

**Reconsidering the federal ethics regime:
Does Canada need an Ethics Commissioner?**

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The growing number of parliamentary “watchdogs” seems to suggest that government officials need supervision. These agents of parliament are characterized by their institutionalized independence from government, which makes them qualified to assist parliament in its scrutiny function.ⁱ Although there is no universally agreed-upon definition of “agent of parliament”, there is a consensus that the following officers meet the essential “independence” criterion: the Auditor General, the Chief Electoral Officer, the Commissioner of Official Languages, the Privacy Commissioner, the Information Commissioner and, most recently, the Ethics Commissioner.ⁱⁱ

Each agent focuses on a specific aspect of government activity; for instance, the Auditor General audits federal government departments to ensure that they keep proper records of expenditures of public funds.ⁱⁱⁱ Agents of parliament recommend changes to improve service delivery and policy program implementation and, in some cases, address public complaints about fairness in service delivery.^{iv} These are noble tasks indeed, but our reliance on independent agents to perform them suggests at least two things: that government departments cannot be trusted entirely to monitor their own actions and progress, and that parliament is not up to the task of government scrutiny either.

The Ethics Commissioner was created in the image of the parliamentary agent, but is a unique variation on the theme. The Commissioner’s role is to interpret and administer ethics rules for public office holders and Members of Parliament and to investigate allegations of noncompliance.^v The *Federal Accountability Act* will replace this office with a Conflict of Interest and Ethics Commissioner, whose mandate is to be very similar. The Commissioner’s scrutiny role is unique in that it applies both to government, meaning cabinet ministers and their political appointees, *and* to parliamentarians themselves. This caveat sets the Commissioner apart from other agents of parliament in a significant way. Independence from *government* is the hallmark of an agent of parliament; to maintain this independence, agents report to parliament and are removable by parliament rather than by the Prime Minister. The Ethics Commissioner is independent from government, but his mandate involves scrutinizing the behaviour of the same parliamentarians to whom he reports.

One of the main purposes of political ethics regimes is to encourage public trust in government institutions and actors. Elected representatives want us to believe them when they say that they are honest and are willing to place the public’s interest before their personal gain. A written code of conduct is intended as tangible evidence of this commitment. Given the proliferation of independent agents of parliament in recent years,

it was no surprise when the Martin government established an ethics watchdog in 2004. However, this approach is not necessarily the best way to achieve the objective mentioned above; instead of having an independent officer monitor compliance with ethics rules, Members of Parliament should think about doing the job themselves. The United States House Committee on Standards of Official Conduct provides an example of how elected officials can work together to hold their colleagues to account for alleged ethical misconduct.

This essay considers the strengths and weaknesses of both the “commissioner” and the “committee” approaches to ethics regulation and scrutiny. The commissioner model has its strengths, to be sure. Many people think it absolutely necessary to have an objective, non-partisan arbitrator to investigate allegations of wrongdoing. This camp would reject MPs’ judgments of colleagues’ ethical behaviour on a number of grounds, one being that partisan politicians would be unable to resist the temptation to expose opponents’ alleged ethical lapses and hide those of their fellow party members. This suspicion is understandable, but it is important to question whether agents of parliament might be fueling the public’s distrust of politics and politicians rather than helping to resolve it. Employing an independent officer to administer and enforce ethics rules suggests that politicians are not to be trusted with this responsibility. This gives the public little reason to believe in politicians’ integrity.

If implemented correctly, the committee approach would not only empower MPs, but could encourage citizens to trust them as stewards of honesty and integrity in politics. The committee’s open deliberations on questions of ethics would demonstrate publicly members’ commitment to maintaining high ethical standards. The public’s attention to these proceedings could help to develop a common understanding of political ethics between politicians and their constituents.

The Office of the Ethics Commissioner

The “agent of parliament” approach to ethics regulation has two major advantages. First, the office’s independence confers legitimacy on its decisions, as citizens and politicians can trust that they were reached without regard for their political consequences. Second, the commissioner is presumed to have unique expertise in matters of ethics. Even though former Ethics Commissioner Bernard Shapiro admitted that he was no expert on the subject when he started out, he became more familiar with the terrain with every report that he wrote. This knowledge, combined with substantial resources in the form of time, money, and office staff, allows the commissioner to devote his undivided attention to the task of scrutinizing ethical behaviour. Parliamentary agents’ expertise helps to validate their findings in the eyes of the public and elected representatives. There is evidence that their reports and recommendations are perhaps more likely to be taken seriously by government officials than if they were offered by opposition politicians. This section of the paper explains these two benefits of the commissioner approach.

Advantage: Independence (?)

Agents of parliament, as mentioned previously, act as watchdogs who “regulate and oversee” public officials’ behaviour.^{vi} These agencies’ independence from government is taken as one of their main qualifications for this job. They are appointed not by government alone, but upon the joint resolution of the House of Commons and the Senate. Their terms of office are fixed in advance and parliamentary committees set their budgets. Their duties and responsibilities are set out in their respective enacting statutes, making it very difficult to alter their mandates and powers. These institutional arrangements are in place to protect the agencies from the government officials whose actions they scrutinize. The idea is to make it impossible for a government, embarrassed by an agent’s findings, to silence that office either by dismissing its holder or by depriving it of the fiscal resources necessary to carry out its work.

Although, as pointed out earlier, the Ethics Commissioner is not independent from the parliamentarians that are part of his mandate, he is certainly meant to be above the partisan fray. All party leaders are consulted on the commissioner’s appointment and, in the current minority government situation, no political party has the numerical strength required to remove a commissioner unilaterally. It should be noted that a return to majority government would give the governing caucus (read: the Prime Minister and cabinet) the numbers to dismiss a commissioner of whom they did not approve, as long as the Senate cooperated. Technically speaking, this is true of any officer of parliament. A political play of this sort would meet with significant public disapproval, so it is unlikely to be pursued.

There is an undeniable logic to having an objective, neutral actor to investigate alleged breaches of ethics rules, given that this official would have no personal or political stake in the outcomes. Donald Hamilton, Conflict of Interest Commissioner in Alberta, explains that it is important for people to know that there is an “independent someone” to “look into allegations of wrongdoing”.^{vii} To fully appreciate Hamilton’s words, one need only recall the condemnation of the Ethics Commissioner’s predecessor, the Ethics Counsellor. Prime Minister Jean Chretien created this position in 1994 and appointed Howard Wilson to it. His responsibilities, almost identical to the Ethics Commissioner’s, were to interpret and administer ethics rules for cabinet ministers and public office holders; there were no ethics rules for ordinary Members of Parliament at that time. The major difference between the two positions was that the Prime Minister alone appointed the Counsellor, which means that the Prime Minister could have made the unilateral decision to dismiss him. The Ethics Commissioner’s “hiring and firing” requires the approval of both the House of Commons and the Senate. Wilson reported to Chretien directly, but the Ethics Commissioner tables his reports to the Speaker of the House.

Throughout his career as Ethics Counsellor, Wilson could not escape the public perception that he was nothing more than a political appointee who could not be trusted to conduct impartial investigations of Liberal cabinet ministers. In a number of cases, Wilson exonerated ministers despite the public’s impression that their conduct was inappropriate. For instance, Wilson acquitted Prime Minister Chretien himself when he was accused of pressuring the Business Development Bank of Canada to issue a loan for his friend, Yvon Duhaime, in the infamous “Shawinigate” affair. Opposition parties

fumed, insisting that Chretien had broken the rules. When the Prime Minister put the call in to the bank in 1996, Duhaime had yet to pay him for his shares in the Grand Mere hotel and golf course, which Chretien had decided to sell upon becoming Prime Minister.^{viii} Chretien, apparently, had a direct personal interest in Duhaime receiving this loan. Differences between Wilson's conclusions and public opinion did nothing to enhance his credibility.

Given Wilson's track record, a return to the Ethics Counsellor model is permanently off the radar. However, as is explained in detail later, the committee approach, with its system of checks and balances, arranges a group of "partisan" politicians in such a way as to make it possible for the committee as a whole to interpret and apply ethics rules impartially. Therefore, Canada could adopt this approach without having to sacrifice the objectivity that the commissioner model offers.

Advantage: Expertise and Resources

The government's activities have expanded in terms of scope and complexity, which means that parliamentarians' surveillance of it has become an increasingly daunting task. Agents of parliament are meant to assist them in fulfilling it. Both the agents themselves and their staff members have unique experience and expertise to bring to the table. For instance, the Auditor General, perhaps the most well-known parliamentary agent, is uniquely qualified to scrutinize government accounting and reporting practices. The Auditor General's professional qualifications, combined with her on-the-job experience, are enough to convince many people that she is more qualified than the average parliamentarian to hold the government's "feet to the fire" with regard to fiscal transparency and propriety.

In light of agents' unique credentials, members of the public – not to mention government officials – might be more inclined to trust their judgment and to pay close attention to their findings and reports. Agents of parliament do not have the power to make "binding" recommendations when they find problems, but instead rely on the power of persuasion to nudge governments in the right direction. Drawing the public's attention to the blemishes that they uncover is one way for these officials to exert indirect pressure on the governments to adopt their recommendations for change. In recent years, there have been several examples of this. For instance, both provincial and national media picked up on Ontario Ombudsman Andre Marin's 2007 report on the Ontario Lottery and Gaming Corporation, which followed accusations that "insiders" had won a disproportionate share of lottery earnings. Murray Campbell of *The Globe and Mail* described the Ombudsman's report on the matter as "brash" and "easily digestible", so it is not surprising that it would capture public and media attention and become, in Campbell's words, "difficult for the government to ignore".^{ix} Even Official Opposition leader John Tory recognized that the Ombudsman was perhaps even more capable than he was of catching both the public's and the government's attention: "It is one of the shortcomings of the parliamentary system on accountability ... that it's easy for them to dismiss me. Because the Ombudsman is independent, his findings ... carry more weight."^x

Despite agents' inability to enforce compliance with their recommendations, evidence suggests that governments are often willing to comply. For instance, since Mr.

Marin's appointment in 2005, the Ontario government has responded to his reports with commitments to reform the Criminal Injuries Compensation Board and to increase drastically the number of medical tests performed on babies born in the province.^{xi} These are only a few of Marin's success stories, but they indicate the valuable contribution that parliamentary agents can make to government accountability. Ordinary parliamentarians do not have the time, resources and expertise to conduct the kinds of in-depth investigations and analyses that parliamentary agents do. If not for the efforts of officials like Mr. Marin, many problems in government service provision would likely go unnoticed by both government and opposition politicians. The legislative branch, it could be argued, needs agents of parliament to provide this kind of information so that politicians can use it in performing their scrutiny role.

Turning to the Office of the Ethics Commissioner, its annual budget is approximately \$5 million.^{xii} As stated previously, the Office gives advice on complying with ethics rules and investigates allegations of noncompliance, but it appears that its most time-consuming task is processing MPs' and public office holders' disclosure forms. MPs must complete lengthy disclosure statements for themselves and their family members within sixty days of their election to office.^{xiii} The same is required of public office holders upon being hired.^{xiv}

Between his 2004 appointment and 2007 resignation, Ethics Commissioner Shapiro conducted eight investigations into alleged ethical violations and issued a report for each one. These proceedings involved holding interviews (which sometimes required travel on the Commissioner's part), conducting research, and gathering legal opinions. The Commissioner's first investigation, which was focused on allegations against MP Gurmant Grewal, was one of the more straightforward ones, and it cost approximately \$11,000 in total.^{xv} Clearly, the amount of time and financial resources that the Ethics Commissioner's Office has to devote specifically to scrutinizing politicians' ethical behaviour goes far beyond what could be expected from ordinary MPs, who are burdened with an array of responsibilities. From this perspective, it makes sense to have an office dedicated to monitoring compliance with ethics rules. An Ethics Commissioner has the luxury of being thorough and leaving no stone unturned. This should result in well-documented reports that both the public and politicians can be confident in.

Expertise is an essential characteristic of an effective agent of parliament. If this ingredient is lacking, the Commissioner's reports and opinions will not be respected and will not "carry weight", to borrow a phrase from Ontario MPP John Tory.^{xvi} Former Ethics Commissioner Shapiro came to his position as a political ethics "rookie", and was forced to learn the ropes as time went on. He is certainly more well-versed on the subject now than he was before, and he has admitted to and learned from his mistakes. However, throughout his tenure, he suffered accusations of incompetence from parliamentarians of all partisan stripes, including well-respected veteran MP Ed Broadbent.^{xvii} Once it appeared that the parties had reached a consensus on Shapiro's ineptitude, it became all too easy for parliamentarians and the public to dismiss his findings as inconsequential. Shapiro has not been seen as an expert on ethics and his opinions have not been held in high regard. Without public legitimacy, an Ethics Commissioner is much less able to hold politicians and public office holders to account for ethical transgressions. If a Commissioner discovers an ethical violation and recommends that sanction be taken against the guilty party, it is up to parliamentarians to decide whether to follow his

advice. If there is doubt over the Commissioner's competence, the public would not be as likely to pressure parliament to take his advice. To sum up this point, a major risk in relying on an agent of parliament to enforce ethics rules is that once the Commissioner's reputation is tarnished, he could very quickly turn into a "lame duck", undermining the integrity of the ethics rules themselves.

The Ethics Committee Approach

For the purposes of comparison, I use the United States House Committee on Standards of Official Conduct as an example of the committee approach to ethics regulation. The Committee's role is both advisory and investigative. Like the Ethics Commissioner in Canada, the Committee and its support staff are responsible for processing disclosure forms, giving advice on how to comply with ethics rules, and investigating allegations of noncompliance. Through its office of Advice and Education, the Committee provides mandatory ethics training annually to House members and employees so that they understand the rules.^{xviii}

According to Rule 14 of the Committee's Rules, it is authorized to act on requests from the House of Representatives as a whole and from individual members to look into allegations of noncompliance.^{xix} Or, the Committee could initiate its own investigation if no such request comes forward. In responding to an allegation of wrongdoing, the Committee breaks down into investigative and adjudicatory sub-committees. The investigative sub-committee meets first, and is charged with determining whether the allegation itself is valid. If members answer in the affirmative, they may issue a "Statement of Alleged Violation" to which the accused is to respond in writing. If the sub-committee concludes that the allegation is unfounded, the procedure stops.

Once a Statement of Alleged Violation is issued, the adjudicatory sub-committee takes over. Its role is to determine, through a public adjudicatory hearing process in which both committee counsel and the accused participate, whether the allegations against the accused member have been proven. The burden of proof is on committee counsel, and the sub-committee's decisions are by majority vote. If no count is proven, the committee issues a report to the entire House. If some or all counts are proven, the committee hears submissions from committee counsel and the respondent regarding appropriate sanctions. By majority vote, the committee may recommend a sanction for the House to pursue, such as censure, expulsion, fine, reprimand, or denial of some right, power, or privilege. The Committee is entitled to issue a Letter of Reproval to the accused member regardless of whether the House acts on its recommendations for sanction.^{xx}

The Committee's rules and procedures for investigating allegations are designed to ensure fairness for the accused. The adjudicatory sub-committee acts as a check on the investigative committee's initial finding regarding the validity of the allegation of misconduct. The entire Committee, as well as both sub-committees, is composed of an equal number of Democrats and Republicans; it is the only committee in the House that is organized in this way. According to Rule 23, once the procedure reaches the point of the adjudicatory hearings, the accused is entitled to object to the participation of any sub-committee member on the grounds that the member is unable to act impartially.

However, the sole judge of this is the member against which the charge of “partiality” is made.

Advantages: Transparency and Accountability

There are at least two reasons why the Canadian government should consider adopting the committee approach to ethics regulation and scrutiny. First, the committee’s deliberations would be transparent and open to the public.^{xxi} This feature has multiple benefits. In Canada, the Ethics Commissioner’s investigative reports are tabled to the Speaker and posted online for all to see, but the decision-making process that precedes a report is inaccessible. The approach that the commissioner takes to weighing evidence and arguments, and values that he brings to this responsibility, are for the most part unknown to the Canadian public and to Members of Parliament. To be fair, Commissioner Shapiro has taken time in his reports to explain, at least to some degree, his reasons for arriving at particular outcomes. However, the American adjudicatory hearing process goes a significant step further; it allows the accused to actually engage her adjudicators in public conversation and debate and to defend herself in public. Therefore, no matter what the decision of the adjudicative sub-committee is, the public has access to enough information to decide for themselves whether the respondent’s actions violate ethical standards and whether the sub-committee’s finding is the “right” one. Also, the fact that the process takes place in public gives observers reason to trust that respondents are given due process.

The transparency of the committee approach would not only encourage trust in the process, but in the committee members themselves and their commitment to ethics. One of the purposes of the *Conflict of Interest Code for Members of the House of Commons* is the following: “to maintain and enhance public confidence and trust in the integrity of Members”.^{xxii} The committee approach would help to achieve this goal, as it would provide an opportunity for committee members to deliberate in public on questions of political ethics and to speak about the importance of maintaining high ethical standards. To reiterate a previous point, to rely on an Ethics Commissioner to enforce ethics rules is to imply that politicians cannot do it on their own. The committee approach would empower MPs with the responsibility of enforcing colleagues’ adherence to ethics rules and, in the long run, would allow them to convince to the public that ethical standards would not disintegrate under their watch.

The second reason to consider the committee approach is that because the ethics “watchdogs” would be the elected members themselves, they would be accountable to the public for the decisions that they make as committee members. This would give the public an opportunity to have at least an indirect effect on the interpretation of ethics rules, as committee members would be forced to defend unpopular decisions at election time. Members’ direct accountability to voters, in contrast to the Commissioner’s independence from political competition, would provide an incentive for them to embrace standards of political ethics that satisfy the general public.

The Committee Approach: A Case Study

In order to function effectively, an ethics committee must be structured in a way that prevents party politics from undermining its ability to conduct impartial investigations. The United States' recent experience has demonstrated that despite the precautions that have been taken, neutralizing partisanship is tricky business. Even though the Committee on Standards of Official Conduct is composed of an equal number of members from each party, the committee does not exist in a vacuum. It is situated in – and cannot escape from – the ongoing partisan warfare in the House of Representatives. The events surrounding the Committee's investigations of former Majority House leader Tom DeLay provide a telling example of how partisan politics can debilitate an ethics regime, at least temporarily.

In the fall of 2004, the Committee admonished DeLay three times in one week for violations of House ethics rules. Rep. Chris Bell, a Democrat from Texas, had filed a multi-count complaint against DeLay in June of that year, in which he alleged that DeLay had breached ethics rules by (among other things) hosting a fundraiser for energy company officials while the House was considering a major energy bill. The Committee's admonishments carried no real penalty, other than the obvious consequences for DeLay's reputation.^{xxiii} Even though they had the unanimous support of Republican and Democrat Committee members alike, Rep. Thomas Reynolds, Chairman of the Republican Congressional Committee, dismissed the Ethics Committee's investigations and findings as “politically motivated attacks”.^{xxiv}

After this string of warnings from the Committee in October, it appeared that DeLay might not be off the hook just yet. There was speculation that a lobbyist had paid for some of DeLay's foreign travel – a blatant violation of House ethics rules. DeLay's run-ins with the Committee were becoming a political problem for the Republican Party. Because it held a majority in the House at the time though, it was in a position to take some pre-emptive measures to make it difficult for the Committee to investigate DeLay's conduct any further. In January of 2005, the Republican-led House changed a rule that required the Committee to investigate a complaint if there was a deadlock between the Republican and Democrat members over whether to proceed on it. Under the new rules, such a complaint would be thrown out if the stalemate could not be broken after forty-five days. This would allow the Republicans on the Committee to block attempts to investigate DeLay if another complaint came forward.

The Republicans did not stop there. In February of 2005, Republican House Speaker Dennis Hastert removed Rep. Joel Hefley as Committee chair and replaced him with Rep. Doc Hastings. Hefley, a Republican, had presided over the Committee's admonishments of DeLay and had experienced the wrath of many of his partisan colleagues for doing so. In addition to removing Hefley, Speaker Hastert replaced some of the Republicans on the Committee with DeLay-sympathizers, including two whose political action committees had contributed to DeLay's legal defense fund.^{xxv}

The Republicans' actions ignited a “political uproar” at the time, but Republican leaders wagered that the political price of manipulating ethics rules would be worthwhile because without further Committee investigations, the DeLay issue would go away. However, the short-term costs turned out to be more than the Republicans had bargained for. Democrat Committee members refused to cooperate with the new rules, which

prevented the Committee from organizing for the new Congress. Its work stopped for three months. Under public pressure, fueled by Democrats' contention that the Republicans had changed the rules to protect DeLay, the Speaker reversed his decision on the forty-five day rule in April of 2005.^{xxvi} The House voted overwhelmingly (406-20) to restore the original rules, with most Republicans begrudgingly supporting the reversal.^{xxvii}

The DeLay case can be interpreted as a success or a failure of the committee approach, depending on one's perspective. On one hand, it shows how politics and partisanship can override at least some politicians' commitment to upholding ethical standards. It is likely that more than a few Republicans thought DeLay's actions worthy of reproach, but yet supported the changes to Committee rules in order to protect the party from further embarrassment. However, it is possible to view the DeLay case as an example of democracy working effectively, if a bit slowly. After all, public pressure forced the Republicans to reverse the changes that would have undermined the Committee's investigative capacity. Ultimately, Republican leaders were held to account for their decisions.

The DeLay case study shows that the committee system's effectiveness depends on at least a base level of public "alertness" or "consciousness" to its proceedings. Otherwise, the benefits of the committee approach – accountability and transparency – would not be realized. Even though the committee approach gives politicians the task of administering and enforcing ethics rules, the voters themselves are the ultimate "watchdogs". If the public had not been tuned into Republican leaders' attempts to manipulate the rules, they would probably have gotten away with it.

The Committee's investigation of DeLay turned into a high profile, politically charged procedure, which makes this case study the exception, not the rule. It is important to consider it because it illustrates some of the problems with the committee approach. If Canada were to use an ethics committee, it could implement rules to avoid the kinds of glitches that came up in the DeLay case. For instance, committee members as opposed to government leaders should have the authority to choose their chair. The ethics committee should be comprised of an equal number of members from each party so that no party has the numbers to control its proceedings. The chair's position could be rotated among the parties on an annual basis.

Neither the commissioner nor the committee approach can guarantee politicians' compliance with ethics rules. It would be naïve to think that any institution, no matter how fine-tuned, can force politicians to be ethical. The best-case scenario is to employ the approach to ethics regulation that is most capable of cultivating the normative climate that is essential to maintaining high ethical standards. The committee approach seems better suited to this goal, at least in theory, because it allows politicians to immerse themselves in defining and interpreting ethical standards and to reflect on the impact that misconduct can have on public trust.

At the end of the day, the responsibility for maintaining high ethical standards in politics lies with politicians alone. Members of the ethics committee must be determined to put partisanship aside to make the committee work and members of House must be willing to let that happen. Admittedly, recent evidence suggests that at least some parliamentarians might not be up to the challenge. On May 15, 2007, the Conservatives shut down the official languages committee after opposition members voted out its chair.

The Conservatives then refused to allow any of its committee members to take the role, so the committee's work had to stop. Official Opposition Leader Stephane Dion blamed Prime Minister Stephen Harper's contempt for parliament for the shut down: "He does not like to be questioned by members of this House; he kills committees".^{xxviii} This is all too reminiscent of the DeLay fiasco. If parliamentarians are unwilling to muster up the political will necessary to put partisanship on the back burner for the sake of the ethics committee's work, it could very well meet a similar fate.

The point to emphasize here is that whether an ethics regime succeeds or fails is up to actors within the institution – the politicians themselves. They must create an atmosphere that encourages ethical behaviour. As Atkinson and Bierling explain:

political ethics is less responsive to regulation than to the development of integrity and community spirit among politicians. The public will endorse the development of impersonal rules and their rigorous application to representatives, but mere adherence to the rule of law will not satisfy all of their expectations.^{xxix}

The committee approach gives MPs the lead role in creating and enforcing ethics rules. It puts the "ethics" issue on politicians' radars. It forces them to talk to each other across party lines about what their ethical standards are, how their behaviour might be perceived by the public, and how the perception of impropriety could affect the public's trust in them. It could encourage them to talk about what to do to "be ethical", not just about what *not* to do. All of this could go much further to restoring public trust than the commissioner model, which relies on an extra-parliamentary agent to impose ethics rules "from the outside". Committee members would be the guardians of ethical standards, and the fact that they would be inside the House instead of on its margins could help MPs to develop a commons standard of ethics. Perhaps most importantly, committee members would be accountable to the public for their interpretation and enforcement of ethics rules. This would provide a direct political incentive for politicians to embrace ethical standards that match the general public's, which is the ultimate goal of an ethics regime in the first place.

ⁱ Kristen Douglas and Nancy Holmes, "Funding Officers of Parliament", *Canadian Parliamentary Review*, Autumn 2005, 14.

ⁱⁱ Jeffrey Graham Bell, "Agents of Parliament: A New Branch of Government?" *Canadian Parliamentary Review*, Spring 2006, 15.

ⁱⁱⁱ Office of the Auditor General of Canada, "What is Legislative Auditing?", http://www.oag-bvg.gc.ca/domino/other.nsf/html/auqdn_lavg_e.html#31 (accessed April 30, 2007)

^{iv} Paul Thomas, "Parliamentary Scrutiny and Redress of Grievances", *Canadian Parliamentary Review*, Spring 2007, 7.

^v Office of the Ethics Commissioner, "Mandate, Role, and Responsibilities", 2004 http://www.parl.gc.ca/oec/en/office_ethics_commissioner/mandate_role_responsibilities/ (accessed May 17, 2007).

^{vi} *Ibid.*

^{vii} Donald Hamilton, "The Role of Legislative Officers in Alberta", *Canadian Parliamentary Review*, Spring 2007, 20.

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- viii “The prime minister and his Grand-Mere”, CBC News Archives, March 28, 2001 http://archives.cbc.ca/IDC-1-73-1700-11683/politics_economy/political_scandals/ (accessed May 3, 2007).
- ix Murray Campbell, “Ontario Ombudsman on winning streak”, *The Globe and Mail*, March 3, 2007.
- x Ibid.
- xi Ibid.
- xii Office of the Ethics Commissioner, “Budgetary Estimates: 2006-07”, http://www.parl.gc.ca/oec/en/office_ethics_commissioner/budget/ (accessed May 8, 2007).
- xiii Ibid, “Members of the House of Commons: Disclosure Statement Forms”, http://www.parl.gc.ca/oec/en/members/disclosure_statement_forms/ (accessed May 3, 2007).
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- xv Ibid, “The Grewal Inquiry”, June 2005 http://www.parl.gc.ca/oec/en/media/inquiry_reports/members.asp (accessed May 8, 2007).
- xvi Campbell.
- xvii “Ethics Commissioner gets rough ride from parliamentary committee”, CBC News Online, June 9, 2005 <http://www.cbc.ca/canada/story/2005/06/09/shapiro050609.html> (accessed May 8, 2007).
- xviii United States House of Representatives Committee on Standards of Official Conduct, “Ethics Training Guidelines”, April 3, 2007 http://www.house.gov/ethics/m_annual_ethics_training.htm (accessed May 4, 2007).
- xix Ibid, “Rules: 110th Congress”, February 16, 2007, http://www.house.gov/ethics/Rules_110th.html (accessed May 4, 2007).
- xx See Rules 13-28 for information on the Committee’s investigative authority.
- xxi See Rule 12 for information on the rules to be followed by radio and television broadcasters for coverage of adjudicatory hearings.
- xxii Parliament of Canada, “Conflict of Interest Code for Members of the House of Commons”, Standing Orders – Appendix 1, 2004, <http://www.parl.gc.ca/information/about/process/house/standingorders/appal-e.htm> (accessed May 8, 2007).
- xxiii Ted Barrett, “House Ethics Committee admonishes DeLay again”, CNN.com, October 7, 2004, <http://edition.cnn.com/2004/ALLPOLITICS/10/07/delay.ethics/index.html> (accessed May 5, 2007).
- xxiv Charles Babington, “DeLay Draws Third Repuke”, *The Washington Post*, October 7, 2004, <http://www.washingtonpost.com/wp-dyn/articles/A12933-2004Oct6.html> (accessed May 5, 2007).
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^{xxvi} Mike Allen, “GOP to Reverse Ethics Rule Blocking New DeLay Probe”, *The Washington Post*, April 27, 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/04/26/AR2005042601295.html> (accessed May 5, 2007).

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^{xxviii} Campbell Clark, “Tories’ feud closes bilingualism body,” *The Globe and Mail*, May 16, 2007, A4.

^{xxix} Michael Atkinson and Gerald Bierling, “Politicians, the Public and Political Ethics: Worlds Apart”, *Canadian Journal of Political Science*, Volume 38, No. 4, December 2005, 1011.