is the implementation in our Office of the Canadian Mental Health Association's Not Myself Today program. It focuses on building greater awareness and understanding of mental health, reducing stigma, and fostering safe and supportive work cultures.

OUR PLAN

A rolling three-year strategic plan, which is published on the Office website, helps guide our projects and activities in support of our mission. It identifies three key priorities and the means by which we will achieve them.

In 2018-2019, we completed a number of specific projects and activities, identified elsewhere in this report, that contributed directly to the following priorities:

- Build and improve communications and outreach processes
- Modernize technology and information management structures
- Maintain operational excellence

Our strategic plan is an evergreen tool that is meant to capture the Commissioner's vision. In January 2019, one year after I started my mandate as Commissioner, we conducted a strategic plan refresh exercise to pinpoint projects to be undertaken in the next fiscal year. Those discussions led to a small shift in our priorities, which were identified as follows:

- Build and improve communications and outreach processes
- Improve the Office's mechanisms for conflict of interest prevention
- Maintain operational excellence (tools and people)

These priorities will be supported by specific projects and activities that we have identified.

Progress against our strategic plan will continue to be monitored on an ongoing basis and I will report on it in future annual reports to Parliament.

OUR INFRASTRUCTURE

We have a sound internal management framework in place to ensure the prudent stewardship of public funds, the safeguarding of public assets and the effective, efficient and economical use of resources.

Because I am an independent officer of the House of Commons and our Office is a parliamentary entity, we are not generally subject to legislation governing the administration of the public service or to Treasury Board policies and guidelines. We try to ensure that our resource management practices are, to the greatest extent possible, consistent with those found in the public service and in Parliament. We also look at various policies and practices of other parliamentary entities and generally follow what they do, unless there is a valid reason for our Office to take a different approach.

Our Office’s financial statements are audited each year by an independent external auditor and no concerns have been raised. A Financial Resources Summary appended to this report outlines our financial information for the 2018-2019 fiscal year.

In November 2018, we launched an upgraded Integrated Case Management System. All information from our old system was migrated to the new one, supported by the House of Commons’ information technology group. Several customizations that had been made previously were replaced with more streamlined solutions so operations were not interrupted. Our upgraded information technology infrastructure is compatible with existing systems and allows our Office to explore new technology options for delivering our mandate. Because of the scope of this transition, we are still dealing with technical and procedural issues that we are working to resolve.

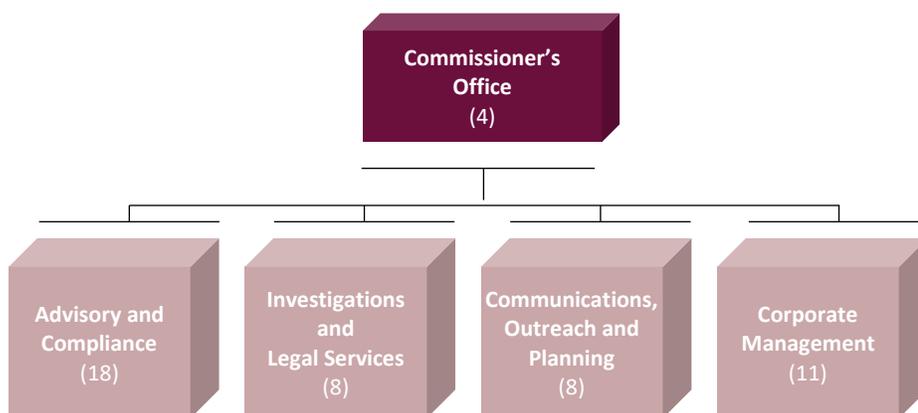


Figure 1—Distribution of positions within our Office

OUR CHALLENGES

The way I implement my mandate as Commissioner can be impacted by developments in the external environment. Some of those may be viewed as challenges and others as opportunities. In my view, however, they all represent the potential for positive change.

MAINTAINING AND ENHANCING PUBLIC CONFIDENCE

One of the purposes of the *Conflict of Interest Code for Members of the House of Commons* is to “maintain and enhance public confidence and trust in the integrity of Members as well as the respect and confidence that society places in the House of Commons as an institution.”

By helping Members of the House of Commons avoid and prevent conflicts between private and public interests, our Office plays an important role in enhancing Canadians’ confidence and trust in the integrity of public officials and the public institutions in which they serve.

Measuring the impact our Office has had on that public confidence would be extremely difficult, if not impossible, and certainly very costly. We have relied, instead, on data published by credible international organizations that provide a broad indication of levels of public trust in Canada.

The Latin American Public Opinion Project, a centre for excellence in survey research, conducts a periodic study of 34 countries in the Western Hemisphere, including Canada, called

the AmericasBarometer. Its report, *AmericasBarometer: The Public Speaks on Democracy and Governance in the Americas*, issued in June 2017, notes that public trust in the Canadian Parliament is low, but that it is marginally stronger since 2012.

Transparency International’s Corruption Perceptions Index ranks 180 countries and territories by their perceived levels of public sector corruption. In its 2018, Canada was ranked as the 9th least corrupt country in terms of public perception. In 2017, Canada was ranked 8th.

The Edelman Trust Barometer is an annual survey that explores trust in business, government, non-governmental organizations and media across 27 global markets. Its 2019 edition demonstrates that while Canadians’ trust in government has increased slightly, it remains neutral.

We are closely monitoring these types of reports to determine trends that could be useful for the day-to-day operations of our Office.

In my opinion, transparency remains the main tool that our Office has at its disposal to increase public confidence and trust in Members and in the House of Commons, in support of one of the Code’s purposes as stated above.

This year, the public registry was visited 29,713 times. We will continue to collect this data going forward in order to measure its reach and to make further observations about

the role and impact of our Office in maintaining and enhancing public confidence.

LEVERAGING NEW TECHNOLOGIES

Just as we have made use of new technologies to increase the reach of our education and outreach activities and their ease of access, I believe there are opportunities to leverage new technologies so our Office can better assist Members in identifying potential conflicts of interest in order to prevent them from developing.

For example, I believe artificial intelligence could have great potential in the development of an electronic oversight tool. It is not beyond the realm of possibility that one day we could have a system that contains data not only on Members, such as their assets and liabilities, but also on the official decisions they are making or have made. The system would be able to automatically generate red flags that would alert individual Members as well as the Commissioner, making it possible to avoid conflicts of interest or to address them right away. We are, of course, a long way from achieving such a system, and there are issues that would have to be addressed, such as how to obtain and input data on decisions, as well as privacy considerations.

In October 2015, our Office launched a secure declaration portal to facilitate the process by which Members meet their reporting requirements. The majority of declarations are approved or submitted through the portal. As the portal has become a popular tool, our Office

is considering ways to increase its potential in order to improve efficiency.

Harnessing the use of technology to improve compliance is a trend that is being seen on a global level. Our Office was represented at the Organisation for Economic Co-operation and Development's 2019 Integrity Forum, whose theme was "Technology for Trust." The Forum explored the many ways technology is being used by governments and organizations to implement and improve their ethics frameworks. As well, an Office employee recently attended seminars focusing on artificial intelligence and business analytics in order to help us to start incorporating technology in more of our internal processes.

ELECTION READINESS

With a federal election scheduled to take place in October 2019, our Office's workload is expected to increase significantly, given that we will have to guide newly elected Members of the House of Commons through the initial compliance process.

We started preparing for the election in 2018-2019. For example, we worked on processes for the hiring of employees and students to help with the increased workload. We updated documents and improved our fillable electronic forms to make it easier for Members to complete their disclosure statement. We also offered presentations to party caucuses and independents focusing on the election period.

APPENDICES

FINANCIAL RESOURCES SUMMARY

(thousands of dollars)					
Program Activity	2017-2018		2018-2019		Alignment to Government of Canada Outcomes
	Actual Spending	Main Estimates	Total Authorities	Actual Spending	
Administration of the <i>Conflict of Interest Act</i> and the <i>Conflict of Interest Code for Members of the House of Commons</i>	5,973	6,134	6,134	5,827	Government Affairs
Contributions to employee benefit plans	665	734	734	691	
Total Spending	6,638	6,868	6,868	6,518	
Plus: Cost of services received without charge	1,148	n/a	n/a	1,110	
Net Cost of Department	7,786	6,868	6,868	7,628	

The budget process for the Office of the Conflict of Interest and Ethics Commissioner is established in the *Parliament of Canada Act*. Before each fiscal year, the Commissioner has his Office prepare an estimate of its budgetary requirements. The estimate is considered by the Speaker of the House of Commons and then transmitted to the President of the Treasury Board, who lays it before the House with the estimates of the Government of Canada for the fiscal year. The mandate of the Standing Committee on Access to Information, Privacy and Ethics includes reviewing and reporting on our Office's effectiveness, management and operations, together with its operational and expenditure plans.

Complete audited financial statements can be found on our website at ciec-ccie.gc.ca.

OUR HISTORY

The Office of the Conflict of Interest and Ethics Commissioner was created in July 2007 when the *Conflict of Interest Act*, passed in 2006 as part of the *Federal Accountability Act*, came into effect. At that time, responsibility for administering the *Conflict of Interest Code for Members of the House of Commons* was transferred to the Conflict of Interest and Ethics Commissioner. The Code is appended to the *Standing Orders of the House of Commons*, the permanent written rules under which the House regulates its proceedings.

