

Volume I

VOLUME I

03000001

03000002

Some of the attached emails refer to a parallel policy process initially intended to develop bright-line demonstrations of Senators' residency for constitutional qualification purposes. The Prime Minister did not agree with this initiative, as he viewed the matter to be long-settled historically as requiring ownership of a residence in the province of appointment, so the process was shut down within a few days. While that policy process is not relevant to the issues being examined, for convenience and ease of reading generally the portions of emails dealing with this process were left in when the emails were produced to the Conflict of Interest and Ethics Commissioner. The redactions at tabs I-21 and I-22 and the omission of the attachment at tab I-19 are consistent with production to the Commissioner.

Tab	Description	Last Subject Line
Volume I		
I-1.	Email thread ending Feb. 6, 7:31 p.m. Last From: Wright, Nigel	RE: Duffy Statement
I-2.	Email thread ending Feb. 7, 6:40 p.m. Last From: Wright, Nigel	RE: Duffy
I-3.	Email thread ending Feb. 7, 6:47 p.m. Last From: Wright, Nigel	FW: Duffy Statement
I-4.	Email thread ending Feb. 7, 6:57 p.m. Last From: Wright, Nigel	RE: Duffy Statement
I-5.	Email thread ending Feb. 7, 21:24 [9:24 p.m.] Last From: Nigel Wright	Re: Fwd: Depending on what u say in your release
I-6.	Email thread ending Feb. 7, 11:22 p.m. Last From: Wright, Nigel	Re: Before you issue news release ...
I-7.	Email thread ending Feb. 11, 2:00 p.m. Last From: McNamara, Joanne	Re: Senate - Residency and Expenses
I-8.	Email thread ending Feb. 11, 2:10 p.m. Last From: Wright, Nigel	Re: Senate - Residency and Expenses
I-9.	Email thread ending Feb. 11, 4:21 p.m. Last From: mdduffy@aol.com	FW: SENATE: Letter from Senate Leadership to CIBA
I-10.	Email thread ending Feb. 11, 5:23 p.m. Last From: Wright, Nigel	RE: Duff at 613-254-8411

03000003

Tab	Description	Last Subject Line
I-11.	Email thread ending Feb. 11, 6:27 p.m. Last From: McNamara, Joanne	RE: Duff at 613-254-8411
I-12.	Email thread ending Feb. 11, 8:38 p.m. Last From: mdduffy@aol.com	Re: My lawyer writes ...
I-13.	Email thread ending Feb. 11, 8:41 p.m. Last From: Wright, Nigel	Re: My lawyer writes ...
I-14.	Email thread ending Feb. 11, 9:00 p.m. Last From: Rogers, Patrick	Re: Senate - Residency and Expenses
I-15.	Email thread ending Feb. 13, 1:21 a.m. Last From: Duffy, Michael	Re: Update?
I-16.	Email thread ending Feb. 14, 21:04 [9:04 p.m.]. Last From Nigel Wright	Re: Rubber Chicken - 2011 will be higher
I-17.	Email thread ending Feb. 15, 18:35 [6:35 p.m.]. Last From Nigel Wright	Re: PEI Residency Ruling
I-18.	Email threading ending Feb. 15, 7:10 p.m. Last From: Woodcock, Chris	Re: Senator Duffy
I-19.	Email thread ending Feb. 18, 5:33 p.m. Last From: Wright, Nigel [attachment excluded as not relevant]	RE: Residency
I-20.	Email thread ending Feb. 19, 6:01 a.m. Last From: Wright, Nigel	Re: the Guardian SmartEdition
I-21.	Email thread ending Feb. 19, 1:19 p.m. Last From: Wright, Nigel [redacted]	RE: Return on Senate Residency note
I-22.	Email thread ending Feb. 19, 1:21 p.m. Last From: Wright, Nigel [redacted]	RE: Return on Senate Residency note
I-23.	Email, Feb. 19, 4:27 p.m. From: Wright, Nigel	pls schedule a call w Sen. Duffy, thx
I-24.	Email thread ending Feb. 20, 2:45 p.m. Last From: Wright, Nigel	RE: Senator Michael Duffy
I-25.	Second email thread ending Feb. 20, 2:45 p.m. Last From: Wright, Nigel	FW: Your fax number pls. Mike

Tab	Description	Last Subject Line
I-26.	Email thread ending Feb. 20, 3:27 p.m. Last From: Wright, Nigel	RE: Duffy Scenario
I-27.	Email thread ending Feb. 20, 3:39 p.m. Last From: Wright, Nigel	RE: Duffy
I-28.	Email thread ending Feb. 20, 7:37 p.m. Last From: Wright, Nigel	RE: Duffy Scenario
I-29.	Email thread ending Feb. 21, 12:17 p.m. Last From: Wright, Nigel	RE: Sen. Duffy
I-30.	Email thread ending Feb. 21, 12:50 p.m. Last From: Wright, Nigel	RE: Sen. Duffy
I-31.	Email thread ending Feb. 21, 7:18 p.m. Last From: Wright, Nigel	RE: Revised Duffy Statement
I-32.	Email thread ending Feb. 21, 8:32 p.m. Last From: Wright, Nigel	RE: Revised Duffy Statement
I-33.	Email thread ending Feb. 22, 8:12 a.m. Last From: Wright, Nigel	Re: Senator Duffy
I-34.	Email thread ending Feb. 22, 12:45 p.m. Last From: Wright, Nigel	FW: Senator Duffy
I-35.	Email thread ending Feb. 22, 1:04 p.m. Last From: Wright, Nigel	Re: Senator Duffy
I-36.	Email thread ending Feb. 22, 2:10 p.m. Last From: Wright, Nigel	RE: Senator Duffy
I-37.	Email thread ending Feb. 22, 2:14 p.m. Last From: van Hemmen, David	RE: Senator Duffy
I-38.	Email thread ending Feb. 22, 3:15 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy
I-39.	Email thread ending Feb. 22, 3:16 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy
I-40.	Email thread ending Feb. 22, 3:27 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy

03000005

Tab	Description	Last Subject Line
I-41.	Email thread ending Feb. 22, 3:42 p.m. Last From: Perrin, Benjamin	RE: Urgent: Senator Duffy
I-42.	Email thread ending Feb. 22, 5:44 p.m. Last From: Wright, Nigel	RE: Duffy Transcript
I-43.	Email thread ending Feb. 22, 6:04 p.m. Last From: Wright, Nigel	FW: 'I made a mistake' claiming housing allowance, says embattled senator Duffy
I-44.	Email thread ending Feb. 22, 7:01 p.m. Last From: Wright, Nigel	RE: Hard copy will be faxed monday. Letter to sen tkachuk
I-45.	Email thread ending Feb. 26, 11:53 a.m. Last From: Woodcock, Chris	RE: Today's target - for Fife too
I-46.	Email thread ending Feb. 26, 12:52 p.m. Last From: Wright, Nigel	RE: Duffy
I-47.	Email thread ending Feb. 26, 21:16 [9:16 p.m.]. Last From Nigel Wright	Re: Deal
I-48.	Email thread ending Feb. 27, 11:36 a.m. Last From: Wright, Nigel	RE: Letter to Duffy
I-49.	Email thread ending Feb. 27, 3:44 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
I-50.	Email thread ending Feb. 27, 5:49 p.m. Last From: Wright, Nigel	Re: Urgent: Senator Duffy
I-51.	Email thread ending Feb. 27, 5:58 p.m. Last From: Perrin, Benjamin	Re: Urgent: Senator Duffy
I-52.	Email thread ending Feb. 27, 8:18 p.m. Last From: Woodcock, Chris	Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx
I-53.	Email thread ending Feb. 27, 9:56 p.m. Last From: Wright, Nigel	Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx
I-54.	Email thread ending Feb. 28, 9:55 a.m. Last From: Wright, Nigel	RE: QP Closed Captioning Transcript - 2013-02-27
I-55.	Email thread ending Mar. 1, 6:43 a.m. Last From: Wright, Nigel	FW: Re Senate Report

03000006

Tab	Description	Last Subject Line
I-56.	Email thread ending Mar. 1, 7:25 a.m. Last From: Woodcock, Chris	RE: Re Senate Report
I-57.	Email thread ending Mar. 1, 2:18 p.m. Last From: Wright, Nigel	Re: Urgent: Senator Duffy
I-58.	Email thread ending Mar. 6, 11:31 a.m. Last From: Wright, Nigel	RE: Senator Duffy - request for input please
I-59.	Email thread ending Mar. 6, 11:41 a.m. Last From: Wright, Nigel	RE: next steps
I-60.	Email thread ending Mar. 6, 9:44 p.m. Last From: Wright, Nigel	Re: Senator Duffy - request for input please
I-61.	Email thread ending Mar. 8, 11:29 [a.m.]. Last From Nigel Wright	Re: Sen. Wallin
I-62.	Email thread ending Mar. 8, 3:26 p.m. Last From: Wright, Nigel	Re: Statement of Work - Sen. Duffy
I-63.	Email thread ending Mar. 14, 8:37 a.m. Last From: Perrin, Benjamin	Fw: Senator Duffy
I-64.	Email thread ending Mar. 20, 7:40 p.m. Last From: Wright, Nigel	RE: Senator Duffy
I-65.	Email thread ending Mar. 21, 1:45 p.m. Last From: Perrin, Benjamin	FW: Senator Duffy - request for input please
I-66.	Email thread ending Mar. 21, 2:01 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
Volume II		
II-1.	Email thread ending Mar. 22, 10:19 a.m. Last From: Wright, Nigel	RE: Call with Nigel Wright and Ben Perrin
II-2.	Email thread ending Mar. 22, 2:21 p.m. Last From: Woodcock, Chris	Re: letter
II-3.	Email thread ending Mar. 22, 3:54 p.m. Last From: Perrin, Benjamin	RE: Draft letter: repayment of housing allowances

03000007

Tab	Description	Last Subject Line
II-4.	Email thread ending Mar. 23, 1:20 p.m. Last From: Wright, Nigel	FW: Follow-up
II-5.	Email thread ending Mar. 24, 7:52 p.m. Last From: Wright, Nigel	Re: Senator Duffy
II-6.	Email thread ending Mar. 25, 1:00 p.m. Last From: Rogers, Patrick	RE: Senator Duffy
II-7.	Email thread ending Mar. 25, 2:06 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
II-8.	Email thread ending Mar. 25, 2:26 p.m. Last From: Wright, Nigel	RE: Senator Duffy
II-9.	Email thread ending Mar. 25, 3:09 p.m. Last From: Woodcock, Chris	Re: Senator Duffy
II-10.	Email thread ending Mar. 25, 3:43 p.m. Last From: Wright, Nigel	Re: Senator Duffy
II-11.	Email thread ending Mar. 25, 3:45 p.m. Last From: Perrin, Benjamin	FW: Senator Duffy
II-12.	Email thread ending Mar. 25, 3:46 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
II-13.	Email thread ending Mar. 26, 12:09 p.m. Last From: Perrin, Benjamin	FW: Senator Michael Duffy
II-14.	Email thread ending Mar. 26, 6:09 p.m. Last From: Wright, Nigel	RE: Duffy
II-15.	Email thread ending Apr. 17, 10:32 p.m. Last From: Woodcock, Chris	Fw: Global National
II-16.	Email thread ending Apr. 18, 7:13 p.m. Last From: Wright, Nigel	RE: Sen. Duffy admits he hasn't paid money back
II-17.	Email thread ending Apr. 18, 7:28 p.m. Last From: Rogers, Patrick	Re: Sen. Duffy admits he hasn't paid money back
II-18.	Email thread ending Apr. 18, 20:02 [8:02 p.m.] Last From: Nigel Wright	Fwd: Things

03000008

Tab	Description	Last Subject Line
II-19.	Email thread ending Apr. 18, 8:24 p.m. Last From: LeBreton, Marjory	Re: Interview Request - The West Block with Tom Clark
II-20.	Email thread ending Apr. 19, 10:19. Last From Nigel Wright	Fwd: Jordan Press called my office again today going to write MD is a liar
II-21.	Email thread ending Apr. 19, 11:51 a.m. Last From: Woodcock, Chris	Re: Jordan Press called my office again today going to write MD is a liar
II-22.	Email thread ending Apr. 19, 5:14 p.m. Last From: Woodcock, Chris	Re: Urgent - Duffy
II-23.	Email thread ending Apr. 22, 3:30 p.m. Last From: Wright, Nigel	RE: Duffy
II-24.	Email thread ending Apr. 23, 5:43 p.m. Last From: Montgomery, Christopher	RE: Confidential. Tkachuk/Duffy
II-25.	Email thread ending Apr. 23, 6:23 p.m. Last From: Wright, Nigel	Re: Confidential. Tkachuk/Duffy
II-26.	Email thread ending Apr. 30, 06:36 [6:36 a.m.] Last From: Nigel Wright	Fwd: Follow up
II-27.	Email thread ending May 2, 07:54 [7:54 a.m.] Last From: Goldy Hyder	Re: Draft Statement
II-28.	Email thread ending May 2, 2:46 p.m. Last From: Woodcock, Chris	Re: Audit
II-29.	Email thread ending May 3, 02:42 [2:42 a.m.] Last From: Goldy Hyder	RE: Follow up
II-30.	Email thread ending May 3, 11:44 [11:44 a.m.] Last From: Nigel Wright	Re: Follow up
II-31.	Email thread ending May 8, 1:58 p.m. Last From: Woodcock, Chris	Re: Report on Duffy
II-32.	Email thread ending May 8, 2:37 p.m. Last From: Woodcock, Chris	Re: Meeting
II-33.	Email thread ending May 8, 3:04 p.m. Last From: Woodcock, Chris	Re: Meeting

03000009

Tab	Description	Last Subject Line
II-34.	Email thread ending May 8, 3:42 p.m. Last From: Wright, Nigel	RE:
II-35.	Email thread ending May 8, 7:11 p.m. Last From: Wright, Nigel	RE: Any sign of products for tomorrow?
II-36.	Email thread ending May 8, 8:44 p.m. Last From: Woodcock, Chris	RE: Duffy Statement
II-37.	Email thread ending May 9, 6:00 a.m. Last From: Wright, Nigel	Re: Any sign of products for tomorrow?
II-38.	Email thread ending May 9, 6:00 a.m. Last From: Woodcock, Chris	FW: Notes from Thursday BOIE FYI
II-39.	Email thread ending May 9, 11:16 a.m. Last From: Woodcock, Chris	RE: Duffy
II-40.	Email, May 14, 22:52 [10:52 p.m.] From: chriswoodcock1@gmail.com	(no subject)
II-41.	Schedule for Feb. 11 [redacted]	n.a.
II-42.	Schedule for Feb. 12 [redacted]	n.a.
II-43.	Schedule for Feb. 13 [redacted]	n.a.
II-44.	Schedule for Feb. 19 [redacted]	n.a.
II-45.	Schedule for Feb. 21 [redacted]	n.a.
II-46.	Schedule for Mar. 22 [redacted]	n.a.
II-47.	Journal excerpt from Feb. 6, 2013	n.a.
II-48.	Journal excerpt from Feb. 7, 2013	n.a.
II-49.	Journal excerpt from Feb. 11, 2013	n.a.
II-50.	Journal excerpt from Feb. 12, 2013	n.a.
II-51.	Journal excerpt from Feb. 13, 2013	n.a.
II-52.	Journal excerpt from Feb. 19, 2013	n.a.
II-53.	Journal excerpt from Feb. 20, 2013	n.a.

Tab	Description	Last Subject Line
II-54.	Journal excerpt from Feb. 20/21, 2013	n.a.
II-55.	Journal excerpt from Feb. 21, 2013	n.a.
II-56.	Journal excerpt from Mar. 22, 2013	n.a.
II-57.	Journal excerpt from Apr. 29, 2013	n.a.
II-58.	Journal excerpt from May 7, 2013	n.a.
II-59.	Letter from Hon. David Tkachuk to Janice Payne dated Feb. 14, 2013	Re: The Honourable Senator Michael Duffy Your File No. 16138-2

03000011

03000012

Wright, Nigel

From: Wright, Nigel
Sent: February 6, 2013 7:31 PM
To: Woodcock, Chris; McNamara, Joanne; Novak, Ray; MacDougall, Andrew
Subject: RE: Duffy Statement

Agree. But let this small group be under no illusion. I think that this is going to end badly. That is what Sen. Tkachuk strongly implies. I will try to understand the facts, but David is not an alarmist and is not a poor manager of this process.

-----Original Message-----

From: Woodcock, Chris
Sent: February 6, 2013 6:30 PM
To: Wright, Nigel; McNamara, Joanne; Novak, Ray; MacDougall, Andrew
Subject: Duffy Statement

Senator Duffy is going to issue the following statement. Senator LeBreton asked him to put something out in response to the stories. I've given the text my ok.

"As a long-time Prince Edward Islander, I am proud to represent my province and its interests in the Senate of Canada. I also represent taxpayers with care. I have a home in Prince Edward Island and I have provided the Senate Committee on Internal Economy, Budgets and Administration with documentation demonstrating that I am a resident. I look forward to the Committee completing its Senate-wide review."

03000013

03000014

Wright, Nigel

From: Wright, Nigel
Sent: February 7, 2013 6:40 PM
To: Novak, Ray; Woodcock, Chris; MacDougall, Andrew; McNamara, Joanne
Subject: RE: Duffy

My own view is that one would interpret the constitutional requirement through a purposive approach. Its purpose was to ensure that Senators would represent the provinces from which they were appointed. I believe that Mike's ownership of property there, time spent there, and engagement with the political life of the province would likely meet the constitutional test. As regards Senate expenses, the concept of a primary residence implies the existence of at least one other residence. So Mike could be primarily resident in the NCR for expense rules and still constitutionally resident in PEI. That leaves the very big problem of his having collected \$900 per month. The only plausible ways out of that are that (i) it was wrong and he has to be disciplined and/or repay, or (ii) there was ambiguity so it will be clarified and he will not claim the amount going forward. Marjory assures me that no other CPC Senator claims the \$900 per month in similar circumstances. Mike said that no one ever told him he shouldn't be doing it.

From: Novak, Ray
Sent: February 7, 2013 5:53 PM
To: Wright, Nigel; Woodcock, Chris; MacDougall, Andrew; McNamara, Joanne
Subject: Re: Duffy

Thanks, this is very helpful context.

I'm hoping Sen. Tkachuk and the others have some sense of what the legal advice may be regarding residency. Seems incredible this has not been an issue until now.

From: Wright, Nigel
Sent: Thursday, February 07, 2013 05:47 PM Eastern Standard Time
To: Woodcock, Chris; MacDougall, Andrew; Novak, Ray; McNamara, Joanne
Subject: RE: Duffy

Spent the last hour on various phone calls with Mike, David Tkachuk, and Marjory.

David still needs to work it out, so it is only at a 90% certainty level, but what will likely happen is that at 9:10 Friday the release will go out stating that the Harb, Brazeau, and Duffy expense cases are being referred to an external auditor. Concurrently, a separate release would go out stating something like "with respect to Sen. Duffy, the Chair / Committee has requested external legal advice on the meaning of the terms resident and primary residence."

The purpose of this is to put Mike in a different bucket and to prevent him from going squirrely on a bunch of weekend panel shows. Ray, Mike is very pleased with this, so it will give us a bit of time if David can pull it off. David is making his calls now to the Senate Clerk and the other two committee members, but I think he will get it done. Marjory is fully on board.

From: Woodcock, Chris
Sent: February 7, 2013 4:00 PM
To: Wright, Nigel; MacDougall, Andrew; Novak, Ray; McNamara, Joanne
Subject: FW: Duffy

Incoming.

03000015

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 7, 2013 3:59 PM
To: Woodcock, Chris; Moreau, Remi
Cc: Quinney, Johanna
Subject: Duffy

The Steering Committee of Internal Economy has taken the decision to lump Duffy's residency claim in with those of Harb and Brazeau for auditing. This will be indicated by media release before the day is out.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000016

03000017

Wright, Nigel

From: Wright, Nigel
Sent: February 7, 2013 6:47 PM
To: Novak, Ray; Woodcock, Chris; McNamara, Joanne
Subject: FW: Duffy Statement

Apparently David Tkachuk has this worked out.

From: LeBreton, Marjory [mailto:LEBREM@SEN.PARL.GC.CA]
Sent: February 7, 2013 6:33 PM
To: Wright, Nigel; Montgomery, Christopher
Cc: Melo, Sandy
Subject: Re: Duffy Statement

I agree with Nigel's comments. I think this will get us to where we want to go. Marjory

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Thursday, February 07, 2013 06:30 PM
To: Montgomery, Christopher; LeBreton, Marjory
Cc: Melo, Sandy
Subject: RE: Duffy Statement

This works.

I think they could say "...independent legal advice regarding the definitions of 'resident' and 'primary residence'" or something like that to describe the advice that is being sought. The critical thing is that it have a reference to "with respect to Senator Duffy" in it. Mike is pleased that he is being differentiated in some way. I think it buys a bit of time.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 7, 2013 6:27 PM
To: Wright, Nigel; LeBreton, Marjory
Cc: Melo, Sandy
Subject: Duffy Statement

I just got off the phone with Tkachuk. On the advice of the Clerk, they are going to say that the Chair and Deputy Chair of the committee have requested independent legal advice as opposed to referring to the Steering Committee so as not to make it an official process in order to protect Senator Duffy.

They will use the language agreed simply replace "steering committee" with "chair and deputy chair of the committee."

Tkachuk boards his flight in 30 minutes and has asked me to let him know before then if you have any problems with this.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000018

03000019

Wright, Nigel

From: Wright, Nigel
Sent: February 7, 2013 6:57 PM
To: 'Montgomery, Christopher'; LeBreton, Marjory
Cc: Melo, Sandy
Subject: RE: Duffy Statement
Roger.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 7, 2013 6:32 PM
To: Wright, Nigel; LeBreton, Marjory
Cc: Melo, Sandy
Subject: RE: Duffy Statement

Thank you both.

Yes, it is understood that the reference will be to legal advice with respect to residency and that it is with respect to Duffy only.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Thursday, February 07, 2013 6:30 PM
To: Montgomery, Christopher; LeBreton, Marjory
Cc: Melo, Sandy
Subject: RE: Duffy Statement

This works.

I think they could say "...independent legal advice regarding the definitions of 'resident' and 'primary residence'" or something like that to describe the advice that is being sought. The critical thing is that it have a reference to "with respect to Senator Duffy" in it. Mike is pleased that he is being differentiated in some way. I think it buys a bit of time.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 7, 2013 6:27 PM
To: Wright, Nigel; LeBreton, Marjory
Cc: Melo, Sandy
Subject: Duffy Statement

I just got off the phone with Tkachuk. On the advice of the Clerk, they are going to say that the Chair and Deputy Chair of the committee have requested independent legal advice as opposed to referring to the Steering Committee so as not to make it an official process in order to protect Senator Duffy.

They will use the language agreed simply replace "steering committee" with "chair and deputy chair of

03000020

the committee."

Tkachuk boards his flight in 30 minutes and has asked me to let him know before then if you have any problems with this.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000021

03000022

Re: Fwd: Depending on what u say in your release ...

message

Nigel Wright <nigel.s.wright@gmail.com>
To: "Woodcock, Chris" <Chris.Woodcock@pmo-cpm.gc.ca>

7 February 2013 21:24

Thanks Chris. I'm not going to help Mike draft it!!

On 7 February 2013 21:22, Woodcock, Chris <Chris.Woodcock@pmo-cpm.gc.ca> wrote:
Thanks. Note there's a word missing here ("any" or "the"):

"and will vigorously defend against suggestion"

From: Nigel Wright [mailto:nigel.s.wright@gmail.com]
Sent: Thursday, February 07, 2013 09:19 PM
To: Woodcock, Chris; Vaux, Julie; MacDougall, Andrew
Cc: Novak, Ray; McNamara, Joanne
Subject: Fwd: Depending on what u say in your release ...

FYI. This is manageable.

----- Forwarded message -----
From: <MDDuffy@aol.com>
Date: 7 February 2013 21:15
Subject: Depending on what u say in your release ...
To: tkachd@sen.parl.gc.ca

8 Feb. 2013

Statement by Hon. Mike Duffy, Senator Cavendish PEI

"As a Prince Edward Islander, born and bred, I am proud to represent my province and its interests in the Senate of Canada.

I represent taxpayers with care, and Canadians know I would never do anything to betray the public trust. I have a home in Prince Edward Island as required by law. I have retained legal counsel, and will vigorously defend against suggestion that I am not qualified to be a PEI Senator. I will have no further comment until this review is complete."

-30-

The relevant legal reference is attached.

03000023

Electoral Divisions of Lower Canada specified in Schedule A. to Chapter One of the Consolidated Statutes of Canada. (12)

Marginal note: Qualifications of Senator

23. The Qualifications of a Senator shall be as follows:

- (1) He shall be of the full age of Thirty Years;
- (2) He shall be either a natural-born Subject of the Queen, or a Subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of One of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, before the Union, or of the Parliament of Canada after the Union;
- (3) He shall be legally or equitably seised as of Freehold for his own Use and Benefit of Lands or Tenements held in Free and Common Socage, or seised or possessed for his own Use and Benefit of Lands or Tenements held in Franc-alieu or in Roture, within the Province for which he is appointed, of the Value of Four thousand Dollars, over and above all Rents, Dues, Debts, Charges, Mortgages, and Incumbrances due or payable out of or charged on or affecting the same;
- (4) His Real and Personal Property shall be together worth Four thousand Dollars over and above his Debts and Liabilities;
- (5) He shall be resident in the Province for which he is appointed;
- (6) In the Case of Quebec he shall have his Real Property Qualification in the Electoral Division for which he is appointed, or shall be resident in that Division. (13)

03000024

03000625

Wright, Nigel

From: Wright, Nigel
Sent: February 7, 2013 11:22 PM
To: Novak, Ray
Subject: Re: Before you issue news release ...

Yes

From: Novak, Ray
Sent: Thursday, February 07, 2013 11:16 PM Eastern Standard Time
To: Wright, Nigel
Subject: Fw: Before you issue news release ...

I presume you are getting these also...

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Sent: Thursday, February 07, 2013 11:13 PM Eastern Standard Time
To: tkachd@sen.parl.gc.ca <tkachd@sen.parl.gc.ca>; 5.carolynso@gmail.com <5.carolynso@gmail.com>
Subject: Before you issue news release ...

7 Feb 2013

David:

After speaking to my lawyer, I now understand that the issue in question is not whether I own property in PEI; but rather whether my principal residence is there, thus entitling me to expenses for my home in Kanata.

If this is indeed the issue, then this is the first time a concern has been raised with me by anyone. I have been claiming these expenses routinely, as I was told I could do at the time of my swearing-in in 2009.

However if there is anything improper about these expense claims, I want to correct it. I have no interest in claiming expenses to which I am not entitled.

Can we discuss this matter before you issue any media release naming me, as I believe we can resolve this expense issue

03000026

without the need of an audit.

Sincerely,

Mike

613-254-8411

03000027

03000028

Wright, Nigel

From: McNamara, Joanne
Sent: February 11, 2013 2:00 PM
To: Rogers, Patrick; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: Re: Senate - Residency and Expenses

I can give Sandy a call too.

From: Rogers, Patrick
Sent: Monday, February 11, 2013 01:58 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: RE: Senate - Residency and Expenses

Coordination is the least we can ask for. I am touching base with everyone in that office.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: February 11, 2013 1:51 PM
To: Rogers, Patrick; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Re: Senate - Residency and Expenses

I met with Duff today. He will repay, with a couple of conditions, including that admitting to a primary residence in Ottawa does not disqualify him from representing PEI in the Senate. I am meeting Sen. Tkachuk tomorrow. Can the leadership PLEASE coordinate every move with us before taking ANY steps?

From: Rogers, Patrick
Sent: Monday, February 11, 2013 01:46 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Senate - Residency and Expenses

Here is an update on Senate conversations that I have had.

I am not sure if there have been other discussions but here is what I've got.

1. Senator LeBreton and Liberal Leader Cowan have written to the Senate's Internal Board asking them to recoup expenses determined to be inappropriate regarding second homes. The letter also asks that the process be sped up. This letter has gone and Montgomery says that this is consistent with PM direction on this. I am worried that this letter has pretty much hooped Senator Duffy.
2. Senator LeBreton is prepared to put forward a motion asking the Rules Committee to define residency and draft rules that require Senators to provide proof of residency each session and for the Senate Clerk to release the names of those Senators who fail to do so. Montgomery says that he's confident that they will be able to come up with something about where you pay taxes and that "the work is underway" but I am concerned that there is a let the sinners hang mentality at the moment.

03000029

3. On Brazeau, the Senator is prepared to table a two part motion that will force him on a leave of absence and cut him off expenses. However, also included in this is that the Senator's absence be considered under rule 15-1(3)a. In English, it means his absences will be considered "Senate Business". This means he will avoid being fined \$250 a day for each absence. Montgomery tells me that this is also written into an automatic forced leave of absence if he had been tried under an indictable offense but it's worth flagging in our own homemade motion we are keeping the taps on.

Patrick

Patrick Rogers

Manag r, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

613-957-5566

Cellular | cellulaire 613-219-1360

Patrick.Rogers@pmo.gc.ca

03000030

03000031

Wright, Nigel

From: Wright, Nigel
Sent: February 11, 2013 2:10 PM
To: Rogers, Patrick; Woodcock, Chris; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

I won't respond to any more emails until I get out of the Budget meeting.

From: Rogers, Patrick
Sent: Monday, February 11, 2013 02:06 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Novak, Ray; McNamara, Joanne
Subject: RE: Senate - Residency and Expenses

The fines Chris is speaking of refer to Brazeau and detailed in issue 3 of my email.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: February 11, 2013 2:05 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

He'll repay the \$32 000 that shouldn't have been claimed. Are there fines too? I haven't heard of that.

From: Woodcock, Chris
Sent: Monday, February 11, 2013 01:59 PM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

I'm worried about this fines issue. These fines add up to maybe \$35K? I don't see how we could explain to our people that we're waiving fines for the Senator the public wants to see kicked out of the Senate.

From: Wright, Nigel
Sent: Monday, February 11, 2013 01:50 PM
To: Rogers, Patrick; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Re: Senate - Residency and Expenses

I met with Duff today. He will repay, with a couple of conditions, including that admitting to a primary residence in Ottawa does not disqualify him from representing PEI in the Senate. I am meeting Sen. Tkachuk tomorrow. Can the leadership PLEASE coordinate every move with us before taking ANY steps?

From: Rogers, Patrick
Sent: Monday, February 11, 2013 01:46 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Senate - Residency and Expenses

Here is an update on Senate conversations that I have had.

03000032

I am not sure if there have been other discussions but here is what I've got.

1. Senator LeBreton and Liberal Leader Cowan have written to the Senate's Internal Board asking them to recoup expenses determined to be inappropriate regarding second homes. The letter also asks that the process be sped up. This letter has gone and Montgomery says that this is consistent with PM direction on this. I am worried that this letter has pretty much hooped Senator Duffy.
2. Senator LeBreton is prepared to put forward a motion asking the Rules Committee to define residency and draft rules that require Senators to provide proof of residency each session and for the Senate Clerk to release the names of those Senators who fail to do so. Montgomery says that he's confident that they will be able to come up with something about where you pay taxes and that "the work is underway" but I am concerned that there is a let the sinners hang mentality at the moment.
3. On Brazeau, the Senator is prepared to table a two part motion that will force him on a leave of absence and cut him off expenses. However, also included in this is that the Senator's absence be considered under rule 15-1(3)a. In English, it means his absences will be considered "Senate Business". This means he will avoid being fined \$250 a day for each absence. Montgomery tells me that this is also written into an automatic forced leave of absence if he had been tried under an indictable offense but it's worth flagging in our own homemade motion we are keeping the taps on.

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

613-957-5566

Cellular | cellulaire 613-219-1360

Patrick.Rogers@pmo.gc.ca

03000033

03000034

Wright, Nigel

From: mdduffy@aol.com
Sent: February 11, 2013 4:21 PM
To: Wright, Nigel; Janice Payne; Janice Payne
Subject: Fw: SENATE: Letter from Senate Leadership to CIBA / SÉNAT : Lettre des leaders du Sénat au Comité de la régie interne
Attachments: COMM_NR_Declarations_2013-02-11_E_Final.docx; COMM_NR_Declarations_2013-02-11_F_Final.docx

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Curry, Bill" <BCurry@globeandmail.com>
Date: Mon, 11 Feb 2013 15:35:37 -0500
To: Mike Duffy (MDDuffy@aol.com)<MDDuffy@aol.com>
Subject: FW: SENATE: Letter from Senate Leadership to CIBA / SÉNAT : Lettre des leaders du Sénat au Comité de la régie interne

Hi Mike,

I'm writing about this letter. Would you like to respond on the record? Are you prepared to pay back the expenses you claimed if the committee finds they do not qualify?

Bill

From: pressres2@parl.gc.ca [mailto:pressres2@parl.gc.ca]
Sent: February-11-13 3:09 PM
Subject: SENATE: Letter from Senate Leadership to CIBA / SÉNAT : Lettre des leaders du Sénat au Comité de la régie interne

Today, Minister Marjory LeBreton, Leader of the Government in the Senate, and Senator James Cowan, Leader of the Opposition in the Senate, released a joint letter to the Senate Committee on Internal Economy, Budgets and Administration respecting the issue of living allowances in the National Capital Region.

SENATE



SÉNAT

CANADA

03000035

February 11, 2013

The Honourable David Tkachuk
Room 401 – Victoria Building
The Senate of Canada
Ottawa ON K1A 0A4

The Honourable George Furey
Room 265 – East Block
The Senate of Canada
Ottawa ON K1A 0A4

Dear Senators Tkachuk and Furey,

Senators who maintain a secondary residence in the National Capital Region are entitled to receive a housing allowance with respect to that residence.

Obviously a claim of secondary residence presupposes that one's primary residence is elsewhere.

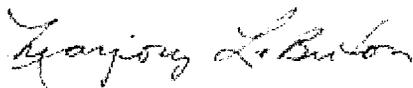
In late 2012 concerns were raised in the media as to the legitimacy of such claims by some Senators.

When the issue was first raised, your committee quite properly wrote to each Senator requesting copies of the Senator's health card, driver's licence, the page of his/her 2011 income tax return indicating in which province the Senator paid income tax and a declaration as to where the Senator voted in federal, provincial and municipal elections. Such information was to be provided by January 31, 2013.

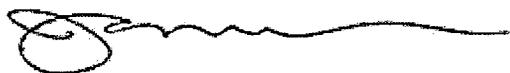
We request that you proceed to interview each Senator who has claimed a secondary residence allowance to confirm the legitimacy of such claims. Should any Senator be unable to convince you that the claim is valid that Senator should be required to repay immediately all monies so paid with interest.

We believe it is vital for the reputation of the Senate and those Senators who are in full compliance with our rules and regulations that this determination be made as soon as possible and that the result be made public.

Yours truly,



Marjory LeBreton
Leader of the Government in the Senate



James S Cowan
Leader of the Opposition in the Senate

03000036

Aujourd'hui, la ministre Marjory LeBreton, leader du gouvernement au Sénat, et le sénateur James Cowan, leader de l'opposition au Sénat, ont envoyé une lettre au Comité sénatorial de la régie interne, des budgets et de l'administration au sujet des indemnités de subsistance dans la région de la capitale nationale.

SENATE



SÉNAT

Le 11 février 2013

L'honorable David Tkachuk
Pièce 401 – Édifice Victoria
Le Sénat du Canada
Ottawa (Ontario) K1A 0A4

L'honorable George Furey
Pièce 265 – Édifice de l'Est
Le Sénat du Canada
Ottawa (Ontario) K1A 0A4

Messieurs les sénateurs,

Les sénateurs qui ont une résidence secondaire dans la région de la capitale nationale ont droit à une allocation de logement relativement à cette résidence.

De toute évidence, le fait, pour une personne, de demander une allocation de logement pour une résidence secondaire suppose que celle-ci a une résidence primaire ailleurs.

Vers la fin de 2012, des préoccupations ont été exprimées dans les médias quant à la légitimité de réclamations faites à cet égard par certains sénateurs.

Lorsque la question a été soulevée la première fois, votre comité a fait ce qu'il convenait de faire, c'est-à-dire écrire à chacun des sénateurs pour leur demander des copies de leur carte d'assurance-santé, de leur permis de conduire, de la page de leur déclaration de revenus indiquant la province dans laquelle ils ont payé des impôts ainsi qu'une déclaration indiquant où ils ont voté aux élections fédérales, provinciales et municipales. Ces renseignements devaient être fournis au plus tard le 31 janvier 2013.

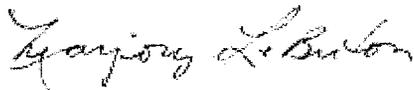
Nous vous saurions gré d'interroger chacun des sénateurs qui ont réclamé une allocation de logement pour résidence secondaire afin de confirmer le bien-fondé de ces réclamations. Tout sénateur qui ne parviendra pas à démontrer la validité de sa réclamation devrait être tenu de rembourser immédiatement tous les montants qui lui ont été versés, avec les intérêts.

Nous estimons qu'il est crucial, pour la réputation du Sénat et des sénateurs respectueux des pratiques et

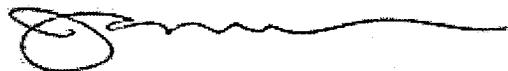
03000037

du Règlement, que les choses soient tirées au clair le plus rapidement possible et que les résultats soient rendus publics.

Veillez agréer, Messieurs les sénateurs, l'assurance de nos sentiments distingués.



Marjory Le Breton
Leader du Gouvernement au Sénat



James S. Cowan
Leader de l'Opposition au Sénat

Note: You are receiving this e-mail for information only, and because you are on our distribution list. Let us know if you want your name removed by sending an e-mail to pressres2@parl.gc.ca

Note: Vous avez reçu ce courriel à titre d'information, et parce que vous figurez sur notre liste de distribution. Si vous souhaitez qu'on retire votre nom faites-le-nous savoir par l'entremise d'un courriel à pressres2@parl.gc.ca

03000038

03000039

Wright, Nigel

From: Wright, Nigel
Sent: February 11, 2013 5:23 PM
To: 'MDDuffy@aol.com'
Subject: RE: Duff at 613-254-8411

I had no foreknowledge of it. When I learned of it I asked for all unilateral action from that office to cease before being cleared with me. I was not pleased On its face, it does not make our task more complicated I think, although the "with interest" is new to me.

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Sent: February 11, 2013 5:05 PM
To: nigel.s.wright@gmail.com
Cc: Wright, Nigel
Subject: Duff at 613-254-8411

What does Marjory's letter mean for our talks?
Mike

03000040

03000041

Wright, Nigel

From: McNamara, Joanne
Sent: February 11, 2013 6:27 PM
To: Rogers, Patrick; Wright, Nigel; Novak, Ray
Subject: Re: Duff at 613-254-8411

Sandy sends apologies.
She thought this was done.

She now clearly understands and will comply on future actions being considered.

From: Rogers, Patrick
Sent: Monday, February 11, 2013 05:27 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Cc: McNamara, Joanne
Subject: RE: Duff at 613-254-8411

Joanne and I are calling Sandy now.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: February 11, 2013 5:25 PM
To: Novak, Ray; Rogers, Patrick
Cc: McNamara, Joanne
Subject: RE: Duff at 613-254-8411

Exactly. And why share the credit with Cowan? And why do it without knowing the consequences of the statement. Will all of Sen. Wallin's expenses be found to be improper technically but morally acceptable?

To repeat Patrick, no further action from that office at all without pre-clearance with us.

From: Novak, Ray
Sent: February 11, 2013 5:23 PM
To: Wright, Nigel; Rogers, Patrick
Cc: McNamara, Joanne
Subject: RE: Duff at 613-254-8411

Why on earth did their letter to the committee have to be public? It's as though there is a deliberate strategy to feed every media cycle with this.

From: Wright, Nigel
Sent: February 11, 2013 5:21 PM
To: Rogers, Patrick
Cc: Novak, Ray; McNamara, Joanne
Subject: FW: Duff at 613-254-8411

03000042

Patrick,

Please convey my thanks to Sen. LeBreton's office for making this more difficult.

Nigel

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]

Sent: February 11, 2013 5:05 PM

To: nigel.s.wright@gmail.com

Cc: Wright, Nigel

Subject: Duff at 613-254-8411

What does Marjory's letter mean for our talks?

Mike

03000043

03000044

Wright, Nigel

From: mdduffy@aol.com
Date: February 11, 2013 8:38 PM
To: Wright, Nigel
Subject: Re: My lawyer writes ...

I wud like to see the language of the rules before 2010. My lawyer says it is very vague. And it changed again in 2012. Why is marj agreeing to anything with cowan. The more this goes on the more I am punished financially. U know about the elxn for caucus chair tomorrow. Don plett will beat rose mae poirier because the rank and. File are pissed at marjory about a lot of issues. Fyi. Mike Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

-----Original Message-----

From: "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca>
Date: Mon, 11 Feb 2013 20:33:45
To: <MDDuffy@aol.com>
Subject: RE: My lawyer writes ...

Mike,

I will meet with Sen. Tkachuk on Tuesday and understand more about their process and the instructions that have been given to their outside advisors.

Nigel

-----Original Message-----

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Date: February 11, 2013 7:06 PM
To: Wright, Nigel
Subject: My lawyer writes ...

Possible bullets for discussion with Nigel

Your lawyers say that there is no doubt that you meet the constitutional qualifications to be senator of PEI. You own property worth over \$4K and you are resident in PEI for at least some of the time; there is no requirement that you be resident year round or that your primary residence be in PEI. Your lawyers are satisfied that there is no risk here.

The only issue is whether your primary residence is in PEI for purposes of claiming expenses for your residence in the NCR.

In support of that, you spent significant \$ to convert your seasonal residence to a year round residence following your appointment, your cars are registered in PEI, you carry a PEI driver's licence, and you spent about 100 days in PEI last year separate and apart from your time on the road and the time you had to be in Ottawa for senate business. No one raised a concern about your expense claims until now.

While we don't have complete documents for past policies (we do need to get these), we do have a copy of the Guidelines in effect in June of 2010 dealing with Senators' Living Expenses in the NCR (provided to us

03000045

today) which state that in order to claim living expenses in the NCR a senator had to file with the Clerk and keep up to date a declaration designating " a primary residence in the province or territory represented by the senator "

wasn't stated that this had to be your only primary residence for all purposes and the implication is that you might properly have more than one, that this spoke to your primary residence in PEI.

If this matter does proceed, we need to get complete policy documents for the entire time since your appointment but our initial impression is that Senate policy was not clear.

At all times you believed you were properly claiming expenses given the investment you made to make your PEI residence a year round residence following your appointment and the amount of time you spent in the province.

The Senate revised its policy language effective June 2012 and arguably added a clearer definition of "primary residence" that does not appear in the 2010 document and may well have been new in 2012.

If it would settle the matter you would repay back to June of 2012 and not claim expenses going forward unless the policy is further revised to make it clear that you can claim expenses or your personal circumstances change so that it is clear that PEI is your only primary residence.

You would need assurance that you will be removed from the audit, your legal expenses will be reimbursed pursuant to Senate policy and a mutually acceptable media release will be issued confirming that you have repaid arrears owing since the travel policy was clarified in 2012 and are not claiming expenses going forward

As an alternative, you would agree to repay any arrears found by Deloitte to be owing

A third alternative would be to pay all of the arrears with the coverage of legal fees by the Senate and a mutually acceptable media release confirming that you have repaid all arrears although you believed at the time and maintain that the expense claims were proper.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tél: 613-231-8245
Télé: 613-788-3655
www.nelligan.ca (<http://www.nelligan.ca>)

03000046

03000047

03000048

Wright, Nigel

From: Wright, Nigel
Sent: February 11, 2013 8:41 PM
To: Novak, Ray
Subject: RE: My lawyer writes ...

Mike (or his lawyer) has a theory that he is covered under some Senate policy. I doubt it, but will not challenge that until we have more agreement on the main issue.

-----Original Message-----

From: Novak, Ray
Sent: February 11, 2013 8:40 PM
To: Wright, Nigel
Subject: RE: My lawyer writes ...

I'm unsure of the Senate's approach to legal fees, but from an issues management perspective that would certainly staunch the bleeding. I assume the Libs would demand same treatment for Harb.

-----Original Message-----

From: Wright, Nigel
Sent: February 11, 2013 8:33 PM
To: Novak, Ray
Subject: FW: My lawyer writes ...

See the "third alternative" right at the very end.

-----Original Message-----

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Sent: February 11, 2013 7:06 PM
To: Wright, Nigel
Subject: My lawyer writes ...

Possible bullets for discussion with Nigel

Your lawyers say that there is no doubt that you meet the constitutional qualifications to be senator of PEI. You own property worth over \$4K and you are resident in PEI for at least some of the time; there is no requirement that you be resident year round or that your primary residence be in PEI. Your lawyers are satisfied that there is no risk here.

The only issue is whether your primary residence is in PEI for purposes of claiming expenses for your residence in the NCR.

In support of that, you spent significant \$ to convert your seasonal residence to a year round residence following your appointment, your cars are registered in PEI, you carry a PEI driver's licence, and you spent about 100 days in PEI last year separate and apart from your time on the road and the time you had to be in Ottawa for senate business. No one raised a concern about your expense claims until now.

While we don't have complete documents for past policies (we do need to get these), we do have a copy of the Guidelines in effect in June of 2010 dealing with Senators' Living Expenses in the NCR (provided to us

03000049

today) which state that in order to claim living expenses in the NCR a senator had to file with the Clerk and keep up to date a declaration designating " a primary residence in the province or territory represented by the senator "

wasn't stated that this had to be your only primary residence for all purposes and the implication is that you might properly have more than one, that this spoke to your primary residence in PEI.

If this matter does proceed, we need to get complete policy documents for the entire time since your appointment but our initial impression is that Senate policy was not clear.

At all times you believed you were properly claiming expenses given the investment you made to make your PEI residence a year round residence following your appointment and the amount of time you spent in the province.

The Senate revised its policy language effective June 2012 and arguably added a clearer definition of "primary residence" that does not appear in the 2010 document and may well have been new in 2012.

If it would settle the matter you would repay back to June of 2012 and not claim expenses going forward unless the policy is further revised to make it clear that you can claim expenses or your personal circumstances change so that it is clear that PEI is your only primary residence.

You would need assurance that you will be removed from the audit, your legal expenses will be reimbursed pursuant to Senate policy and a mutually acceptable media release will be issued confirming that you have repaid arrears owing since the travel policy was clarified in 2012 and are not claiming expenses going forward

As an alternative, you would agree to repay any arrears found by Deloitte to be owing

A third alternative would be to pay all of the arrears with the coverage of legal fees by the Senate and a mutually acceptable media release confirming that you have repaid all arrears although you believed at the time and maintain that the expense claims were proper.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tél: 613-231-8245
Télé: 613-788-3655
www.nelligan.ca (http://www.nelligan.ca)

03000050

03000051

03000052

Wright, Nigel

From: Rogers, Patrick
Sent: February 11, 2013 9:00 PM
To: Wright, Nigel; Woodcock, Chris; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

Got it.

There will be an approved plan from here the Rules committee is engaged.

Patrick

From: Wright, Nigel
Sent: Monday, February 11, 2013 08:51 PM Eastern Standard Time
To: Rogers, Patrick; Woodcock, Chris; Novak, Ray; McNamara, Joanne
Subject: RE: Senate - Residency and Expenses

- #1. Sen. Duffy feels hooped.
- #2. Nothing without our prior approval. We will not set anything in motion without knowing where we want it to end up and how we will make that happen.
- #3. This is how I read the Senate rules about indictable offences, and this makes sense to me. You cannot put someone on a leave of absence that permits them to show up once or twice a session to avoid being kicked out, yet fine them for the days they don't show up. I think that even the media and the NDP will get that.

From: Rogers, Patrick
Sent: February 11, 2013 2:06 PM
To: Wright, Nigel; Woodcock, Chris; Novak, Ray; McNamara, Joanne
Subject: RE: Senate - Residency and Expenses

The fines Chris is speaking of refer to Brazeau and detailed in issue 3 of my email.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: February 11, 2013 2:05 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

He'll repay the \$32 000 that shouldn't have been claimed. Are there fines too? I haven't heard of that.

From: Woodcock, Chris
Sent: Monday, February 11, 2013 01:59 PM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; McNamara, Joanne
Subject: Re: Senate - Residency and Expenses

I'm worried about this fines issue. These fines add up to maybe \$35K? I don't see how we could explain to our people that we're waiving fines for the Senator the public wants to see kicked out of the Senate.

03000053

From: Wright, Nigel
Sent: Monday, February 11, 2013 01:50 PM
To: Rogers, Patrick; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Re: Senate - Residency and Expenses

I met with Duff today. He will repay, with a couple of conditions, including that admitting to a primary residence in Ottawa does not disqualify him from representing PEI in the Senate. I am meeting Sen. Tkachuk tomorrow. Can the leadership PLEASE coordinate every move with us before taking ANY steps?

From: Rogers, Patrick
Sent: Monday, February 11, 2013 01:46 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; McNamara, Joanne; Woodcock, Chris
Subject: Senate - Residency and Expenses

Here is an update on Senate conversations that I have had.

I am not sure if there have been other discussions but here is what I've got.

1. Senator LeBreton and Liberal Leader Cowan have written to the Senate's Internal Board asking them to recoup expenses determined to be inappropriate regarding second homes. The letter also asks that the process be sped up. This letter has gone and Montgomery says that this is consistent with PM direction on this. I am worried that this letter has pretty much hooped Senator Duffy.
2. Senator LeBreton is prepared to put forward a motion asking the Rules Committee to define residency and draft rules that require Senators to provide proof of residency each session and for the Senate Clerk to release the names of those Senators who fail to do so. Montgomery says that he's confident that they will be able to come up with something about where you pay taxes and that "the work is underway" but I am concerned that there is a let the sinners hang mentality at the moment.
3. On Brazeau, the Senator is prepared to table a two part motion that will force him on a leave of absence and cut him off expenses. However, also included in this is that the Senator's absence be considered under rule 15-1(3)a. In English, it means his absences will be considered "Senate Business". This means he will avoid being fined \$250 a day for each absence. Montgomery tells me that this is also written into an automatic forced leave of absence if he had been tried under an indictable offense but it's worth flagging in our own homemade motion we are keeping the taps on.

Patrick

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre
613-957-5566
Cellular | cellulaire 613-219-1360
Patrick.Rogers@pmo.gc.ca

03000054

03000055

03000056

Wright, Nigel

From: Duffy, Michael [duffym@SEN.PARL.GC.CA]
To: February 13, 2013 1:21 AM
From: Wright, Nigel
Subject: Re: Update?

Thanks so much. See u then. Mike

----- Original Message -----

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Tuesday, February 12, 2013 09:50 PM
To: Duffy, Michael
Subject: RE: Update?

I called you earlier Mike and missed you at home. At this point I need to plough through my files and reading in order to get out of here in the next few hours. I could speak with you on the margins of Caucus tomorrow.

-----Original Message-----

From: Duffy, Michael [mailto:duffym@SEN.PARL.GC.CA]
Sent: February 12, 2013 5:18 PM
To: 'nigel.s.wright@gmail.com'; Wright, Nigel
Subject: Update?

Anythibg to follow up? I am about to leave for the west end. will be home all evening.
613-254-8411.
Mike

03000057

03000058



Nigel Wright <nigel.s.wright@gmail.com>

Re: Rubber chicken - 2011 will be higher

1 message

Nigel Wright <nigel.s.wright@gmail.com>

14 February 2013 21:04

To: Mike Duffy <MDDuffy@aol.com>

Mike,

Thanks. When you have got it pulled together, I would appreciate seeing the back-up work sheets.

Nigel

On 14 February 2013 20:40, <MDDuffy@aol.com> wrote:

I asked David where he got 62 days. He said it was

quick guess based on a quick look at the data. This not a guess. I would have been on PEI if not on the chicken run.

===

2009

81 days on PEI

87 events off-island

(168)

2010

128 days on PEI

40 events off Island

(168)

2011 - 2012 to come Friday pm.

md

03000059

03000060

Re: PEI Residency ruling

1 message

Nigel Wright <nigel.s.wright@gmail.com>
To: Mike Duffy <MDDuffy@aol.com>

15 February 2013 18:35

Mike, I will forward this to our inhouse counsel. Nigel

On 15 February 2013 16:30, <MDDuffy@aol.com> wrote:

Nigel:

A friendly lawyer from Truro NS just called and told me about a case he had in PEI which could be helpful.

On PEI Supreme Court judges handle small claims cases.

On March 1st, 2012; Mr Justice Benjamin Taylor of the PEI Supreme Court ruled that merely owning a summer cottage in PEI gave the person Island residence.

The decision wasn't written, but delivered orally.

The Court number is: S1-SC 30067

Plaintiff Bodrog Vs Magner

(He says you can get a cd of the transcript for \$30.00)

In essence the case involved a contract dispute between a guy in Poland and a guy who lived in Halifax over work performed in Ontario.

The plaintiff had run out of time in Ontario and NS, but when he learned that the NS man's wife had inherited a summer cottage in Victoria PEI, they went to court in PEI which has a longer statute of limitations on small claims.

In the event, Justice Taylor ruled that under PEI law, owning a summer cottage which was only occupied for a few weeks a year constituted making the plaintiff a PEI resident.

I hope this is helpful to your lawyers.

Mike

03000061

03000062

Wright, Nigel

From: Woodcock, Chris
Sent: February 15, 2013 7:10 PM
To: Wright, Nigel
Subject: Re: Senator Duffy

I thought that might be the case. Following up.

From: Wright, Nigel
Sent: Friday, February 15, 2013 07:01 PM
To: Woodcock, Chris
Subject: RE: Senator Duffy

I have arranged no comms by him at all. Please do follow up with him – I haven't spoken to him in two days (although have exchanged the odd email), so he might be feeling lonely and isolated again.

From: Woodcock, Chris
Sent: February 15, 2013 6:58 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Duffy is the one troubled Senator I have not spoken to. Does what Drew is describing sound like what you have arranged? I am happy to follow up and discourage any other media if not.

From: Campbell, Drew
Sent: Friday, February 15, 2013 06:30 PM
To: Woodcock, Chris
Subject: Senator Duffy

Hey Chris, I just learned that Senator Duffy may be planning to publically respond to media and opposition criticism sometime next week. Do we have staff liaising with his office or the Senator directly? If so, I would suggest they loop with him ASAP to determine whether he still intends to remain quite on the allegations against him.

My liaison w the Senator has not been as frequent since this issue broke, as I have little to offer except moral support. However, I can engage more regularly so long as I know what message or direction our office wishes to convey.

I expect we would recommend against Sen. Duffy speaking publically on his expenses at this time, but if for some reason we want to respond, I would suggest that the Senator work closely with others to ensure that he has a clear plan and will not make the situation worse... or from a comms perspective, interfere with more positive media narratives in the region or country during break week.

-D.

Drew Campbell
Manager, Stakeholder Relations and Regional Affairs - Atlantic
Gestionnaire, Relation avec les intervenants et affaires régionales - Atlantique
Office of the Prime Minister | Cabinet du Premier ministre
613-957-5611 | Facsimile/Ilcopieur 613-957-5515
Cellular | cellulaire 613-608-8257
Drew.Campbell@pmo-cpm.gc.ca

03000063

03000064

Wright, Nigel

From: Wright, Nigel
Sent: February 18, 2013 5:33 PM
To: Rogers, Patrick; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

Thanks. I have just received this now and obviously we have discussed it. I will circle back after my convo with Sen. LeBreton tomorrow.

-----Original Message-----

From: Rogers, Patrick
Sent: February 18, 2013 4:32 PM
To: Wright, Nigel; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

Nigel,

Sandy has informed me that the Senator is unavailable today.

The Senator would like to let us know that she has assurances from the Clerk and Law Clerk that the only way to challenge the residency of a Senator is for another Senator to do so in the Chamber.

Since this would be the case even after the motion that we have discussed, the Senator feels that there is no need to have a motion. She feels that the assurances of these people that Senator Duffy cannot be removed should be enough for Senator Duffy.

Senator LeBreton plans to call you tomorrow morning to discuss this further.

I will add that Sandy made reference to the fact that the audit will be made available to the committee early next week and then the Senate by Wednesday. She also talked matter of factly about sending the issue of Primary and Secondary residence to the Rules committee to tighten the regulations. I warned her that off the top of my head, it doesn't sound like a good idea.

Ben and I wrote a note for tonight but have pulled it to see what the outcome of the conversation with the Senator is. If we decide to follow the Senator's advice and do nothing, the memo becomes moot.

The ever changing advice and and equally changing messengers is exasperating the difficulties in communicating with this office. Today alone, we have heard separate things from all three major actors in the office. If you agree to speak to the Senator tomorrow, I recommend that we all attend and come to ground on some of these major decision points, including the roll out of the audit and any future references to the Rules Committee.

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

-----Original Message-----

03000065

From: Wright, Nigel
Sent: February 18, 2013 1:59 PM
To: Rogers, Patrick; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

Maybe we should present the plan.

-----Original Message-----

From: Rogers, Patrick
Sent: February 18, 2013 1:48 PM
To: Rogers, Patrick; Wright, Nigel; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

One of the major stumbling blocks that I can predict is Senate Caucus on Tuesday. The closed door nature of it is completely at odds with our goals here.

We should think about who we want to present the plan and who we want in the room to ensure that Senators have answers and we have the necessary feedback.

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

-----Original Message-----

From: Rogers, Patrick
Sent: February 18, 2013 1:30 PM
To: Wright, Nigel; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

I have a call in to Sandy to line up with the meeting with Senator LeBreton.

In writing the memo to the PM on the change I will highlight some of the timing issues and outline different scenarios for our plan to pass.

I will speak to Montgomery later in the day to get a heads up on Tkachuk's sub-committee. Following that conversation we'll likely have to speak to Tkachuk as well.

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

-----Original Message-----

From: Wright, Nigel
Sent: February 18, 2013 1:02 PM

03000066

To: Rogers, Patrick; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Residency

Sen. LeBreton agrees that Chris might not be fully on board. I think that she now understands that this is the approach to take (unless the PM disagrees, but I am sure that his comment will be more about how long it will take and whether we get things fixed in one fell swoop or whether we continue to dribble out Senate news over weeks and months so that the story never dies).

I told Sen. LeBreton that Ben and Patrick would be over to gather any comments she has on the guidelines. I asked her to think about whether Rules and Procedures or a specially constituted committee should be the venue. Honestly, she needs firm direction on how to get it done, and we cannot assume that that office can execute, partly because she and the whole office are curiously hands-off when it comes to how the Senate Clerk, committees and subcommittees go about their business. I got no satisfaction from my discussion with her that she will actually take charge, call in all the people on our side who have to make it happen and give them clear marching orders. The discussion was all a bit of a haze, with a blurring together of expenses matters being considered by the Internal Economy subcommittee with the constitutional residency issues.

The bottom line is that I will look to you Patrick, involving Ben, me, and Joanne as much as necessary, to coordinate this and make it happen. I am completely willing to expend some time, because getting confirmation of qualification residency is all that is needed to close out the Duffy situation and likely the Patterson situation and to stop our public agony on those. Ben can brief whomever on the Senate side on the guidelines and coordinate input that is worthy of being accepted.

Sen. Tkachuk's subcommittee is interviewing Zimmer and Patterson today or tomorrow. Why? I think that they both have qualification residency issues, so I am concerned that the interview is about more than just expenses. I get the impression that Sen. Tkachuk is too led around by the Clerk and by counsel, so I am dubious that he will get the residency thing resolved definitively, correctly, and quickly. If you want to set up a call with me and him, please feel free. Chris Montgomery is going to a meeting of that subcommittee today - please quiz him on what is going on there and where people's heads are at. If they continue to blend separate issues together (like qualification residence vs primary residence), then we're in a morass.

In the meantime, Sen. LeBreton is expecting a meeting with Ben and Patrick. She agrees with everything at one level, but I'm not sure how well it is internalized.

Nigel

-----Original Message-----

From: Rogers, Patrick
Sent: February 18, 2013 11:26 AM
To: Perrin, Benjamin; Wright, Nigel
Cc: Woodcock, Chris
Subject: RE: Residency

Nigel,

Ben and I have made clear to Chris Montgomery (Sandy did not attend) that the Income Tax Act change will not work.

I also stressed that this must be done quickly and without the normal time consuming Senate niceties.

Based on Montgomery's response it is clear to me that Ben and I should brief Senator LeBreton directly. Chris simply does not believe in our goal of circling the wagons. Because of this lack of buy in, it was impossible to discuss meaningfully the parliamentary strategy.

will work with Ben to get something for the Prime Minister tonight,

Patrick

03000067

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

Office of the Prime Minister | Cabinet du Premier ministre

-----Original Message-----

From: Perrin, Benjamin
Sent: February 18, 2013 8:01 AM
To: Wright, Nigel; Rogers, Patrick
Cc: Woodcock, Chris
Subject: Re: Residency

Gotcha. Will do.

----- Original Message -----

From: Wright, Nigel
Sent: Monday, February 18, 2013 08:00 AM Eastern Standard Time
To: Perrin, Benjamin; Rogers, Patrick
Cc: Woodcock, Chris
Subject: Re: Residency

Because I want them off the track they are on.

----- Original Message -----

From: Perrin, Benjamin
Sent: Monday, February 18, 2013 07:56 AM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick
Cc: Woodcock, Chris
Subject: Re: Residency

Ok

----- Original Message -----

From: Wright, Nigel
Sent: Monday, February 18, 2013 07:55 AM Eastern Standard Time
To: Perrin, Benjamin; Rogers, Patrick
Cc: Woodcock, Chris
Subject: RE: Residency

No, I think we should move ahead with that meeting to brief them, but not have anything go to Senators other than MLB and nothing to the Committee until we have a return.

-----Original Message-----

From: Perrin, Benjamin
Sent: February 18, 2013 7:54 AM
To: Wright, Nigel; Rogers, Patrick
Cc: Woodcock, Chris
Subject: Re: Residency

Nigel: I assume we should defer the meeting with Chris M and Sandra that I'd set for this morning to await the return?

Patrick: let me know if there's anything else you'd need from me to draft the memo.

----- Original Message -----

From: Wright, Nigel
Sent: Monday, February 18, 2013 07:32 AM Eastern Standard Time
To: Perrin, Benjamin; Rogers, Patrick
Cc: Woodcock, Chris
Subject: RE: Residency

03000068

I think we should lay out the approach in a brief memo to the PM. It would outline the approach we intend to take at Senate committee to settle residency questions, and would append Ben's guidelines as akin to what the committee would adopt.

-----Original Message-----

From: Wright, Nigel
Sent: February 17, 2013 12:07 PM
To: Perrin, Benjamin; Rogers, Patrick
Cc: Woodcock, Chris
Subject: Re: Residency

Practical / political ones. The others are well laid out in the document. Thx.

----- Original Message -----

From: Perrin, Benjamin
Sent: Sunday, February 17, 2013 10:34 AM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel
Cc: Woodcock, Chris
Subject: Re: Residency

I will book the meeting. When you say reasons, do you mean both the legal reasons as well as the practical\political ones? Not sure how much you want the latter emphasized with them.

----- Original Message -----

From: Rogers, Patrick
Sent: Saturday, February 16, 2013 09:50 PM Eastern Standard Time
To: Wright, Nigel; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: Re: Residency

The chair of the rules committee is David Smith.

Because the actions of committees are dictated by the Senate, I think we can slam it through despite a Liberal chair in a way that you would approve of. We'll draw something up.

Patrick

----- Original Message -----

From: Wright, Nigel
Sent: Saturday, February 16, 2013 09:43 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Residency

Thank you Ben. I do not have any further comments. As for the meeting on Monday, I would appreciate it if Patrick could go. You could walk Chris (and perhaps Sandy Melo) through the reasons why the ITA test does not work and why this is a better approach. Patrick can focus on detailing a plan for them to actually have the appropriate Senate committee adopt this set of principles and, either systematically or upon request of Senators who wish to have their constitutional residency, determine the residency for qualification purposes of Senators. The committee should start with those whose residency has been impugned. It should proceed by way of in camera interviews with such Senators. The determination and brief reasons will have to be public. Speed, at least for Duffy, is of the essence.

Patrick, we are going to need to manage the briefing of the Conservative Senators (including, hopefully Chair) of the Committee. If the Rules and Procedures committee doesn't have the right membership, then the Senate by motion should constitute a special committee that will have the right Senators on board. We cannot rely on the Senate Leader's office to get this right.

We'll have to do this in a way that does not lead to the Chinese water torture of new facts in the public domain, that the PM does not want.

I am open to other suggestions, of course.

03000069

-----Original Message-----

From: Perrin, Benjamin
Sent: February 16, 2013 9:25 PM
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: Re: Residency

A clean copy and track changes version of the revised memo is attached.

If you approve it, I can meet with Chris M to discuss it. If you have anything specific beyond this document's contents that you'd like me to convey in that meeting, please let me know. Thanks.

----- Original Message -----

From: Perrin, Benjamin
Sent: Saturday, February 16, 2013 05:02 PM Eastern Standard Time
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: Re: Residency

Thanks, Nigel. I am glad it is along the lines of what you had in mind. I will finalize it and circulate it back to you for a final check. I can then meet with Chris M. (perhaps with Patrick) on Monday morning to walk through it.

----- Original Message -----

From: Wright, Nigel
Sent: Saturday, February 16, 2013 04:43 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Residency

Ben,

This is very much what I am looking for. I have suggested a couple of changes in the attached version. What I have not done in the attached version is deal with the concept of "and historically" and "including historically". In my view, this whole concept is better addressed through words like "over a period of time" or "over the years since appointment". I do not think that we could defend an interpretation that a solely historical attachment can underpin continuing qualification under the representational principle. Perhaps you could consider that.

When we feel we have a final draft, I would like this discussed please with Chris Montgomery. Getting something like this agreed to by leadership, or perhaps adopted by the committee on rules and procedures, is all that stands in the way of Sen. Duffy paying back his \$32,000 and closing out his situation. I think it is also necessary to end speculation about the qualification to serve of Sens. Wallin and Patterson, although both might have other ongoing issues.

Nigel

-----Original Message-----

From: Perrin, Benjamin
Sent: February 16, 2013 12:09 AM
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: Re: Residency

Privileged

Attached is a pragmatic draft proposal for your consideration. It is defensible and should enable desired outcomes, subject to cooperation by adjudicating committee members.

I spoke with Patrick earlier tonight for more context and to brainstorm in developing this document, but he's not seen this in detail yet.

I would be pleased to hear your views.

03000070

----- Original Message -----

From: Perrin, Benjamin
Sent: Friday, February 15, 2013 09:11 PM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel
Cc: Woodcock, Chris
Subject: Re: Residency

Privileged

This will take some thinking, I will get on it. I will try to formulate an approach and reply to this chain with it.

----- Original Message -----

From: Rogers, Patrick
Sent: Friday, February 15, 2013 09:04 PM Eastern Standard Time
To: Wright, Nigel; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: Re: Residency

Ben,

I am happy to discuss a legal way forward and how to push it through the Senate, whenever you are available.

Patrick

----- Original Message -----

From: Wright, Nigel
Sent: Friday, February 15, 2013 08:45 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Rogers, Patrick; Woodcock, Chris
Subject: RE: Residency

That was precisely my mandate to Sen. LeBreton. That office's response was to apply income tax residency as the test for constitutional residency. My read of the interpretation bulletin suggests to me that the idea will not work since a prime objective is not to disqualify our sitting Senators.

I wonder if you and Patrick could work to suggest an approach to Chris Montgomery. My earlier suggestion was that the Senate Rules committee (dominated by us) make a residency determination for any Senator who asks for one to be made. It can suggest certain documentary tests (driver's licence, health card, and also indicate qualitative criteria that serve the constitution's purpose of ensuring that Senators have sufficient engagement with the provinces they represent to be able to represent them effectively in the Senate.

Nigel

-----Original Message-----

From: Perrin, Benjamin
Sent: February 15, 2013 8:41 PM
To: Wright, Nigel
Subject: Re: Residency

Privileged

That is concerning. The question asked was a tax law question. We can try to come up with a more flexible alternative, if desired, on the main question of what the residency qualification means for Senators in the constitution. The starting point would be that there are different purposes animating the ITA vs the constitutional residency qualification for Senators. Let me know if we want to explore other options re residency test. I'm not saying they would be easy or good.

----- Original Message -----

From: Wright, Nigel
Sent: Friday, February 15, 2013 08:26 PM Eastern Standard Time

03000071

To: Perrin, Benjamin
Subject: RE: Residency

I am gravely concerned that Sen. Duffy would be considered a resident of Ontario under this ITB. Possibly Sen. Patterson in BC too. If this were adopted as the Senate's view about whether the constitutional qualification were met, the consequences are obvious.

-----Original Message-----
From: Perrin, Benjamin
Sent: February 15, 2013 7:39 AM
To: Wright, Nigel
Subject: Re: Residency

Hi Nigel,

From my research into that taxation question, the residency requirement is comprehensively addressed in the following CRA bulletin (which includes the test applying to provincial residence):

Canada Revenue Agency, "Income Tax Act: Determination of an Individual's Residence Status" (IT-221R3 (Consolidated)), online:
<http://www.cra-arc.gc.ca/E/pub/tp/it221r3-consolid/it221r3-consolid-e.pdf>

I shared this with Chris when we met yesterday morning. It is fairly comprehensive, but not necessarily a bright line.

I also suggested we should consider the potential for an extraordinary circumstances exception if, in an anomalous year, for serious medical like needing ongoing chemotherapy or family reasons (eg), a person (ordinarily resident outside of Ontario) is found by CRA to be resident in Ontario. The Senate Committee on Internal Economy (or whatever its full title is) would have to hear such a case. I am just concerned that there could be a scenario where CRA finds someone, in one year, to be an Ontarian who we'd consider really should not be disqualified as a result. At its core this concern arises because the purposes of section 23 of the Constitution Act, 1867 are not precisely aligned with the purposes of the Income Tax Act. However, I appreciate the need for clear rules which is why I'm suggesting only a very narrow, one-year, exemption from the CRA residence determination be possible for "exceptional circumstances" and that be determined by Committee on a case specific basis.

I hope this is helpful.

Regards,
Ben

----- Original Message -----
From: Wright, Nigel
Sent: Thursday, February 14, 2013 10:09 PM Eastern Standard Time
To: Perrin, Benjamin
Subject: FW: Residency

FYI

-----Original Message-----
From: LeBreton, Marjory [mailto:LEBREM@SEN.PARL.GC.CA]
Sent: February 14, 2013 9:53 PM
To: Wright, Nigel
Cc: Melo, Sandy; Montgomery, Christopher; Rogers, Patrick
Subject: Re: Residency

I agree. We have to ensure that their signed declaration confirming the address of their property/residence in their home province/territory and the filing of their 2012 income tax meets the requirements of the Income Tax Act. I am not aware of any special instructions or bulletins but we will check with the Clerk's office to determine what procedures are followed. There can be no wiggle room here. Marjory

Sent from my iPad

On 2013-02-14, at 9:27 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca<mailto:Nigel.Wright@pmo-cpm.gc.ca>> wrote:

Senator,

What I did want Ben Perrin to assess is whether there is jurisprudence or interpretation bulletins governing what is required for a taxpayer to claim to reside in a province for the purposes of the Income Tax Act. I would love to pay Alberta income taxes, but I cannot simply claim to reside there. We need to be sure that all of our Senators will truly be on the right side of this bright line test.

Nigel

From: LeBreton, Marjory [mailto:LEBREM@SEN.PARL.GC.CA]
Sent: February 14, 2013 1:23 PM
To: Wright, Nigel
Cc: Melo, Sandy; Montgomery, Christopher; Rogers, Patrick
Subject: RE: Residency

Hi Nigel - I was persuaded by David Tkachuk and Chris that this rule change can easily be dealt with when we return on the 26th when we have had a chance to brief our Caucus. We could put the motion down on Tuesday and deal with it at Rules on Wednesday. I do believe making this change would clarify and simplify the rules and get us away from other impossible residency issues like how many days spent in one place or another. It is clean, clear and solves a host of problems and the timing is perfect - just in time for the filing of 2012 Income Taxes. Marjory

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Thursday, February 14, 2013 1:08 PM
To: Montgomery, Christopher
Cc: LeBreton, Marjory; Melo, Sandy; Rogers, Patrick
Subject: RE: Residency

Thanks Chris. As I considered this idea further over night, I did conclude that we needed to understand more about residency definitions for income tax purposes, which is why I asked for the meeting with Ben on this. I have not yet spoken with Ben, but I will.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 14, 2013 1:03 PM
To: Wright, Nigel
Cc: LeBreton, Marjory; Melo, Sandy; Rogers, Patrick
Subject: RE: Residency

Had a good chat with Ben this morning. I'm sure he filled you in. We will not give notice today in order that we can speak to Caucus about it when we return on the 26th and give notice then. Tkachuk is also nervous about proceeding right now and feels he can be in a position to address the current situation by the time we return on Tuesday.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395
From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Wednesday, February 13, 2013 6:10 PM
To: Montgomery, Christopher
Cc: LeBreton, Marjory; Melo, Sandy; Rogers, Patrick
Subject: RE: Residency

It has the benefit, Chris, of being a bright-line test, in the sense of being very easy to

understand, easy to comply with, and easy to verify. So the only question is whether it would pass in the court of public opinion. I think it would because most Senators also have other attributes of residence, but mostly because subjecting oneself to the taxation of a jurisdiction makes one care about its public policy, which relates to the representational objectives of s. 31 of the Constitution Act. I am comfortable with it. I will raise it at our Department Heads meeting on Thursday to see if anyone spots a serious flaw that none of us sees.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: February 13, 2013 6:03 PM
To: Wright, Nigel
Cc: LeBreton, Marjory; Melo, Sandy; Rogers, Patrick
Subject: Residency

Nigel,

I have attached an amended note that I wrote for Minister LeBreton last week on a possible path forward. I continue to believe that this is an appropriate way forward that protects those Senators caught up in the current debate and that would provide certainty moving forward.

First, an Order of Reference would be sent to the Rules committee instructing them to define residency for the purposes of s. 31 of the Constitution Act, 1867. This is the exclusive right of the Senate itself. This would address the primary concern of the media and public in this matter.

Second, the committee would report back to the Senate with a recommendation that a Senator must file taxes in the province from which they were appointed in order to qualify as a Senator and provide an accountability mechanism. The committee would also recommend a three month "coming into force provision" in order to allow Senators some time to comply. We have three Conservative Senators (Duffy, Patterson and Wallin) that filed their 2011 return in another jurisdiction. Those Senators would have to be informed very clearly that their 2012 taxes must be filed in the jurisdiction they represent. I understand Duffy has already indicated that he intends to do this. As we happen to be in tax filing season in just over two weeks, this timeline happens to fit nicely. Provided the three Senators adhere to this one requirement, they could be assured that they will not be at risk of losing their seats.

I have attached a draft motion. I will want to ask a couple questions of the Law Clerk and minor amendments may be made as a result. But, the intent would remain. The reporting date could also be easily changed. Our Caucus was agreeable to this approach but had concerns over timing which we can address with them, I am sure. The Liberals also agree with the order.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires Office of the
Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat Room
259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000074

03000075

Wright, Nigel

From: Wright, Nigel
To: February 19, 2013 6:01 AM
'mdduffy@aol.com'
Subject: Re: The Guardian SmartEdition

Yup, I just read it. This too shall pass.

----- Original Message -----

From: Mike Duffy [mailto:mdduffy@aol.com]
Sent: Tuesday, February 19, 2013 05:35 AM Eastern Standard Time
To: Wright, Nigel
Subject: The Guardian SmartEdition

http://theguardian.newspaperdirect.com/epaper/iphone/homepage.aspx#_article942b3111-c483-4401-8db2-5e7c406de0f5/waarticle942b3111-c483-4401-8db2-5e7c406de0f5/942b3111-c483-4401-8db2-5e7c406de0f5/0>true

Sent from my iPad

03000076

03000077

Wright, Nigel

From: Wright, Nigel
Sent: February 19, 2013 1:19 PM
To: Woodcock, Chris; Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note
 Some suggested changes in the last two lines.

From: Woodcock, Chris
Sent: February 19, 2013 1:04 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

Proposed Lines:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to reporting back to the public on these matters.
- All Conservative senators meet the Constitutional qualifications to sit in the Senate.
- Senators Patterson, Wallin and Duffy own property in the provinces and territory they represent and maintain deep, continuing ties to those regions. All three Senators spend considerable time in their home provinces and territory.
- The best way to assure representation in the Senate is to have Senators selected through democratic elections.

On Specifics:

- Senator Patterson is a former Premier who has served the people of the Northwest Territories and Nunavut for 34 years. He owns property and maintains a residence in Iqaluit, Nunavut.
- Senator Wallin was born and raised in Saskatchewan and owns a residence in the Town of Wadena.
- Senator Duffy was born and raised on Prince Edward Island and owns a residence in Cavendish.
- All three are tireless representatives for their provinces / territory and always spend considerable time there.

-----Original Message-----

From: Wright, Nigel
Sent: February 19, 2013 11:00 AM
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne; Woodcock, Chris

03000078

Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

I will advise Sen. LeBreton that we will not take any steps in the Senate to address residency for 23(5) purposes unless anyone challenges the qualification of any of our Senators, in which case we will defend (and defeat any motion regarding) any Senator who owns property in the correct province and division.

I will advise Sen. Duffy that we will defeat any challenge to his residency for 23 (5) purposes, and advise him to settle the expenses matter promptly.

I will not communicate the PM's view that ownership of property equates to residence for 23(5) purposes as it is not necessary to do so at this time.

I do think that we will need responsive lines averring that Sens. Duffy, Wallin, and Patterson are residents of the PTs they represent without getting into constitutional exegesis. We would point to their property ownership and deep, continuing ties.

Nigel

-----Original Message-----

From: Perrin, Benjamin
Sent: February 19, 2013 10:55 AM
To: Novak, Ray; Rogers, Patrick; Wright, Nigel; McNamara, Joanne; Woodcock, Chris
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

SOLICITOR-CLIENT PRIVILEGE

REDACTED: PRIVILEGED AND NOT RELEVANT

03000079

REDACTED: PRIVILEGED AND NOT RELEVANT

03000080

03000081

Wright, Nigel

From: Wright, Nigel
Sent: February 19, 2013 1:21 PM
To: Woodcock, Chris; Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

He told me in the last couple of weeks that he stays in a hotel in the winter because if he has a heart attack he wouldn't be able to get to a hospital quickly enough from Cavendish, particularly after snow. It was his wife's rule. He says that he will produce hotel receipts (he says he pays for the hotel out of his own pocket and does not claim reimbursement).

From: Woodcock, Chris
Sent: February 19, 2013 1:17 PM
To: Woodcock, Chris; Wright, Nigel; Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

Describing Duffy's arrangements in Charlottetown as a "residence" may be too cute. I'll cross that line out. For info, he has said to reporters that he lives in Charlottetown in the winter when his place in Cavendish is snowed in.

From: Woodcock, Chris
Sent: February 19, 2013 1:04 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

Proposed Lines:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to reporting back to the public on these matters.
- All Conservative senators meet the Constitutional qualifications to sit in the Senate.
- Senators Patterson, Wallin and Duffy own property in the provinces and territory they represent and maintain deep, continuing ties to those regions. All three Senators spend considerable time in their home provinces and territory.
- The best way to assure representation in the Senate is to have Senators selected through democratic elections.

On Specifics:

- Senator Patterson is a former Premier who has served the people of the Northwest Territories and Nunavut for 34 years. He owns property and maintains a residence in Iqaluit, Nunavut.

03000082

- Senator Wallin was born and raised in Saskatchewan and owns a residence in the Town of Wadena.
- ~~Senator Duffy was born and raised on Prince Edward Island and owns a home in Cavendish. He maintains a winter residence in Charlottetown during the winter months.~~

-----Original Message-----

From: Wright, Nigel
Sent: February 19, 2013 11:00 AM
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick; McNamara, Joanne; Woodcock, Chris
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

I will advise Sen. LeBreton that we will not take any steps in the Senate to address residency for 23(5) purposes unless anyone challenges the qualification of any of our Senators, in which case we will defend (and defeat any motion regarding) any Senator who owns property in the correct province and division.

I will advise Sen. Duffy that we will defeat any challenge to his residency for 23 (5) purposes, and advise him to settle the expenses matter promptly.

I will not communicate the PM's view that ownership of property equates to residence for 23(5) purposes as it is not necessary to do so at this time.

I do think that we will need responsive lines averring that Sens. Duffy, Wallin, and Patterson are residents of the PTs they represent without getting into constitutional exegesis. We would point to their property ownership and deep, continuing ties.

Nigel

-----Original Message-----

From: Perrin, Benjamin
Sent: February 19, 2013 10:55 AM
To: Novak, Ray; Rogers, Patrick; Wright, Nigel; McNamara, Joanne; Woodcock, Chris
Cc: Atwood, Myles
Subject: RE: Return on Senate Residency note

SOLICITOR-CLIENT PRIVILEGE

REDACTED: PRIVILEGED AND NOT RELEVANT

03000083

REDACTED: PRIVILEGED AND NOT RELEVANT

03000084

03000085

Wright, Nigel

From: Wright, Nigel

Sent: February 19, 2013 4:27 PM

To: van Hemmen, David

Subject: pls schedule a call w Sen. Duffy, thx

03000086

03000087

Wright, Nigel

From: Wright, Nigel
Sent: February 20, 2013 2:45 PM
To: Perrin, Benjamin
Subject: RE: Senator Michael Duffy

Yes, you should. You should get an update first. That can come from Chris W & Patrick R, or from me if they are not available. Nigel

From: Perrin, Benjamin
Sent: February 20, 2013 2:35 PM
To: Wright, Nigel
Subject: Fw: Senator Michael Duffy

Privileged

I can reply and see if she wants to speak. I would just listen and then report back. Do you agree?

From: Christine King [mailto:Christine.King@nelligan.ca]
Sent: Wednesday, February 20, 2013 02:10 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Janice Payne <janice.payne@nelligan.ca>
Subject: Senator Michael Duffy

Mr. Perrin,

Attached please find a letter addressed to you from Janice Payne with respect to our client, Senator Michael Duffy.

Christine King
Legal Assistant
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8280
Fax/Télé: 613-238-2098
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000088

03000089

Wright, Nigel

From: Wright, Nigel
Sent: February 20, 2013 2:45 PM
To: Perrin, Benjamin
Subject: FW: Your fax number pls. Mike

-----Original Message-----

From: Wright, Nigel
Sent: February 20, 2013 7:07 AM
To: 'mdduffy@aol.com'; Woodcock, Chris
Subject: RE: Your fax number pls. Mike

Mike,

I didn't say that, and if you continue to misquote me, then we will be speaking only through lawyers going forward. I said that if you continue on the path you want to take, I expect that Deloitte will conclude that your primary residence is in Kanata. I have said that to you several times. It is based on what you have told me, as I have seen no documentation from you.

Nigel Wright

-----Original Message-----

From: mdduffy@aol.com [mailto:mdduffy@aol.com]
Sent: February 20, 2013 7:02 AM
To: Woodcock, Chris; Wright, Nigel
Subject: Re: Your fax number pls. Mike

as going to send u letter from my heart doc. My lawyer also wants the letter of instructions to delitte outlining the scope of their work re me. Nigel says his analysis is I am in violation of the housing allowance policy she also wants that analysis.

-----Original Message-----

From: Chris Woodcock
To: Mike Duffy
Subject: Re: Your fax number pls. Mike
Sent: Feb 20, 2013 7:44 AM

I haven't received a fax from you.

----- Original Message -----

From: Woodcock, Chris
Sent: Tuesday, February 19, 2013 05:07 PM
To: 'mdduffy@aol.com' <mdduffy@aol.com>
Subject: Re: Your fax number pls. Mike

613-957-5514

----- Original Message -----

From: mdduffy@aol.com [mailto:mdduffy@aol.com]
Sent: Tuesday, February 19, 2013 05:00 PM
To: Woodcock, Chris
Subject: Your fax number pls. Mike

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

03000091

Wright, Nigel

From: Wright, Nigel
Sent: February 20, 2013 3:27 PM
To: Woodcock, Chris; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick; Perrin, Benjamin
Subject: RE: Duffy Scenario
 Adding Ben.

1. We should suggest to Mike that he would acknowledge an error and put it down to ambiguities in the rules and forms. Never mention 'wrongdoing' to Mike. I also believe that Mike was doing what people told him he should do, without thinking about it too much.
2. We have now been advised by our boss that, no, a committee will not resolve any questions about anyone's eligibility to sit in the Senate. I don't think we can say to Mike or anyone else when the Wallin matter about expenses (not residency) will be settled. What I have said to Mike, and others can, but I don't see a need to put in writing, is that we believe he meets all residency requirements relating to his ability to sit as a Senator from PEI, that only the Senate and no one else (no court, not the Committee on Internal Economy) can make a determination on that, and that we will defend his Constitutional residency qualification categorically and never acquiesce to the contrary suggestion. It would be nice to resolve Sen. Patterson on Friday too – but that is about expenses.
3. After the first sentence in the third paragraph of the statement, there should be a line inserted that Mike spends dozens or scores of days and nights each year on the travelling around Canada on Senate and public business.
4. I think that the second iteration of the final paragraph is the one to suggest to him. It is not wrongdoing. It is: "There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I was mistaken. So I will be repaying..., etc." I think he should also say that "The allowance for the Ottawa home will no longer be claimed going forward". I have phrased that in the passive voice, so he doesn't have to say "I will no longer claim". (The way it works is that one fills out a form designating the primary residence in the province one represents (the form does not have words suggesting that the primary residence can be outside of that province). Once you fill out that form and submit it, you get an allowance for the NCR home. Mike says this is a trap. Perhaps it is. But DeBané managed not to get the allowance for his Ottawa home, which is his true primary residence, even though he is a QC Senator.)
5. I think you need to give Mike a few Q&As. So, is Ottawa your primary residence? A: I have a residence in PEI and one in Ottawa. The housing allowance will no longer be claimed for the Ottawa home? Does this mean that you are not a resident of PEI and unable to represent it in the Senate? A: Not at all. I am a resident of PEI. Also having a home in Ottawa does not contradict that – most Parliamentarians have a place in the National Capital as well as in the province they represent. Why have you done this now and not let Deloitte finish its work? Is there something you don't want them to discover? A: The only thing Deloitte was looking at for me was the housing allowance – I have now said there was a mistake on that. Why did it take you so long to admit to the mistake? A: Listen, people were suggesting that I am not a resident of PEI. I knew that was ludicrous. It took a few days to sort out what the real issue really was. Others? This is about making Mike feel comfortable that he will not be stepping of a ledge if he repays.

Nigel

From: Woodcock, Chris
Sent: February 20, 2013 1:39 PM
To: Wright, Nigel; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick
Subject: Duffy Scenario

03000092

Nigel,

We have put together the following scenario for Senator Duffy to repay the allowance. I would like the Senator's views on how the examples of his accomplishments for the community should be populated.

Chris

Scenario for Repayment

Senator Duffy would issue a written statement to PEI media and the national press gallery on Friday. Senator Duffy would hold a brief media availability in PEI. The Senator's office will send an advisory to media an hour before hand, to limit intervention from the Ottawa bureaus and or Opposition mobilization. Moreover, the Senator will be staffed by the MRO to help facilitate the availability and end it after a handful of questions.

Follow-up media calls would be answered by the Senator's office coordinated by PMO.

The purpose is to put an end to the ongoing questions about his expenses. A proactive repayment would allow Senator Duffy to say he is doing the right thing without being found guilty of breaking the rules by Deloitte. The Senate Committee would halt the audit provided that he acknowledges an error or wrongdoing. Questions about Duffy, Wallin and Patterson's residency and eligibility to sit in the Senate will be resolved by the Committee next week.

The matters concerning Senator Wallin and Senator Patterson remain outstanding. Senator Wallin's expenses are complicated and are unlikely to be resolved before Parliament resumes on Monday. On the other hand, Senator Patterson does not appear to have violated Senate rules, but will be repaying a BC tax credit. We are in a position to resolve Senator Patterson on Friday at the same time as Senator Duffy, leaving both residency issues for the Committee.

Statement

Four years ago, I was given the opportunity to sit in the Senate as a voice for Prince Edward Islanders in Ottawa. I jumped at the chance. I was born here, I was raised here, and my heart is here. I also started my career here, and took my Island sensibilities along when I was covering politics in Ottawa.

Being a Senator has allowed me to do a lot of good for PEI communities. When I'm home on the Island, I'm often out (list announcements and accomplishments for various PEI communities)

Like all Members of Parliament and Senators, my responsibilities require me to spend a substantial part of my time in Ottawa, voting, doing committee work and representing Islanders at every opportunity. In addition to our residence in Cavendish, my wife and I own a house in Ottawa.

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard. I want there to be no doubt that I'm serving Islanders first, so I will be repaying in full the housing allowance associated with my house in Ottawa.

If it is necessary to admit an error or wrongdoing I would revise the last paragraph to say:

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard. Because it is my home, I had always considered Cavendish to be my primary residence. There is a lack of clarity as to whether this is permitted by the rules, so I will be repaying in full the housing allowance associated with my house in Ottawa. I want there to be no doubt that I'm serving Islanders first.

03000093

03000094

03000095

Wright, Nigel

From: Wright, Nigel
Sent: February 20, 2013 3:39 PM
To: 'Melo, Sandy'
Subject: RE: Duffy

I did speak with Dave, thanks. We agreed on a path forward. PMO is engaging with Duffy this afternoon and Dave will be, or will already have, called him too.

From: Melo, Sandy [mailto:MELOS@SEN.PARL.GC.CA]
Sent: February 20, 2013 1:15 PM
To: Wright, Nigel
Subject: Duffy

Hi Nigel, Senator Tkachuk called Marjory late this morning because he had received a disturbing call from Duffy. Apparently he was asking Dave do some things he felt he simply could not. Marjory told Dave to call you as soon as possible. I wanted to mention this to you at our meeting, but you had to leave early. Sandy

Sandy Melo
Chief of Staff/Chef de Cabinet
Office of the Leader of the
Government in the Senate
Cabinet du leader du gouvernement au Sénat

03000096

03000097

Wright, Nigel

From: Wright, Nigel
Sent: February 20, 2013 7:37 PM
To: Woodcock, Chris; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick; Perrin, Benjamin
Subject: RE: Duffy Scenario

I am fine with this Chris.

I have spoken again with Sen. Duffy. Tomorrow morning I shall receive by courier redacted copies of his diaries and other info to back up his claim to have "PEI" (as opposed to his home in Cavendish) as his primary residence. Our team will have to look at that to see if there is anything in it that we would not want his lawyer to send to the Senate steering committee. Maybe it will persuade us to let him take his chances with Deloitte's findings. If not, then I have told him I will be back on his case about repayment. I have told him that we have comms and issues management materials in preparation.

From: Woodcock, Chris
Sent: February 20, 2013 5:26 PM
To: Wright, Nigel; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick; Perrin, Benjamin
Subject: RE: Duffy Scenario

I have revised the statement to reflect your comments. I will also have a full Q&A prepared for Mike's use.

Statement

Four years ago, I was given the opportunity to sit in the Senate as a voice for Prince Edward Islanders in Ottawa. I jumped at the chance. I was born here, I was raised here, and my heart is here. I also started my career here, and took my Island sensibilities along when I was covering politics in Ottawa.

Being a Senator has allowed me to do a lot of good for PEI communities. When I'm home on the Island, I'm often out (list announcements and accomplishments for various PEI communities)

Like all Members of Parliament and Senators, my responsibilities require me to spend a substantial part of my time in Ottawa, voting, doing committee work and representing Islanders at every opportunity. I also spend many days and nights travelling across Canada on Senate and public business. In addition to our residence in Cavendish, my wife and I own a house in Ottawa.

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard. Because it is my home, I had always considered Cavendish to be my primary residence. There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I was mistaken. The allowance associated with my house in Ottawa will be repaid, and the allowance for the Ottawa home will no longer be claimed going forward. I want there to be no doubt that I'm serving Islanders first.

From: Wright, Nigel
Sent: February 20, 2013 3:27 PM
To: Woodcock, Chris; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick; Perrin, Benjamin
Subject: RE: Duffy Scenario

03000098

Adding Ben.

1. We should suggest to Mike that he would acknowledge an error and put it down to ambiguities in the rules and forms. Never mention 'wrongdoing' to Mike. I also believe that Mike was doing what people told him he should do, without thinking about it too much.
2. We have now been advised by our boss that, no, a committee will not resolve any questions about anyone's eligibility to sit in the Senate. I don't think we can say to Mike or anyone else when the Wallin matter about expenses (not residency) will be settled. What I have said to Mike, and others can, but I don't see a need to put in writing, is that we believe he meets all residency requirements relating to his ability to sit as a Senator from PEI, that only the Senate and no one else (no court, not the Committee on Internal Economy) can make a determination on that, and that we will defend his Constitutional residency qualification categorically and never acquiesce to the contrary suggestion. It would be nice to resolve Sen. Patterson on Friday too – but that is about expenses.
3. After the first sentence in the third paragraph of the statement, there should be a line inserted that Mike spends dozens or scores of days and nights each year on the travelling around Canada on Senate and public business.
4. I think that the second iteration of the final paragraph is the one to suggest to him. It is not wrongdoing. It is: "There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I was mistaken. So I will be repaying..., etc." I think he should also say that "The allowance for the Ottawa home will no longer be claimed going forward". I have phrased that in the passive voice, so he doesn't have to say "I will no longer claim". (The way it works is that one fills out a form designating the primary residence in the province one represents (the form does not have words suggesting that the primary residence can be outside of that province). Once you fill out that form and submit it, you get an allowance for the NCR home. Mike says this is a trap. Perhaps it is. But DeBané managed not to get the allowance for his Ottawa home, which is his true primary residence, even though he is a QC Senator.)
5. I think you need to give Mike a few Q&As. So, is Ottawa your primary residence? A: I have a residence in PEI and one in Ottawa. The housing allowance will no longer be claimed for the Ottawa home? Does this mean that you are not a resident of PEI and unable to represent it in the Senate? A: Not at all. I am a resident of PEI. Also having a home in Ottawa does not contradict that – most Parliamentarians have a place in the National Capital as well as in the province they represent. Why have you done this now and not let Deloitte finish its work? Is there something you don't want them to discover? A: The only thing Deloitte was looking at for me was the housing allowance – I have now said there was a mistake on that. Why did it take you so long to admit to the mistake? A: Listen, people were suggesting that I am not a resident of PEI. I knew that was ludicrous. It took a few days to sort out what the real issue really was. Others? This is about making Mike feel comfortable that he will not be stepping of a ledge if he repays.

Nigel

From: Woodcock, Chris
Sent: February 20, 2013 1:39 PM
To: Wright, Nigel; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick
Subject: Duffy Scenario

Nigel,

We have put together the following scenario for Senator Duffy to repay the allowance. I would like the Senator's views on how the examples of his accomplishments for the community should be populated.

Chris

Scenario for Repayment

Senator Duffy would issue a written statement to PEI media and the national press gallery on Friday. Senator Duffy would hold a brief media availability in PEI. The Senator's office will send an advisory to

03000099

media an hour before hand, to limit intervention from the Ottawa bureaus and or Opposition mobilization. Moreover, the Senator will be staffed by the MRO to help facilitate the availability and end it after a handful of questions.

Follow-up media calls would be answered by the Senator's office coordinated by PMO.

The purpose is to put an end to the ongoing questions about his expenses. A proactive repayment would allow Senator Duffy to say he is doing the right thing without being found guilty of breaking the rules by Deloitte. The Senate Committee would halt the audit provided that he acknowledges an error or wrongdoing. Questions about Duffy, Wallin and Patterson's residency and eligibility to sit in the Senate will be resolved by the Committee next week.

The matters concerning Senator Wallin and Senator Patterson remain outstanding. Senator Wallin's expenses are complicated and are unlikely to be resolved before Parliament resumes on Monday. On the other hand, Senator Patterson does not appear to have violated Senate rules, but will be repaying a BC tax credit. We are in a position to resolve Senator Patterson on Friday at the same time as Senator Duffy, leaving both residency issues for the Committee.

Statement

Four years ago, I was given the opportunity to sit in the Senate as a voice for Prince Edward Islanders in Ottawa. I jumped at the chance. I was born here, I was raised here, and my heart is here. I also started my career here, and took my Island sensibilities along when I was covering politics in Ottawa.

Being a Senator has allowed me to do a lot of good for PEI communities. When I'm home on the Island, I'm often out (list announcements and accomplishments for various PEI communities)

Like all Members of Parliament and Senators, my responsibilities require me to spend a substantial part of my time in Ottawa, voting, doing committee work and representing Islanders at every opportunity. I also spend many days and nights travelling across Canada on Senate and public business. In addition to our residence in Cavendish, my wife and I own a house in Ottawa.

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard. I want there to be no doubt that I'm serving Islanders first, so I will be repaying in full the housing allowance associated with my house in Ottawa.

If it is necessary to admit an error or wrongdoing I would revise the last paragraph to say:

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard. Because it is my home, I had always considered Cavendish to be my primary residence. There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I was mistaken. The allowance associated with my house in Ottawa will be repaid, and the allowance for the Ottawa home will no longer be claimed going forward. I want there to be no doubt that I'm serving Islanders first.

03000100

03000101

Wright, Nigel

From: Wright, Nigel
Sent: February 21, 2013 12:17 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris; Lecce, Stephen
Subject: RE: Sen Duffy

Adding Stephen. I think that we should provide these to Mike, but in the context of a phone call where that team sends them (including Q&A and statement) to Mike directly and then walks him through them over the phone. I don't like the optics of our sending lines to his lawyer. We could walk him through the support we would provide.

From: Perrin, Benjamin
Sent: February 21, 2013 12:12 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Subject: Sen Duffy

Privileged

Fyi - sounds like they will consider it. I'd like to share the draft products with her once they go to the Senator if you're okay with that. Let me know.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 12:08 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Further to our discussion yesterday....

You mentioned support developing media lines/releases for various options.

Nigel spoke to our client last night and also said he would be sending some media lines. When I last spoke to my client this morning he didn't yet have them.

We would like to see these as soon as they are available so that we can review options with our client.

When they are sent, please provide me with a copy.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may

03000102

contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000103

03000104

Wright, Nigel

From: Wright, Nigel
Sent: February 21, 2013 12:50 PM
To: Woodcock, Chris; Perrin, Benjamin; Rogers, Patrick; Lecce, Stephen
Subject: RE: Sen Duffy
Roger.

From: Woodcock, Chris
Sent: February 21, 2013 12:45 PM
To: Perrin, Benjamin; Wright, Nigel; Rogers, Patrick; Lecce, Stephen
Subject: RE: Sen Duffy

Here is the Q&A. Patrick, Stephen and I will call Senator Duffy shortly. Nigel I had put together several more questions, but pared it back to your core questions with some revisions and a couple of additions.

Q1: Is Ottawa your primary residence?

A: I have a residence in PEI and one in Ottawa.

Q2. The housing allowance will no longer be claimed for the Ottawa home? Does this mean that you are not a resident of PEI and unable to represent it in the Senate?

A: Not at all. I own a residence in PEI. I was born and raised there. And I will continue to represent PEI in Senate. Most Parliamentarians have a place in the National Capital as well as in the province they represent. Some stay in hotels, some rent, some own.

Q3. You seemed confident earlier this week that Deloitte would clear you. What changed your mind?

A: I took a few days to sort out what the issue really was. I want there to be no doubt that I'm serving Islanders first. There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I was mistaken and I'm making it right.

Q4. Why have you done this now and not let Deloitte finish its work? Is there something you don't want them to discover?

A: The only thing Deloitte was looking at for me was the housing allowance – I have now said there was a mistake on that.

Q5. Why did it take you so long to admit to the mistake?

A: Listen, people were suggesting that I am not a resident of PEI. I knew that was ludicrous. It took some time to sort out what the real issue really was.

Q6. If you live in PEI, why don't you have a health card?

A: A health card doesn't define my ability to represent PEI in the Senate.

Q7. You said you rent a place in Charlottetown, where is your apartment?

03000105

A: I stay in Charlottetown during the winter months when my residence in Cavendish is inaccessible. I'm not going to get into the details.

Q8: Will you commit to being more transparent and accountable moving forward?

A. As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard.

From: Perrin, Benjamin
Sent: February 21, 2013 12:20 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris; Lecce, Stephen
Subject: Re: Sen Duffy

Great. I will not reply to her.

From: Wright, Nigel
Sent: Thursday, February 21, 2013 12:17 PM Eastern Standard Time
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris; Lecce, Stephen
Subject: RE: Sen Duffy

BTW, if he asks, I have not yet received his Purlolator package.

From: Perrin, Benjamin
Sent: February 21, 2013 12:12 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Subject: Sen Duffy

Privileged

Fyi - sounds like they will consider it. I'd like to share the draft products with her once they go to the Senator if you're okay with that. Let me know.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 12:08 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Further to our discussion yesterday....

You mentioned support developing media lines/releases for various options.

Nigel spoke to our client last night and also said he would be sending some media lines. When I last spoke to my client this morning he didn't yet have them.

We would like to see these as soon as they are available so that we can review options with our client.

When they are sent, please provide me with a copy.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP

03000106

50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000107

03000108

Wright, Nigel

From: Wright, Nigel
Sent: February 21, 2013 7:18 PM
To: Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Revised Duffy Statement

I am OK with this.

From: Woodcock, Chris
Sent: February 21, 2013 5:32 PM
To: Wright, Nigel; Rogers, Patrick; Lecce, Stephen
Subject: Revised Duffy Statement

Here is a revised statement from Duffy. He asked for language that is down-home Mike Duffy, so I've tried to oblige. He also asked that he be allowed to insert PEI-isms. I'm interested in your views on this before I send it to the Senator.

Revised - Statement from Senator Mike Duffy

(Senator to insert pro-PEI language) Like many Prince Edward Islanders, my work takes me across the country. As a Senator, I'm required to spend a substantial part of my time working in Ottawa. I also spend many days and nights travelling across Canada on Senate and public business.

While my job may be in Ottawa, my heart is in PEI. When I'm back home, I live at my residence in Cavendish for three seasons. In the dead of winter, I stay in Charlottetown. My wife and I also own a home in Ottawa.

I have an Ontario Health Card because I have health issues, and I need to see doctors in Ottawa when I'm required to be in Ottawa. This does not define my ability to represent Prince Edward Island in the Senate.

The recent controversy surrounding my housing allowance claim has become a distraction and I want to put it behind me. The fact is that the Senate rules and forms dealing with the Housing Allowance aren't clear. I filled out the form and thought I was doing the right thing, but I have taken some time to review the details and I have realized that I was mistaken. I have always conducted my affairs in a way that Prince Edward Islanders can be proud of, and I intend to continue to hold myself to a higher standard. The allowance associated with my house in Ottawa will be repaid, (and the allowance for the Ottawa home will no longer be claimed going forward). I want there to be no doubt that I'm serving Islanders first.

03000109

03000110

Wright, Nigel

From: Wright, Nigel
Sent: February 21, 2013 8:32 PM
To: Lecce, Stephen; Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; MacDougall, Andrew
Subject: RE: Revised Duffy Statement

He's open to that – giving them a heads-up – but I simply said that Stephen or Chris would deal on all that kind of stuff because I won't get into those details.

From: Lecce, Stephen
Sent: February 21, 2013 8:28 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; MacDougall, Andrew
Subject: Re: Revised Duffy Statement

Will do. Adding Andrew.

I can get a CTV camera to PEI in a few hours (from Moncton). We can likely make this work all on Friday.

From: Wright, Nigel
Sent: Thursday, February 21, 2013 08:18 PM
To: Woodcock, Chris; Rogers, Patrick; Lecce, Stephen; Perrin, Benjamin
Subject: RE: Revised Duffy Statement

Mike is going to do this (although I don't consider that final, final until I see an email from his lawyer summarising our conversations, which apparently has been drafted). He is ready to do it on Friday, but thinks that we want him to do CTV, and CTV will not have a camera on PEI on Friday – so Stephen please reach out to him to let him know that Friday without CTV is preferable to Sunday or Monday with CTV.

Stephen, also, we should have you or Andrew reach out to any Conservative pundits who will be on Sunday panel shows to make sure they saw the "senior government sources" line.

I have to weigh on Sen. Tkachuk, and I will call Sen. S-O too, to insist that Mike's "may have made a mistake" will be accepted as sufficient to call of Deloitte.

From: Woodcock, Chris
Sent: February 21, 2013 5:32 PM
To: Wright, Nigel; Rogers, Patrick; Lecce, Stephen
Subject: Revised Duffy Statement

Here is a revised statement from Duffy. He asked for language that is down-home Mike Duffy, so I've tried to oblige. He also asked that he be allowed to insert PEI-isms. I'm interested in your views on this before I send it to the Senator.

Revised - Statement from Senator Mike Duffy

(Senator to insert pro-PEI language) Like many Prince Edward Islanders, my work takes me across the country. As a Senator, I'm required to spend a substantial part of my time working in Ottawa. I also spend many days and nights travelling across Canada on Senate and public business.

03000111

While my job may be in Ottawa, my heart is in PEI. When I'm back home, I live at my residence in Cavendish for three seasons. In the dead of winter, I stay in Charlottetown. My wife and I also own a home in Ottawa.

I have an Ontario Health Card because I have health issues, and I need to see doctors in Ottawa when I'm required to be in Ottawa. This does not define my ability to represent Prince Edward Island in the Senate.

The recent controversy surrounding my housing allowance claim has become a distraction and I want to put it behind me. The fact is that the Senate rules and forms dealing with the Housing Allowance aren't clear. I filled out the form and thought I was doing the right thing, but I have taken some time to review the details and I have realized that I was mistaken. I have always conducted my affairs in a way that Prince Edward Islanders can be proud of, and I intend to continue to hold myself to a higher standard. The allowance associated with my house in Ottawa will be repaid, (and the allowance for the Ottawa home will no longer be claimed going forward). I want there to be no doubt that I'm serving Islanders first.

03000112

03000113

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 8:12 AM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen; van Hemmen, David
Subject: Re: Senator Duffy

Good, thanks Ben. I will try to speak with Sen. Gerstein this morning. N

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 08:09 AM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Hi Nigel,

I have just spoken with Janice and conveyed all of the points below. After a little back and forth, she was generally satisfied with the responses I think.

Point 3 requires follow-up from her and us. She will provide info on her rate and hours for legal fees. Below you spoke of further communications with the party.

I noted this is all conditional on agreement on the statement and communications bounds being respected by the Senator. She said they would be replying with some proposed changes shortly.

Please let me know if you have any questions or concerns. I will forward her legal fees info once it is received.

Regards,
Ben

From: Wright, Nigel
Sent: Thursday, February 21, 2013 09:49 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

All of this assumes Sen. Duffy makes a statement and keeps his communications within the bounds that have been discussed with him. Ben, subject to your views or those of others, I think you could offer the responses below – verbally by phone as that is presumably the best way to avoid misunderstandings.
Nigel

1. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review [this is what will happen because the only subject matter that Deloitte is reviewing with respect to Sen. Duffy will have become moot, and that understanding is a commitment I will receive from Sens. LeBreton, Tkachuk, and Stewart-Olsen] and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party [I think we can say that the Steering Committee will determine that the secondary residence issue will be closed by the act of

repaying what has previously been received and not receiving any further payments unless Sen. Duffy's living arrangements change in a way that permit him to receive the payments. I do not think it could say anything about any other expenses as no one has ever raised an issue with respect to them. Only the Senate Committee could make such a commitment, and they cannot reasonably do that]. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines [this is precisely the position we will take with Sen. LeBreton and the Conservative Senators on the Steering Committee as the media lines will be accurate and we only want these Senators providing accurate comments].

2. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI. [I have been specific with Sen. Duffy that a "senior government source" will make a statement on the day of his statement to the effect that there is no doubt he is qualified to sit as a Senator from PEI. The PM will also give this answer is asked, as will other authorized spokespeople for the Government. That is because it is true. There will not be a written acknowledgement.]
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed. [I do not know the amount of the legal fees and their reasonableness, so that has to be disclosed forthwith. Without acknowledging the accuracy of the premise of this item, the Party is open to keeping Sen. Duffy whole since it is clear that any overpayments were innocently received. I have a call into the Party to confirm this as I think that the Senator has a right to have it confirmed.]
4. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time. [The Senator should be free to receive any future allowance or reimbursement to which he is clearly entitled by the rules of the Senate. Where there is any possible ambiguity, he should seek advice in advance from the relevant Senate authorities.]
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines. [Agree, this is our view since the agreed media lines are accurate and we do not wish people to make inaccurate statements.]

From: Perrin, Benjamin
Sent: February 21, 2013 9:27 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Privileged

This is quite the list of demands below. How would you like me to respond?

I recall on point 2 that this would come from Senator LeBreton, if at all.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 09:04 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

03000115

I understand that there are some discussions between our clients.

Assuming we can work out the communication, we will need agreement on the following before we can proceed:

6. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.
7. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI.
8. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed.
9. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time.
10. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines.

I am available to discuss in the morning.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000116

03000117

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 12:45 PM
To: Novak, Ray
Subject: FW: Senator Duffy

FYI – scroll down a bit to see the state of play. We are ready to move when we hear back from his lawyer.

From: Wright, Nigel
Sent: February 22, 2013 12:13 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

We are good to go from the PM once Ben has his confirmation from Payne.

From: Perrin, Benjamin
Sent: February 22, 2013 11:50 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Thanks for this info. I've tried just now to reach her but no answer. Will keep trying.

From: Wright, Nigel
Sent: Friday, February 22, 2013 11:39 AM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

I now have the go-ahead on point three, with a couple of stipulations:

- I would like to understand who if anyone Sen. Duffy ever intends to inform about point 3 (or, for that matter, the entire arrangement). I assume that I know the answer, but I would like it to be explicit. For its part, the Party would not inform anyone.
- Related to that, funds disbursed from the Party under point 3 would be paid to Ms Payne's law firm, since a good portion of them are in payment of their fees.
- I would like to cap legal fee reimbursement at \$12,000 (I wouldn't kill it on this basis, but I just want to do this) and we need an accounting of what Sen. Duffy owes the Senate (we do not need the latter before his statement is rolled out).

Ben, please go back to Ms Payne on these points and ascertain where they stand on everything else. I do want to speak to the PM before everything is considered final.

Thanks.

Nigel

From: Perrin, Benjamin
Sent: February 22, 2013 8:09 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

03000119

Hi Nigel,

I have just spoken with Janice and conveyed all of the points below. After a little back and forth, she was generally satisfied with the responses I think.

Point 3 requires follow-up from her and us. She will provide info on her rate and hours for legal fees. Below you spoke of further communications with the party.

I noted this is all conditional on agreement on the statement and communications bounds being respected by the Senator. She said they would be replying with some proposed changes shortly.

Please let me know if you have any questions or concerns. I will forward her legal fees info once it is received.

Regards,
Ben

From: Wright, Nigel
Sent: Thursday, February 21, 2013 09:49 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

All of this assumes Sen. Duffy makes a statement and keeps his communications within the bounds that have been discussed with him. Ben, subject to your views or those of others, I think you could offer the responses below – verbally by phone as that is presumably the best way to avoid misunderstandings. Nigel

1. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review [this is what will happen because the only subject matter that Deloitte is reviewing with respect to Sen. Duffy will have become moot, and that understanding is a commitment I will receive from Sens. LeBreton, Tkachuk, and Stewart-Olsen] and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party [I think we can say that the Steering Committee will determine that the secondary residence issue will be closed by the act of repaying what has previously been received and not receiving any further payments unless Sen. Duffy's living arrangements change in a way that permit him to receive the payments. I do not think it could say anything about any other expenses as no one has ever raised an issue with respect to them. Only the Senate Committee could make such a commitment, and they cannot reasonably do that]. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines [this is precisely the position we will take with Sen. LeBreton and the Conservative Senators on the Steering Committee as the media lines will be accurate and we only want these Senators providing accurate comments].
2. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI. [I have been specific with Sen. Duffy that a "senior government source" will make a statement on the day of his statement to the effect that there is no doubt he is qualified to sit as a Senator from PEI. The PM will also give this answer is asked, as will other authorized spokespeople for the Government. That is because it is true. There will not be a written acknowledgement.]
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the

03000120

party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed. [I do not know the amount of the legal fees and their reasonableness, so that has to be disclosed forthwith. Without acknowledging the accuracy of the premise of this item, the Party is open to keeping Sen. Duffy whole since it is clear that any overpayments were innocently received. I have a call into the Party to confirm this as I think that the Senator has a right to have it confirmed.]

4. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time. [The Senator should be free to receive any future allowance or reimbursement to which he is clearly entitled by the rules of the Senate. Where there is any possible ambiguity, he should seek advice in advance from the relevant Senate authorities.]
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines. [Agree, this is our view since the agreed media lines are accurate and we do not wish people to make inaccurate statements.]

From: Perrin, Benjamin
Sent: February 21, 2013 9:27 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Privileged

This is quite the list of demands below. How would you like me to respond?

I recall on point 2 that this would come from Senator Lebreton, if at all.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 09:04 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

I understand that there are some discussions between our clients.

Assuming we can work out the communication, we will need agreement on the following before we can proceed:

6. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.
7. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI.
8. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed.

03000121

9. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time.
10. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines.

I am available to discuss in the morning.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000122

03000123

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 1:04 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

I told Mike last night - not in writing. He can have my word if he wants that.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 12:50 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Janice and I spoke. She wants an hour or so to finalize this understanding with the Senator. I think we will be good.

One issue: she wanted it all in writing. I explained that was not happening. We aren't selling a car or settling a lawsuit here. She seemed to get it eventually.

I will report back once we have her final confirmation.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 12:15 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

She replied by email saying she is busy and will call me once she is available. Will keep you posted.

From: Wright, Nigel
Sent: Friday, February 22, 2013 12:12 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

We are good to go from the PM once Ben has his confirmation from Payne.

From: Perrin, Benjamin
Sent: February 22, 2013 11:50 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Thanks for this info. I've tried just now to reach her but no answer. Will keep trying.

From: Wright, Nigel
Sent: Friday, February 22, 2013 11:39 AM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

03000124

I now have the go-ahead on point three, with a couple of stipulations:

- I would like to understand who if anyone Sen. Duffy ever intends to inform about point 3 (or, for that matter, the entire arrangement). I assume that I know the answer, but I would like it to be explicit. For its part, the Party would not inform anyone.
- Related to that, funds disbursed from the Party under point 3 would be paid to Ms Payne's law firm, since a good portion of them are in payment of their fees.
- I would like to cap legal fee reimbursement at \$12,000 (I wouldn't kill it on this basis, but I just want to do this) and we need an accounting of what Sen. Duffy owes the Senate (we do not need the latter before his statement is rolled-out).

Ben, please go back to Ms Payne on these points and ascertain where they stand on everything else. I do want to speak to the PM before everything is considered final.

Thanks.

Nigel

From: Perrin, Benjamin
Sent: February 22, 2013 8:09 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Hi Nigel,

I have just spoken with Janice and conveyed all of the points below. After a little back and forth, she was generally satisfied with the responses I think.

Point 3 requires follow-up from her and us. She will provide info on her rate and hours for legal fees. Below you spoke of further communications with the party.

I noted this is all conditional on agreement on the statement and communications bounds being respected by the Senator. She said they would be replying with some proposed changes shortly.

Please let me know if you have any questions or concerns. I will forward her legal fees info once it is received.

Regards,
Ben

From: Wright, Nigel
Sent: Thursday, February 21, 2013 09:49 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

All of this assumes Sen. Duffy makes a statement and keeps his communications within the bounds that have been discussed with him. Ben, subject to your views or those of others, I think you could offer the responses below – verbally by phone as that is presumably the best way to avoid misunderstandings. Nigel

1. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review [this is what will happen because the only subject matter that Deloitte is reviewing with respect

03000125

to Sen. Duffy will have become moot, and that understanding is a commitment I will receive from Sens. LeBreton, Tkachuk, and Stewart-Olsen] and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party [I think we can say that the Steering Committee will determine that the secondary residence issue will be closed by the act of repaying what has previously been received and not receiving any further payments unless Sen. Duffy's living arrangements change in a way that permit him to receive the payments. I do not think it could say anything about any other expenses as no one has ever raised an issue with respect to them. Only the Senate Committee could make such a commitment, and they cannot reasonably do that]. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines [this is precisely the position we will take with Sen. LeBreton and the Conservative Senators on the Steering Committee as the media lines will be accurate and we only want these Senators providing accurate comments].

2. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI. [I have been specific with Sen. Duffy that a "senior government source" will make a statement on the day of his statement to the effect that there is no doubt he is qualified to sit as a Senator from PEI. The PM will also give this answer is asked, as will other authorized spokespeople for the Government. That is because it is true. There will not be a written acknowledgement.]
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed. [I do not know the amount of the legal fees and their reasonableness, so that has to be disclosed forthwith. Without acknowledging the accuracy of the premise of this item, the Party is open to keeping Sen. Duffy whole since it is clear that any overpayments were innocently received. I have a call into the Party to confirm this as I think that the Senator has a right to have it confirmed.]
4. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time. [The Senator should be free to receive any future allowance or reimbursement to which he is clearly entitled by the rules of the Senate. Where there is any possible ambiguity, he should seek advice in advance from the relevant Senate authorities.]
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines. [Agree, this is our view since the agreed media lines are accurate and we do not wish people to make inaccurate statements.]

From: Perrin, Benjamin
Sent: February 21, 2013 9:27 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Privileged

This is quite the list of demands below. How would you like me to respond?

I recall on point 2 that this would come from Senator Lebreton, if at all.

From: Janice Payne [mailto:janice.payne@nelligan.ca]

03000126

Sent: Thursday, February 21, 2013 09:04 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

I understand that there are some discussions between our clients.

Assuming we can work out the communication, we will need agreement on the following before we can proceed:

6. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.
7. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI.
8. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed.
9. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time.
10. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines.

I am available to discuss in the morning.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

03000127

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000128

Senator Michael Duffy
Our File No. 16138-2
Lawyer Rate Summary
February 22, 2013

LAWYER	HOURLY RATE	TOTAL HOURS	TOTAL FEE
Janice Payne	\$475.00	28.70	\$13,632.50
Christopher Rootham	\$280.00	4.80	\$1,344.00

03000129

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 2:10 PM
To: Wright, Nigel; van Hemmen, David; Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy
And to Sen. LeBreton too.

From: Wright, Nigel
Sent: February 22, 2013 2:02 PM
To: van Hemmen, David; Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

Could the government lines (that Sen. Tkachuk has agreed to stick to) be sent to Sen. Tkachuk now?

Also David, remind me that Sen. Duffy still has to send the letter to the Steering Cttee, mimicking his public lines, saying ambiguity in the rules, might have made a mistake, desires to repay, needs to know the amount. Perhaps Chris your folks could do a draft of that.

From: van Hemmen, David
Sent: February 22, 2013 1:07 PM
To: Wright, Nigel; Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

Sure thing. Ben and Stephen, please let me know.

From: Wright, Nigel
Sent: 2013-02-22 1:06 PM
To: Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; van Hemmen, David
Cc: MacDougall, Andrew
Subject: Re: Senator Duffy

David, I will want to speak with Tkachuk and Marjory as soon as I can when this starts to roll - don't mind stepping out of CETA but not out of Wynne.

From: Lecce, Stephen
Sent: Friday, February 22, 2013 12:57 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

I just note that in order to get into the regional broadcasts tonight (6PM AST) – we will need to give a heads-up to media ASAP, as the time zone works against us.

It will take about 2-3 hours for CTV to get to PEI.

03000131

From: Perrin, Benjamin
Sent: 2013-02-22 12:50 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Janice and I spoke. She wants an hour or so to finalize this understanding with the Senator. I think we will be good.

One issue: she wanted it all in writing. I explained that was not happening. We aren't selling a car or settling a lawsuit here. She seemed to get it eventually.

I will report back once we have her final confirmation.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 12:15 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

She replied by email saying she is busy and will call me once she is available. Will keep you posted.

From: Wright, Nigel
Sent: Friday, February 22, 2013 12:12 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

We are good to go from the PM once Ben has his confirmation from Payne.

From: Perrin, Benjamin
Sent: February 22, 2013 11:50 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Thanks for this info. I've tried just now to reach her but no answer. Will keep trying.

From: Wright, Nigel
Sent: Friday, February 22, 2013 11:39 AM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

I now have the go-ahead on point three, with a couple of stipulations:

- I would like to understand who if anyone Sen. Duffy ever intends to inform about point 3 (or, for that matter, the entire arrangement). I assume that I know the answer, but I would like it to be explicit. For its part, the Party would not inform anyone.
- Related to that, funds disbursed from the Party under point 3 would be paid to Ms Payne's law firm, since a good portion of them are in payment of their fees.
- I would like to cap legal fee reimbursement at \$12,000 (I wouldn't kill it on this basis, but I just want to do this) and we need an accounting of what Sen. Duffy owes the Senate (we do not need the latter before his statement is rolled out).

03000132

Ben, please go back to Ms Payne on these points and ascertain where they stand on everything else. I do want to speak to the PM before everything is considered final.

Thanks.

Nigel

From: Perrin, Benjamin
Sent: February 22, 2013 8:09 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Hi Nigel,

I have just spoken with Janice and conveyed all of the points below. After a little back and forth, she was generally satisfied with the responses I think.

Point 3 requires follow-up from her and us. She will provide info on her rate and hours for legal fees. Below you spoke of further communications with the party.

I noted this is all conditional on agreement on the statement and communications bounds being respected by the Senator. She said they would be replying with some proposed changes shortly.

Please let me know if you have any questions or concerns. I will forward her legal fees info once it is received.

Regards,
Ben

From: Wright, Nigel
Sent: Thursday, February 21, 2013 09:49 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

All of this assumes Sen. Duffy makes a statement and keeps his communications within the bounds that have been discussed with him. Ben, subject to your views or those of others, I think you could offer the responses below – verbally by phone as that is presumably the best way to avoid misunderstandings. Nigel

1. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review [this is what will happen because the only subject matter that Deloitte is reviewing with respect to Sen. Duffy will have become moot, and that understanding is a commitment I will receive from Sens. LeBreton, Tkachuk, and Stewart-Olsen] and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party [I think we can say that the Steering Committee will determine that the secondary residence issue will be closed by the act of repaying what has previously been received and not receiving any further payments unless Sen. Duffy's living arrangements change in a way that permit him to receive the payments. I do not think it could say anything about any other expenses as no one has ever raised an issue with respect to them. Only the Senate Committee could make such a commitment, and they

03000133

cannot reasonably do that]. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines [this is precisely the position we will take with Sen. LeBreton and the Conservative Senators on the Steering Committee as the media lines will be accurate and we only want these Senators providing accurate comments].

2. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI. [I have been specific with Sen. Duffy that a "senior government source" will make a statement on the day of his statement to the effect that there is no doubt he is qualified to sit as a Senator from PEI. The PM will also give this answer if asked, as will other authorized spokespeople for the Government. That is because it is true. There will not be a written acknowledgement.]
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed. [I do not know the amount of the legal fees and their reasonableness, so that has to be disclosed forthwith. Without acknowledging the accuracy of the premise of this item, the Party is open to keeping Sen. Duffy whole since it is clear that any overpayments were innocently received. I have a call into the Party to confirm this as I think that the Senator has a right to have it confirmed.]
4. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time. [The Senator should be free to receive any future allowance or reimbursement to which he is clearly entitled by the rules of the Senate. Where there is any possible ambiguity, he should seek advice in advance from the relevant Senate authorities.]
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines. [Agree, this is our view since the agreed media lines are accurate and we do not wish people to make inaccurate statements.]

From: Perrin, Benjamin
Sent: February 21, 2013 9:27 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Privileged

This is quite the list of demands below. How would you like me to respond?

I recall on point 2 that this would come from Senator Lebreton, if at all.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 09:04 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

I understand that there are some discussions between our clients.

Assuming we can work out the communication, we will need agreement on the following before we can proceed:

03000134

6. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.
7. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI.
8. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed.
9. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time.
10. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines.

I am available to discuss in the morning.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000135

03000136

van Hemmen, David

From: van Hemmen, David
Sent: 2013-02-22 2:14 PM
To: Woodcock, Chris; Wright, Nigel; Lecce, Stephen; Perrin, Benjamin; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.
- Senator Duffy has taken steps to correct an error in how the forms were filled out.
- He maintains a residence in Prince Edward Island and has deep ties to the province.
- The Committee considers all issues relating to Senator Duffy now resolved.

From: Woodcock, Chris
Sent: 2013-02-22 2:10 PM
To: Wright, Nigel; van Hemmen, David; Lecce, Stephen; Perrin, Benjamin; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

We will prep a draft of this letter. Here are the lines I will send to Senator Tkachuk:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to reporting back to the public on these matters.
- Senator Duffy has taken steps to correct an error in how the forms were filled out.
- He maintains a residence in Prince Edward Island and has deep ties to the province.
- The Committee considers all issues relating to Senator Duffy now resolved.

From: Wright, Nigel
Sent: February 22, 2013 2:02 PM
To: van Hemmen, David; Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

Could the government lines (that Sen. Tkachuk has agreed to stick to) be sent to Sen. Tkachuk now?

03000137

Also David, remind me that Sen. Duffy still has to send the letter to the Steering Cttee, mimicking his public lines, saying ambiguity in the rules, might have made a mistake, desires to repay, needs to know the amount. Perhaps Chris your folks could do a draft of that.

From: van Hemmen, David
Sent: February 22, 2013 1:07 PM
To: Wright, Nigel; Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

Sure thing. Ben and Stephen, please let me know.

From: Wright, Nigel
Sent: 2013-02-22 1:06 PM
To: Lecce, Stephen; Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; van Hemmen, David
Cc: MacDougall, Andrew
Subject: Re: Senator Duffy

David, I will want to speak with Tkachuk and Marjory as soon as I can when this starts to roll - don't mind stepping out of CETA but not out of Wynne.

From: Lecce, Stephen
Sent: Friday, February 22, 2013 12:57 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Cc: MacDougall, Andrew
Subject: RE: Senator Duffy

I just note that in order to get into the regional broadcasts tonight (6PM AST) – we will need to give a heads-up to media ASAP, as the time zone works against us.

It will take about 2-3 hours for CTV to get to PEI.

From: Perrin, Benjamin
Sent: 2013-02-22 12:50 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Janice and I spoke. She wants an hour or so to finalize this understanding with the Senator. I think we will be good.

One issue: she wanted it all in writing. I explained that was not happening. We aren't selling a car or settling a lawsuit here. She seemed to get it eventually.

I will report back once we have her final confirmation.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 12:15 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen

03000138

Subject: Re: Senator Duffy

She replied by email saying she is busy and will call me once she is available. Will keep you posted.

From: Wright, Nigel
Sent: Friday, February 22, 2013 12:12 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

We are good to go from the PM once Ben has his confirmation from Payne.

From: Perrin, Benjamin
Sent: February 22, 2013 11:50 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Thanks for this info. I've tried just now to reach her but no answer. Will keep trying.

From: Wright, Nigel
Sent: Friday, February 22, 2013 11:39 AM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

I now have the go-ahead on point three, with a couple of stipulations:

- I would like to understand who if anyone Sen. Duffy ever intends to inform about point 3 (or, for that matter, the entire arrangement). I assume that I know the answer, but I would like it to be explicit. For its part, the Party would not inform anyone.
- Related to that, funds disbursed from the Party under point 3 would be paid to Ms Payne's law firm, since a good portion of them are in payment of their fees.
- I would like to cap legal fee reimbursement at \$12,000 (I wouldn't kill it on this basis, but I just want to do this) and we need an accounting of what Sen. Duffy owes the Senate (we do not need the latter before his statement is rolled out).

Ben, please go back to Ms Payne on these points and ascertain where they stand on everything else. I do want to speak to the PM before everything is considered final.

Thanks.

Nigel

From: Perrin, Benjamin
Sent: February 22, 2013 8:09 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: Re: Senator Duffy

Privileged

Hi Nigel,

I have just spoken with Janice and conveyed all of the points below. After a little back and forth, she was generally satisfied with the responses I think.

03000139

Point 3 requires follow-up from her and us. She will provide info on her rate and hours for legal fees. Below you spoke of further communications with the party.

I noted this is all conditional on agreement on the statement and communications bounds being respected by the Senator. She said they would be replying with some proposed changes shortly.

Please let me know if you have any questions or concerns. I will forward her legal fees info once it is received.

Regards,
Ben

From: Wright, Nigel
Sent: Thursday, February 21, 2013 09:49 PM Eastern Standard Time
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Lecce, Stephen
Subject: RE: Senator Duffy

All of this assumes Sen. Duffy makes a statement and keeps his communications within the bounds that have been discussed with him. Ben, subject to your views or those of others, I think you could offer the responses below – verbally by phone as that is presumably the best way to avoid misunderstandings. Nigel

1. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review [this is what will happen because the only subject matter that Deloitte is reviewing with respect to Sen. Duffy will have become moot, and that understanding is a commitment I will receive from Sens. LeBreton, Tkachuk, and Stewart-Olsen] and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party [I think we can say that the Steering Committee will determine that the secondary residence issue will be closed by the act of repaying what has previously been received and not receiving any further payments unless Sen. Duffy's living arrangements change in a way that permit him to receive the payments. I do not think it could say anything about any other expenses as no one has ever raised an issue with respect to them. Only the Senate Committee could make such a commitment, and they cannot reasonably do that]. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines [this is precisely the position we will take with Sen. LeBreton and the Conservative Senators on the Steering Committee as the media lines will be accurate and we only want these Senators providing accurate comments].
2. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI. [I have been specific with Sen. Duffy that a "senior government source" will make a statement on the day of his statement to the effect that there is no doubt he is qualified to sit as a Senator from PEI. The PM will also give this answer if asked, as will other authorized spokespeople for the Government. That is because it is true. There will not be a written acknowledgement.]
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed. [I do not know the amount of the legal fees and their reasonableness, so that has to be disclosed forthwith. Without acknowledging the accuracy of the premise of this item, the Party is open to keeping Sen. Duffy whole since it is clear that any overpayments were innocently received. I have a call into the Party to confirm this as I think that the Senator has a right to have it confirmed.]

03000140

4. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time. [The Senator should be free to receive any future allowance or reimbursement to which he is clearly entitled by the rules of the Senate. Where there is any possible ambiguity, he should seek advice in advance from the relevant Senate authorities.]
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines. [Agree, this is our view since the agreed media lines are accurate and we do not wish people to make inaccurate statements.]

From: Perrin, Benjamin
Sent: February 21, 2013 9:27 PM
To: Wright, Nigel
Subject: Fw: Senator Duffy

Privileged

This is quite the list of demands below. How would you like me to respond?

I recall on point 2 that this would come from Senator Lebreton, if at all.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, February 21, 2013 09:04 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

I understand that there are some discussions between our clients.

Assuming we can work out the communication, we will need agreement on the following before we can proceed:

6. The Internal Economy Committee will confirm that Senator Duffy has been withdrawn from the Deloitte review and it will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review by the Committee, the Senate, or any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.
7. There will also be a written acknowledgement that Senator Duffy meets and has always met all requirements necessary to sit as the Senator from PEI.
8. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed.
9. If the Senate rules or travel policy are rewritten to permit Senator Duffy to claim a housing allowance in the future he will be free to do so as at that point in time.
10. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they

03000141

Speak on this matter, do so in a fashion that is consistent with the agreed media lines.

I am available to discuss in the morning.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000142

03000143

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 3:15 PM
To: Perrin, Benjamin; van Hemmen, David
Subject: RE: Urgent: Senator Duffy

OK to share these lines with her. Important to acknowledge that Duff will say "there might have been an error". Regarding qualification, there is not and never has been any doubt about the fact that Sen. Duffy is qualified to represent PEI in the Senate.

From: Perrin, Benjamin
Sent: February 22, 2013 3:09 PM
To: Wright, Nigel; van Hemmen, David
Subject: Re: Urgent: Senator Duffy

Here are the lines re 1 - this is what I plan on satisfying her with on 1):

Lines until the Committee meets:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.
- Senator Duffy maintains a residence in Prince Edward Island and has deep ties to the province.
- He has indicated that he will be taking steps to correct an error in how the forms were filled out.

Once the Committee has met to consider the matter (Monday or Tuesday)

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.
- Senator Duffy has taken steps to correct an error in how the forms were filled out.
- He maintains a residence in Prince Edward Island and has deep ties to the province.
- The Committee considers all issues relating to Senator Duffy now resolved.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 03:05 PM Eastern Standard Time
To: Wright, Nigel; van Hemmen, David
Subject: Re: Urgent: Senator Duffy

Nigel: due to urgency, and imperative to go out today, I find 2-5 satisfy your direction so will verbally green light them. On point 1 I will tell her the lines that will be used and see if we can leave it at that.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 02:57 PM Eastern Standard Time

To: Wright, Nigel; van Hemmen, David
Subject: Urgent: Senator Duffy

Privileged

Need to speak on it.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 02:52 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Revised bullets.

You have our media lines and we are waiting to hear from you.

1. Senate representatives M. Lebreton, David Tkachuk and Stewart Olsen will confirm that Senator Duffy has been withdrawn from the Deloitte review and will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review, at their initiative or at the initiative of the Internal Economy Committee, by any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines. HOW WILL THIS OCCUR?
2. Senior government sources and the PMO, including the PM, will respond to any inquiries about Senator Duffy's qualifications to sit as PEI Senator by indicating that there is no doubt and has never been any doubt that he meets all constitutional requirements.
3. As his apparent ineligibility for the housing allowance stems from his time on the road on behalf of the party, there will be an arrangement to keep him whole on the repayment. His legal fees will also be reimbursed – AS DISCUSSED.
4. Senator Duffy will be permitted to claim a housing allowance in the future if his circumstances meet Senate requirements.
5. The PMO will take all reasonable efforts to ensure that members of the Conservative caucus, if they speak on this matter, do so in a fashion that is consistent with the agreed media lines.

Janice Payne
 Lawyer/Avocate
Nelligan O'Brien Payne LLP
 50 O'Connor, Suite 1500
 Ottawa, ON K1P 6L2
 Tel/Tél: 613-231-8245
 Fax/Télé: 613-788-3655
www.nelligan.ca

03000144

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000145

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 3:16 PM
To: Lecce, Stephen; MacDougall, Andrew; Woodcock, Chris; Perrin, Benjamin; van Hemmen, David; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

So I have responded to Ben on counsel's point.

From: Lecce, Stephen
Sent: February 22, 2013 2:58 PM
To: MacDougall, Andrew; Woodcock, Chris; Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

OK. CTV can interview him whenever they can get to PEI or Duffy can get to Halifax and use it at some point this weekend. FYI – Duffy was planning on returning to Ottawa tonight.

Today would be CBC PEI and the Guardian. His statement would stand for the rest.

From: MacDougall, Andrew
Sent: 2013-02-22 2:55 PM
To: Woodcock, Chris; Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

We should go today.
Even if CTV can't get there

Andrew MacDougall
Director of Communications | Directeur des communications
PMO | CPM
613-957-5555
Twitter: @PMO_MacDougall

From: Woodcock, Chris
Sent: Friday, February 22, 2013 02:51 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

Attached. Stephen do we still have time to make the broadcasts if we do this today?

From: Perrin, Benjamin
Sent: February 22, 2013 2:49 PM
To: Woodcock, Chris; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

They agree to the change below. Chris: I need the final version now reflecting those changes.

03000147

The only final step before going is me getting our final confirmation on the full details of the arrangement. I expect that in 10 minutes from them.

From: Perrin, Benjamin

Sent: Friday, February 22, 2013 02:41 PM Eastern Standard Time

To: Woodcock, Chris; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick

Subject: Re: Urgent: Senator Duffy

Privileged

I agree and have sent this back to them. I am pressing them hard to finalize this.

From: Woodcock, Chris

Sent: Friday, February 22, 2013 02:37 PM Eastern Standard Time

To: Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick

Subject: RE: Urgent: Senator Duffy

This line in the statement is new to me. I am unaware of any plan to have the Rules Committee study expenses.

“Until the Rules Committee clarifies the regulations, the allowance for the Ottawa home will no longer be claimed.”

This has also been written into the Q&A:

Q: You have 2 houses but you will not claim a housing allowance?

A: That's correct. I will not claim an allowance for our house in Ottawa until after the rules have been clarified by the Senate, and it is clear that I am in compliance with whatever the new regulations are.

Suggested fixes

Delete the whole line “Until the Rules Committee clarifies the regulations, the allowance for the Ottawa home will no longer be claimed.”

Q: You have 2 houses but you will not claim a housing allowance?

A: That's correct. I will not claim an allowance for our house in Ottawa unless the rules of the Senate were to change, making it clear that I am in compliance with whatever the new regulations are.

From: Perrin, Benjamin

03000148

Sent: February 22, 2013 2:23 PM

To: Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick; Woodcock, Chris

Subject: Fw: Urgent: Senator Duffy

Privileged

See attached. Please confirm that their final version (attached) is okay. I expect her call any minute.

From: Janice Payne [mailto:janice.payne@nelligan.ca]

Sent: Friday, February 22, 2013 02:16 PM Eastern Standard Time

To: Perrin, Benjamin

Cc: Christine King <Christine.King@nelligan.ca>

Subject: RE: Urgent: Senator Duffy

I am calling in five minutes. Attached are revised media lines. Critical that these are okay. Please confirm.

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]

Sent: Friday, February 22, 2013 2:11 PM

To: Janice Payne

Subject: Re: Urgent: Senator Duffy

I am following up.

From: Perrin, Benjamin

Sent: Friday, February 22, 2013 01:04 PM Eastern Standard Time

To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>

Subject: Re: Urgent: Senator Duffy

03000149

My cell is 613-697-0304 if you need to reach me.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 01:01 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Urgent: Senator Duffy

I understand from our communications people that for this to happen today, which is imperative, we need the greenlight from you imminently.

03000150

22 Feb 2012

Statement by The Hon. Mike Duffy, Senator, Cavendish PEI

Four years ago, I was given the opportunity to sit in the Senate as a voice for Prince Edward Islanders in Ottawa. I jumped at the chance. I was born here, I was raised here, I own a house here, I pay property taxes here, and most important, my heart is here.

I also started my career here, and took my Island sensibilities along when I was covering politics in Ottawa.

Being a Senator has allowed me to do a lot of good for PEI communities. And there is a lot more to be done.

Recently questions have been raised about my eligibility for the housing allowance provided to MPs and Senators.

The Senate rules on housing allowances aren't clear, and the forms are confusing. I filled out the Senate forms in good faith and believed I was in compliance with the rules.

Now it turns out I may have been mistaken.

Rather than let this issue drag on, my wife and I have decided that the allowance associated with my house in Ottawa will be repaid.

I want there to be no doubt that I'm serving Islanders first.

613-947-4163

Q: You have 2 houses but you will not claim a housing allowance?

A: That's correct. I will not claim an allowance for our house in Ottawa unless the rules of the Senate were to change, making it clear that I am in compliance with whatever the new regulations are.

As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard.

Because I have a home in Cavendish and I have been spending so much more time away from my home in Ottawa, I had considered Cavendish to be my primary residence. There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but the rules are not clear and I am uncomfortable with the distraction this issue is causing to all.

Q1: Is Ottawa your primary residence?

A: I have a residence in PEI and one in Ottawa.

Q2. The housing allowance will no longer be claimed for the Ottawa home? Does this mean that you are not a resident of PEI and unable to represent it in the Senate?

A: Not at all. I own a residence in PEI and I reside on the Island for long periods of time every year. I was born and raised there. And I will continue to represent PEI in Senate. Most Parliamentarians have a place in the National Capital as well as in the province they represent. Some stay in hotels, some rent, some own.

Q3. You seemed confident earlier this week that Deloitte would clear you. What changed your mind?

A: I took a few days to sort out what the issue really was. I want there to be no doubt that I'm serving Islanders first. There has been an historical lack of clarity in the rules and forms. I had thought I was doing the right thing, but I may have been mistaken and I prefer to correct the matter now.

Q4. Why have you done this now and not let Deloitte finish its work? Is there something you don't want them to discover?

03000151

A: The only thing Deloitte was looking at for me was the housing allowance and there is nothing else. As I have said, I want to cure this matter now. It is not worth the continuing distraction.

Q5. Why did it take you so long to admit to the mistake?

A: Listen, people were suggesting that I am not a resident of PEI. I knew that was ludicrous. It took some time to sort out what the real issue was.

Q6. If you live in PEI, why don't you have a health card?

A: A health card doesn't define my ability to represent PEI in the Senate.

Q7. You said you rent a place in Charlottetown, where is your apartment?

A: I stay in Charlottetown (58 Great George St.) during the winter months when my residence in Cavendish is inaccessible. Many Islanders do this.

Q8. Will you commit to being more transparent and accountable moving forward?

A. As a representative for the province, I have always taken care to conduct my affairs in a manner that Islanders can be proud of and to hold myself to a higher standard.

03000152

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 3:27 PM
To: Perrin, Benjamin; Woodcock, Chris; Lecce, Stephen; MacDougall, Andrew; van Hemmen, David; Rogers, Patrick

Subject: RE: Urgent: Senator Duffy

We are OK with this, and we will bring the Senators inside (anyone disagree based on what they have heard?). We should GO.

From: Perrin, Benjamin
Sent: February 22, 2013 3:26 PM
To: Woodcock, Chris; Lecce, Stephen; MacDougall, Andrew; Wright, Nigel; van Hemmen, David; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

Privileged

They are good to go now on everything IF these change are made to the lines from Sens Lebreton, S-O, and Th:

• He has indicated that he will be taking steps to correct *any possible error* in how the forms were filled out.

Then after committee:

- Senator Duffy has taken steps to correct *any possible error* in how the forms were filled out.

If this is okay, then we are good to go to launch the Senator Duffy communications now - using the final version (attached).

Please advise ASAP.

From: Woodcock, Chris
Sent: Friday, February 22, 2013 03:05 PM Eastern Standard Time
To: Perrin, Benjamin; Lecce, Stephen; MacDougall, Andrew; Wright, Nigel; van Hemmen, David; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

The following lines were sent to Lebreton S-O and Tkachuk on a "confidential until further notice" basis.

Lines until the Committee meets:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.
- Senator Duffy maintains a residence in Prince Edward Island and has deep ties

to the province.

- He has indicated that he will be taking steps to correct an error in how the forms were filled out.

Once the Committee has met to consider the matter (Monday or Tuesday)

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.
- Senator Duffy has taken steps to correct an error in how the forms were filled out.
- He maintains a residence in Prince Edward Island and has deep ties to the province.
- The Committee considers all issues relating to Senator Duffy now resolved.

From: Perrin, Benjamin
Sent: February 22, 2013 3:01 PM
To: Lecce, Stephen; MacDougall, Andrew; Woodcock, Chris; Wright, Nigel; van Hemmen, David; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

I've spoken to David: Nigel will look at the finalized understanding with his counsel as soon as he is out of the meeting with Wynne (set to end at 3 pm).

Chris: can I get lines that would go to Lebreton, S-O and Th.?

From: Lecce, Stephen
Sent: Friday, February 22, 2013 02:57 PM Eastern Standard Time
To: MacDougall, Andrew; Woodcock, Chris; Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

OK. CTV can interview him whenever they can get to PEI or Duffy can get to Halifax and use it at some point this weekend. FYI - Duffy was planning on returning to Ottawa tonight.

Today would be CBC PEI and the Guardian. His statement would stand for the rest.

From: MacDougall, Andrew
Sent: 2013-02-22 2:55 PM
To: Woodcock, Chris; Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

We should go today.
 Even if CTV can't get there

Andrew MacDougall
 Director of Communications | Directeur des communications
 PMO | CPM
 613-957-5555

03000154

Twitter: @PMO_MacDougall

From: Woodcock, Chris
Sent: Friday, February 22, 2013 02:51 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

Attached. Stephen do we still have time to make the broadcasts if we do this today?

From: Perrin, Benjamin
Sent: February 22, 2013 2:49 PM
To: Woodcock, Chris; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

They agree to the change below. Chris: I need the final version now reflecting those changes.

The only final step before going is me getting our final confirmation on the full details of the arrangement. I expect that in 10 minutes from them.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 02:41 PM Eastern Standard Time
To: Woodcock, Chris; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

Privileged

I agree and have sent this back to them. I am pressing them hard to finalize this.

From: Woodcock, Chris
Sent: Friday, February 22, 2013 02:37 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick
Subject: RE: Urgent: Senator Duffy

This line in the statement is new to me. I am unaware of any plan to have the Rules Committee study expenses.

“Until the Rules Committee clarifies the regulations, the allowance for the Ottawa home will no longer be claimed.”

This has also been written into the Q&A:

Q: You have 2 houses but you will not claim a housing allowance?

A: That’s correct. I will not claim an allowance for our house in Ottawa until after the rules have been clarified by the Senate, and it is clear that I am in compliance with whatever the new regulations are.

Suggested fixes

Delete the whole line “Until the Rules Committee clarifies the regulations,

the allowance for the Ottawa home will no longer be claimed.”

Q: You have 2 houses but you will not claim a housing allowance?

A: That’s correct. I will not claim an allowance for our house in Ottawa unless the rules of the Senate were to change, making it clear that I am in compliance with whatever the new regulations are.

From: Perrin, Benjamin
Sent: February 22, 2013 2:23 PM
To: Wright, Nigel; van Hemmen, David; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick; Woodcock, Chris
Subject: Fw: Urgent: Senator Duffy

Privileged

See attached. Please confirm that their final version (attached) is okay. I expect her call any minute.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 02:16 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Urgent: Senator Duffy

I am calling in five minutes. Attached are revised media lines. Critical that these are okay. Please confirm.

Janice Payne
 Lawyer/Avocate
Nelligan O'Brien Payne LLP
 50 O'Connor, Suite 1500
 Ottawa, ON K1P 6L2
 Tel/Tél: 613-231-8245
 Fax/Télééc: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est

03000155

strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 2:11 PM
To: Janice Payne
Subject: Re: Urgent: Senator Duffy

I am following up.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 01:04 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

My cell is 613-697-0304 if you need to reach me.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 01:01 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Urgent: Senator Duffy

I understand from our communications people that for this to happen today, which is imperative, we need the greenlight from you imminently.

03000156

Wright, Nigel

From: Perrin, Benjamin
Sent: February 22, 2013 3:42 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Urgent: Senator Duffy

Yes, thanks.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 03:33 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

Ok. Good. We are done.

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 03:30 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Urgent: Senator Duffy

Solicitor-client privilege

"An error" is changed to "any possible error". As discussed, with this change, we are good to go.

Please notify your client immediately.

Our people will be in touch with him to implement.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 03:14 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

This is a problem. There is to be no suggestion of an error by MD. They need to adapt to our revision.

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 03:07 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Urgent: Senator Duffy

Lines until the Committee meets:

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.

- Senator Duffy maintains a residence in Prince Edward Island and has deep ties to the province.

- He has indicated that he will be taking steps to correct an error in how the forms were filled out.

Once the Committee has met to consider the matter (Monday or Tuesday)

- We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters.

- Senator Duffy has taken steps to correct an error in how the forms were filled out.

- He maintains a residence in Prince Edward Island and has deep ties to the province.

- The Committee considers all issues relating to Senator Duffy now resolved.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 03:02 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Cc: 'Christine.King@nelligan.ca' <Christine.King@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

I will call you in a few minutes. We are reviewing and addressing 1).

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 02:56 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Urgent: Senator Duffy

PLs give me okay on bullets so interviews can proceed. Can't til I have that. Call me on my cell: 613-889-1502

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 2:53 PM
To: Janice Payne
Subject: Re: Urgent: Senator Duffy

Final attached as requested.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 02:47 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

Yes

03000158

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 02:44 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Urgent: Senator Duffy

This is okay. Will you send a complete revised version back to me? I am working on bullets.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 2:41 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Urgent: Senator Duffy

Privileged

This is fine except for the passage noted below.

We are unaware of any plan to have the Rules Committee study expense policies. This makes this line and Q&A below problematic. I have revised based on our discussions. Please confirm ASAP you are fine with the modification.

"Until the Rules Committee clarifies the regulations, the allowance for the Ottawa home will no longer be claimed."

Q: You have 2 houses but you will not claim a housing allowance?

A: That's correct. I will not claim an allowance for our house in Ottawa until after the rules have been clarified by the Senate, and it is clear that I am in compliance with whatever the new regulations are.

Suggested change:

Delete the whole line "Until the Rules Committee clarifies the regulations, the allowance for the Ottawa home will no longer be claimed."

Q: You have 2 houses but you will not claim a housing allowance?

A: That's correct. I will not claim an allowance for our house in Ottawa unless the rules of the Senate were to change, making it clear that I am in compliance with whatever the new regulations are.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, February 22, 2013 02:16 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Urgent: Senator Duffy

I am calling in five minutes. Attached are revised media lines. Critical that these are okay. Please confirm.

Janice Payne
 Lawyer/Avocate
Nelligan O'Brien Payne LLP
 50 O'Connor, Suite 1500
 Ottawa, ON K1P 6L2
 Tel/Tél: 613-231-8245
 Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Friday, February 22, 2013 2:11 PM
To: Janice Payne
Subject: Re: Urgent: Senator Duffy

I am following up.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 01:04 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Re: Urgent: Senator Duffy

My cell is 613-697-0304 if you need to reach me.

From: Perrin, Benjamin
Sent: Friday, February 22, 2013 01:01 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Urgent: Senator Duffy

I understand from our communications people that for this to happen today, which is imperative, we need the greenlight from you imminently.

03000159

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 5:44 PM
To: MacDougall, Andrew; Rogers, Patrick; Woodcock, Chris; Lecce, Stephen; Novak, Ray; Perrin, Benjamin; van Hemmen, David
Subject: RE: Duffy Transcript
Sweet.

From: MacDougall, Andrew
Sent: February 22, 2013 5:44 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris; Lecce, Stephen; Novak, Ray; Perrin, Benjamin; van Hemmen, David
Subject: RE: Duffy Transcript

Yay this is fun.

Duffy just told Tom Clark that he (duffy) is under strict instruction from the Centre to not talk to Global.

Helpful.

From: Wright, Nigel
Sent: Friday, February 22, 2013 5:43 PM
To: Rogers, Patrick; Woodcock, Chris; Lecce, Stephen; MacDougall, Andrew; Novak, Ray; Perrin, Benjamin; van Hemmen, David
Subject: RE: Duffy Transcript

I appreciate the work this team did on this. One down, two to go (and one out).

From: Rogers, Patrick
Sent: February 22, 2013 5:34 PM
To: Woodcock, Chris; Wright, Nigel; Lecce, Stephen; MacDougall, Andrew; Novak, Ray; Perrin, Benjamin; van Hemmen, David
Subject: RE: Duffy Transcript

As the Parliamentary guy, I will point out that the Steering Committee only exists because the regular committee creates it and it has no power of its own. All decisions by the Steering Committee need to be ratified the normal committee.

That is the wonky explanation.

But I don't think there is any harm in referencing the steering committee.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Woodcock, Chris
Sent: February 22, 2013 5:29 PM
To: Wright, Nigel; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin;

03000161

van Hemmen, David

Subject: RE: Duffy Transcript

revised

Senator David Tkachuk,
Chair of the Standing Senate Committee on Internal Economy, Budgets and
Administration

February 22, 2013

Dear Chairman,

Recently questions have been raised about my eligibility for the secondary housing allowance.

I filled out the Senate forms in good faith and believed I was in compliance with the rules. After reviewing all aspects of this matter, it turns out I may have been mistaken. To ensure that there can be no doubt regarding this matter it is my intent to repay the housing allowance that I have collected to date.

At this time, I ask the Steering Committee to provide me forthwith with the amount that must be repaid in order to settle this matter in full.

Chairman, I believe that the Senate rules and forms on housing allowances are ambiguous. I want to emphasize that it was always my intent to fully comply with the rules.

Sincerely,

Senator Mike Duffy

From: Wright, Nigel

Sent: February 22, 2013 5:28 PM

To: Woodcock, Chris; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin; van Hemmen, David

Subject: RE: Duffy Transcript

Good. Maybe just say "provide me ***forthwith*** with the amount that must be repaid". And please say "Steering Committee", or whatever it is (Patrick?). I would like to have this resolved at that level (three Senators of which only one is a Liberal) because it can be done more quickly and more cleanly.

From: Woodcock, Chris

03000162

Sent: February 22, 2013 5:26 PM

To: Wright, Nigel; Lecce, Stephen; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin; van Hemmen, David

Subject: RE: Duffy Transcript

Here is a draft letter to the Committee from Senator Duffy.

Senator David Tkachuk,
Chair of the Standing Senate Committee on Internal Economy, Budgets and
Administration

February 22, 2013

Dear Chairman,

Recently questions have been raised about my eligibility for the secondary housing allowance.

I filled out the Senate forms in good faith and believed I was in compliance with the rules. After reviewing all aspects of this matter, it turns out I may have been mistaken. To ensure that there can be no doubt regarding this matter it is my intent to repay the housing allowance that I have collected to date.

At this time, I ask the Steering Committee to provide me forthwith with the amount that must be repaid in order to settle this matter in full.

Chairman, I believe that the Senate rules and forms on housing allowances are ambiguous. I want to emphasize that it was always my intent to fully comply with the rules.

Sincerely,

Senator Mike Duffy

From: Wright, Nigel

Sent: February 22, 2013 5:22 PM

To: Lecce, Stephen; MacDougall, Andrew; Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin; van Hemmen, David

Subject: RE: Duffy Transcript

"I don't think I owe this money."

From: Lecce, Stephen

03000163

Sent: February 22, 2013 5:09 PM
To: MacDougall, Andrew; Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Duffy Transcript

Duffy is live on CTV NN.

From: MacDougall, Andrew
Sent: 2013-02-22 5:05 PM
To: Wright, Nigel; Lecce, Stephen; Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Re: Duffy Transcript

When is paper going out?

Andrew MacDougall
Director of Communications | Directeur des communications
PMO | CPM
613-957-5555
Twitter: @PMO_MacDougall

From: Wright, Nigel
Sent: Friday, February 22, 2013 05:02 PM Eastern Standard Time
To: Lecce, Stephen; Woodcock, Chris; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Duffy Transcript

Agree. The semi-reasonable Guardian columnist was the one who staked out the washroom at the airport.

From: Lecce, Stephen
Sent: February 22, 2013 5:00 PM
To: Woodcock, Chris; Wright, Nigel; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Duffy Transcript

I should add that Mike does not want to do The Guardian. He gave it some thought and does not believe that he will get a decent hit out of the one (semi-reasonable) reporter in the paper.

I am comfortable with him proceeding with CBC and CTY. Print will quote from his statement and network interviews.

From: Lecce, Stephen
Sent: 2013-02-22 4:59 PM
To: Woodcock, Chris; Wright, Nigel; MacDougall, Andrew; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Re: Duffy Transcript

Mike finished CBC PEI, it will likely lead the 6pm broadcast.

He is doing CTV Atlantic at 5:30pm (ET) - will be a live double ender.

We debriefed with the Senator after CBC.

From: Woodcock, Chris
Sent: Friday, February 22, 2013 04:51 PM

03000164

To: Wright, Nigel; MacDougall, Andrew; Lecce, Stephen; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Duffy Transcript

Breaking News Summary

Date / Date : February 22, 2013

Time / Heure : 16h40

Network / Chaîne : CBC-NN

Andrew: A CBC news exclusive, Mike Duffy says he'll voluntarily pay back expenses related to his job as a Senator. The Senator showed up at CBC television studios in Charlottetown just moments ago in a live interview where he said that he was, in fact, going to pay all of this back. He's been investigated by a Senate committee, you will remember for housing expenses, along with a number of other -- along with a lot of other Senators, all centred on where he claims his residence to be. In that interview on CBC in Charlottetown he now admits that he may not live in the province 183 days a year and he says he's happy to pay double taxes because he doesn't spend enough time in the province. Here's a portion of that interview...

Interview: Everywhere I go people are talking, well, where do you live, what's that all about, it's become a major distraction so my wife and I discussed it and we decided that in order to turn the page and to put all of this behind us we are going to voluntarily pay back my living expenses related to the house we have in Ottawa.

Reporter: The \$42,000 approximately?

Interview: Whatever it is. The accountants, you know... We're going to pay it back and until the rules are clear and they're not clear now, the forms are not clear, and I hope that the Senate will re-do the forms to make them clearer, I will not claim a housing allowance.

Reporter: Is that an admission that you don't believe that you're a permanent resident of Prince Edward Island?

Interview: No, it has nothing to do with residency in P.E.I., I'm an island resident and I am entitled to be a Senator, I've met all of those requirements and the one is really of accounting, how much time are you here, how much time are you there. The form that you fill in once a year on this matter is vague and I may have made a mistake in filling in that form. And rather than go through months and months and months of an audit, we've got important work to do so my wife and I talked last night and I said, let's just get this off the plate.

Reporter: What mistake might you have made on this form?

Interview: Well, I wish I had a copy of the form here to show you. It asks for your primary address in the province in which you reside and I put Cavendish and it asks for your second residence and I put Kanata. The argument among the accountants is that actually I spend more time in Kanata than I do in Cavendish and, therefore, my primary residence should really be Ottawa, and not Cavendish. But the form says the primary residence in the province you represent.

05000165

Reporter: Right.

Interview: So there is no space to say well, and there is no formula, and there is no rule that says you have to spend so many days.

Andrew: That's Senator Mike Duffy saying he'll pay back expense money, he was speaking to the CBC in Charlottetown.

This service is to provide a "heads-up" on information and events related to the Government of Canada as reported by the electronic media.

Ce service consiste à fournir un aperçu de la couverture des médias électroniques sur les dossiers et les événements qui intéressent le gouvernement du Canada.

Internal document. Document is based on the language of origin.

Document interne. Le document est présenté dans la langue d'origine.

[Unsubscribe / Désabonnez](#)

03000166

03000167

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 6:04 PM
To: Lecce, Stephen
Cc: MacDougall, Andrew; Woodcock, Chris; Rogers, Patrick; Novak, Ray; van Hemmen, David; Perrin, Benjamin
Subject: FW: 'I made a mistake' claiming housing allowance, says embattled senator Duffy (Updated)
Where are the senior government sources on his qualification to sit?

From: Fecteau Labbé, Simon
Sent: February 22, 2013 5:58 PM
Subject: 'I made a mistake' claiming housing allowance, says embattled senator Duffy (Updated)

Asked Friday about Duffy's apparent mea culpa, Sen. Marjory LeBreton, the government leader in the Senate, would only say that the audit would get to the bottom of the controversy.

"We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters,"

LeBreton said.

"Sen. Duffy maintains a residence in Prince Edward Island and has deep ties to the province."

'I made a mistake' claiming housing allowance, says embattled senator Duffy (Senate-Duffy-Residenc)

Source: [The Canadian Press](#)
Feb 22, 2013 17:29

OTTAWA _ Embattled Conservative Sen. Mike Duffy says he "may have made a mistake" when he claimed a housing allowance that he now says he plans to pay back.

Duffy showed up Friday at the CBC's studios in Charlottetown, where he promptly admitted in an interview that he erred in filling out the claim form and was wrong to claim the allowance.

He said both the forms and the rules that govern them are vague and confusing.

03000168

"Until the rules are clear _ and they're not clear now; the forms are not clear and I hope the Senate will redo the forms to make them clear _ I will not claim a housing allowance," Duffy said.

"It's become a major distraction, so my wife and I discussed it and we decided that in order to turn the page to put all of this behind us, we are going to voluntarily pay back my living expenses related to the house we have in Ottawa."

Duffy said the controversy has nothing to do with his eligibility to represent the province of P.E.I. as a senator.

"I'm an island resident and I'm entitled to be a senator; I've met all of those requirements," he said.

"The question really is one of accounting, how much time are you here, how much time are you there."

Duffy is being audited along with fellow senators Pamela Wallin, Mac Harb and Patrick Brazeau following questions about their housing expense claims.

Duffy in particular has faced questions about \$33,000 in living allowances he has claimed since 2010, despite also having a home in the Ottawa area. Critics have questioned whether his primary residence is indeed a cottage in Cavendish, P.E.I., as he has repeatedly stated.

Asked Friday about Duffy's apparent mea culpa, Sen. Marjory LeBreton, the government leader in the Senate, would only say that the audit would get to the bottom of the controversy.

"We have committed to ensuring that all expenses are appropriate, that the rules governing expenses are appropriate and to report back to the public on these matters,"

LeBreton said.

"Sen. Duffy maintains a residence in Prince Edward Island and has deep ties to the province."

The Constitution requires senators to reside in the provinces they are appointed to represent.

Earlier this week, Duffy said he rents a home in Charlottetown during the winter _ in addition to his house in Cavendish _ so he can have quicker access to care in case of a medical emergency.

He said Canadians know him as an "honest man" who wouldn't cheat on his expenses.

INDEX: NATIONAL POLITICS

Wright, Nigel

From: Wright, Nigel
Sent: February 22, 2013 7:01 PM
To: Woodcock, Chris
Subject: RE: Hard copy will be faxed monday. Letter to sen tkachuk

thx

-----Original Message-----

From: Woodcock, Chris
Sent: February 22, 2013 6:58 PM
To: Wright, Nigel
Subject: Fw: Hard copy will be faxed monday. Letter to sen tkachuk

Fyi

----- Original Message -----

From: mdduffy@aol.com [mailto:mdduffy@aol.com]
Sent: Friday, February 22, 2013 06:37 PM
To: David Tkachuk <TKACHD@SEN.PARL.GC.CA>; David Tkachuk <SHAVEK@SEN.PARL.GC.CA>; Carolyn Stewart Olsen <5.carolynso@gmail.com>
Cc: Mike Duffy <mdduffy@aol.com>
Subject: Hard copy will be faxed monday. Letter to sen tkachuk

Senator David Tkachuk,
Chair of the Standing Senate Committee on Internal Economy, Budgets and Administration

February 22, 2013

Dear Sir;

Recently questions have been raised about my eligibility for the secondary housing allowance.

I filled out the Senate forms in good faith and believed I was in compliance with the rules. After reviewing all aspects of this matter, it turns out I may have been mistaken. To ensure that there can be no doubt regarding this matter it is my intent to repay the housing allowance that I have collected to date.

At this time, I ask the Steering Committee to provide me forthwith with the amount that must be repaid in order to settle this matter in full.

Further, I believe that the Senate rules and forms on housing allowances are ambiguous. I want to emphasize that it was always my intent to fully comply with the rules.

Sincerely,

Hon. Mike Duffy
Senator, Cavendish PEI

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

03000171

Wright, Nigel

From: Woodcock, Chris
Date: February 26, 2013 11:53 AM
To: MacDougall, Andrew; Wright, Nigel
Subject: RE: Today's target - for Fife too

Wallin is trying to find a back door into Caucus. Duffy intends to say he has made his intentions clear and that he will pay the balance when the committee gets back to him.

-----Original Message-----

From: MacDougall, Andrew
Sent: 2013-02-26 11:50 AM
To: Woodcock, Chris; Wright, Nigel
Subject: Today's target - for Fife too

@mikelecouteur: Senator Dennis Patterson, fleeing reporters, says he does live in Nunavut and he's complying with the committee audit #SenCa

Andrew MacDougall
Director of Communications | Directeur des communications PMO | CPM
613-957-5555
Twitter: @PMO_MacDougall

03000172

03000173

Wright, Nigel

From: Wright, Nigel
Sent: February 26, 2013 12:52 PM
To: van Hemmen, David; Woodcock, Chris; Rogers, Patrick
Subject: RE: Duffy
Marjory told me. I am beyond furious. This will all be repaid.

From: van Hemmen, David
Sent: February 26, 2013 11:28 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Subject: Duffy

Senator Tkachuk just called. He received an email from the Clerk, Gary O'Brien, apologizing and stating that Senator Duffy also charged meals (per diems) and taht the actual amount owed will be in the \$80 K range. He apologized for misleading us and has spoken to Chris M as well. Unbelievable.

David

03000174

03000175



Nigel Wright <nigel.s.wright@gmail.com>

Re: Deal

1 message

Nigel Wright <nigel.s.wright@gmail.com>

26 February 2013 21:16

To: Mike Duffy <mdduffy@aol.com>

I can't figure out why the RCMP would have anything to do with this - unless there is clear fraud, which I have never heard.

On 26 February 2013 21:14, <mdduffy@aol.com> wrote:

A news reporter (can't remember who) said tonight on tv that the libs want the rcmp to investigate senators. Maybe that's the holdup. I assume if that happens sens debane and zimmer will be on the rcmp list? Mike
Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

03000176

03000177

Wright, Nigel

From: Wright, Nigel
Sent: February 27, 2013 11:36 AM
To: 'Stewart Olsen, Carolyn'; Woodcock, Chris
Subject: RE: Letter to Duffy

Thank you Senator.

-----Original Message-----

From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
Sent: February 27, 2013 11:35 AM
To: Woodcock, Chris; Wright, Nigel
Subject: Letter to Duffy

Has been prepared and in front of us for review. Simply a total to be replayed. App \$90 thousand.

Also We (steering) are meeting with Marj and Cowan at 12:15today. Re plans for Tkachuk Statement in Senate - in house residency review results on Thursday (if it is ready). Will send a final for your review when we have it. I have asked that all recommendations be reviewed with possible outcomes as the focus - before going public.

Sent from my iPad

03000179

Wright, Nigel

From: Perrin, Benjamin
Sent: February 27, 2013 3:44 PM
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

Thanks.

From: Wright, Nigel
Sent: 2013-02-27 3:41 PM
To: Perrin, Benjamin
Cc: Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

It is.

From: Perrin, Benjamin
Sent: Wednesday, February 27, 2013 03:24 PM Eastern Standard Time
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

I recall that chain and made that point to her repeatedly. I just wanted to make sure that this large amount owing is okay.

From: Wright, Nigel
Sent: 2013-02-27 3:22 PM
To: Perrin, Benjamin
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

I am running into a meeting shortly so don't have time to find the email exchanges you and I had last week Ben, but her initial draft of points requested that the Committee give Mike a clean bill of health on all expense-related matters. My advice to you is that we make clear to them that neither we nor the Committee could make such a broad statement and that it would have to relate to that which we knew about, and which was in issue, which related to the claim of secondary residence.

From: Perrin, Benjamin
Sent: February 27, 2013 3:18 PM
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

PRIVILEGED

Nigel: before I get back to her, I was wondering what you meant by "We were unable to offer any assurances about any other past expenses" in this context.

Chris/Patrick: can you offer any insights on when the Deloitte letter is likely?

03000180

From: Wright, Nigel
Sent: 2013-02-27 2:34 PM
To: Perrin, Benjamin
Cc: Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

Well, there are really two parts to the answer. The first is that your exchange with Janice last week settled the point that his reimbursement of expenses related to claims that Kanata was not his primary residence would settle issues to date relating to his claims that Kanata was not his primary residence. We were unable to offer any assurances about any other past expenses. I think that we should be able to maintain this rather straightforward confirmation. As for it coming from Sen. Tkachuk, or the Committee, which is the second point, I believe that they will be receiving a draft letter from Deloitte very soon regarding Mike. It is my understanding that the letter will take the position that Deloitte's examination of those matters was rendered moot by Sen. Duffy's commitment to repay the related expenses. If the letter comes quite soon, then perhaps Sen. Duffy would wait to see it before submitting his cheque. I think he would be well-advised to make his repayment fairly promptly, but he could seek to ascertain through Chris or Patrick when the Deloitte letter regarding him is expected.

From: Perrin, Benjamin
Sent: February 27, 2013 11:47 AM
To: Wright, Nigel
Cc: Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy
Importance: High

SOLICITOR-CLIENT PRIVILEGE

How would you like me to respond?

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-02-27 11:35 AM
To: Perrin, Benjamin
Cc: Christine King
Subject: Senator Duffy

Good morning Benjamin.

I am attaching a letter that my client has just received from Senator Tkachuk. Please advise re next steps.

It is our view that Senator Duffy needs confirmation from Senator Tkachuk on behalf of the Internal Economy Committee that payment of this amount will fully resolve any concern about his expenses to date and that he will be withdrawn from the Deloitte audit. He needs this assurance prior to payment.

Coincidentally I have just had an email from Mr. Timm of Deloitte asking when I will be back to him about when Mr. Duffy will be providing a list of material that they have requested.

I am tied up between 12 and 2 but otherwise reachable today.

Regards,

Janice Payne
Lawyer/Avocate

03000181

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000182



February 27, 2013

The Honourable Michael Duffy, Senator
The Senate of Canada
Room 367-E, Center Block
Ottawa, Ontario
K1A 0A6

Dear Senator Duffy:

In response to your letter of February 22, in which you inform the Steering Committee of your intention to repay the housing allowance that has been paid to date, the detailed breakdown is as follows:

Fiscal Year	Amount Paid (\$)
2008-2009	6,268.15
2009-2010	19,959.65
2010-2011	17,989.04
2011-2012	19,989.58
2012-2013	17,126.12
Total Capital	81,332.54
Interest	\$8,839.70
Total amount	\$90,172.24

The Steering Committee has established the interest to be paid at a rate of prime plus 1%, to be calculated annually on March 31. Accordingly, the total interest portion of the repayment is \$8,839.70. To reiterate, as of February 26, 2013 interest plus capital represents a total of \$90,172.24.

Sincerely,

Hon. David Tkachuk, Chair

c.c.: Hon. George J. Furey
Hon. Carolyn Stewart-Olsen
Gary W. O'Brien

03000183

03000184

Wright, Nigel

From: Wright, Nigel
Sent: February 27, 2013 5:49 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris
Subject: Re: Urgent: Senator Duffy

I believe we can assert that the Committee will not purport to speak to residency for qualification purposes. My understanding is that it will report on the documents Senators provided.

From: Perrin, Benjamin
Sent: Wednesday, February 27, 2013 05:47 PM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel; Woodcock, Chris
Subject: Re: Urgent: Senator Duffy

Thanks. Patrick: what about the Committee mention in her email?

From: Rogers, Patrick
Sent: Wednesday, February 27, 2013 05:46 PM Eastern Standard Time
To: Wright, Nigel; Perrin, Benjamin; Woodcock, Chris
Subject: RE: Urgent: Senator Duffy

I agree. Our position on qualification requirements is the one thing we can be definitive about.

From: Wright, Nigel
Sent: 2013-02-27 5:45 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

The PM was definitive in QP today on qualification.

From: Perrin, Benjamin
Sent: Wednesday, February 27, 2013 05:42 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Subject: Urgent: Senator Duffy

See below. Patrick can you advise?

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Wednesday, February 27, 2013 05:18 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Senator Duffy

Are you able to update me on my message below?

Senator Duffy has been led to believe that the Committee on Internal Economy is expected to bring down a report on the residency requirements for Senators tomorrow. If so, this strikes us as the ideal time to address bullet #2 re no doubt about the fact that Senator Duffy meets all constitutional requirements to sit as PEI senator.

03000185

I look forward to hearing from you shortly.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Wednesday, February 27, 2013 11:47 AM
To: Janice Payne
Cc: Christine King
Subject: RE: Senator Duffy

Thanks, Janice. I will review and get back to you.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-02-27 11:35 AM
To: Perrin, Benjamin
Cc: Christine King
Subject: Senator Duffy

Good morning Benjamin.

I am attaching a letter that my client has just received from Senator Tkachuk. Please advise re next steps.

It is our view that Senator Duffy needs confirmation from Senator Tkachuk on behalf of the Internal Economy Committee that payment of this amount will fully resolve any concern about his expenses to date and that he will be withdrawn from the Deloitte audit. He needs this assurance prior to payment.

Coincidentally I have just had an email from Mr. Timm of Deloitte asking when I will be back to him about when Mr. Duffy will be providing a list of material that they have requested.

03000186

I am tied up between 12 and 2 but otherwise reachable today.

Regards,

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

03000187

03000188

Wright, Nigel

From: Perrin, Benjamin
Sent: February 27, 2013 5:58 PM
To: Woodcock, Chris; Rogers, Patrick; Wright, Nigel
Subject: Re: Urgent: Senator Duffy

Thanks. I have shared the quote in the meantime.

From: Woodcock, Chris
Sent: Wednesday, February 27, 2013 05:49 PM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel; Perrin, Benjamin
Subject: Re: Urgent: Senator Duffy

I've reached out to Tkachuk for an update but haven't heard back yet. Here is the quote:

Rt. Hon. Stephen Harper: Mr. Speaker, all Senators conform to the residency requirement, that's the basis on which they are appointed to the Senate. And those requirements have been clear for 150 years. We recognize, Mr. Speaker, there have to be reforms to the Senate, including limiting Senators' mandates and encouraging an elected Senate. Unfortunately, the NDP consistently oppose reforming the Senate and opposes an elected Senate so that it hopes in the future to appoint its own Senators. I would encourage the NDP to join with us and allow the bill to pass so we can have an elected Senate. (Applause) (voice of translator)

From: Rogers, Patrick
Sent: Wednesday, February 27, 2013 05:46 PM
To: Wright, Nigel; Perrin, Benjamin; Woodcock, Chris
Subject: RE: Urgent: Senator Duffy

I agree. Our position on qualification requirements is the one thing we can be definitive about.

From: Wright, Nigel
Sent: 2013-02-27 5:45 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Subject: Re: Urgent: Senator Duffy

The PM was definitive in QP today on qualification.

From: Perrin, Benjamin
Sent: Wednesday, February 27, 2013 05:42 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Subject: Urgent: Senator Duffy

See below. Patrick can you advise?

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Wednesday, February 27, 2013 05:18 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Senator Duffy

03000189

Are you able to update me on my message below?

Senator Duffy has been led to believe that the Committee on Internal Economy is expected to bring down a report on the residency requirements for Senators tomorrow. If so, this strikes us as the ideal time to address bullet #2 re no doubt about the fact that Senator Duffy meets all constitutional requirements to sit as PEI senator.

I look forward to hearing from you shortly.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Wednesday, February 27, 2013 11:47 AM
To: Janice Payne
Cc: Christine King
Subject: RE: Senator Duffy

Thanks, Janice. I will review and get back to you.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-02-27 11:35 AM
To: Perrin, Benjamin
Cc: Christine King
Subject: Senator Duffy

Good morning Benjamin.

I am attaching a letter that my client has just received from Senator Tkachuk. Please advise re next steps.

03000190

It is our view that Senator Duffy needs confirmation from Senator Tkachuk on behalf of the Internal Economy Committee that payment of this amount will fully resolve any concern about his expenses to date and that he will be withdrawn from the Deloitte audit. He needs this assurance prior to payment.

Coincidentally I have just had an email from Mr. Timm of Deloitte asking when I will be back to him about when Mr. Duffy will be providing a list of material that they have requested.

I am tied up between 12 and 2 but otherwise reachable today.

Regards,

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

03000191

03000192

Wright, Nigel

From: Woodcock, Chris
Sent: February 27, 2013 8:18 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

Understood and agree. I've sent the revised and will call to discuss this.

From: Wright, Nigel
Sent: Wednesday, February 27, 2013 08:15 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

OK, well we cannot have Duffy referred to a brand new subcommittee.

From: Woodcock, Chris
Sent: February 27, 2013 8:10 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I believe Mike stays with Deloitte until Deloitte determines that this issue was rendered moot by his decision to repay. I am still trying to reach Tkachuk on this question.

I noted the various subcommittees. I don't know which committee is which and intended to ask CS-O to sort that out. The "audit subcommittee" appears midway through the original draft with no introduction.

From: Wright, Nigel
Sent: February 27, 2013 8:07 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

Sure, but does Mike now go to some new special subcommittee? Why doesn't this one just settle him? Also, I didn't try to fix the references to different subcommittees in this report – but a total of three SUBcommittees are mentioned.

From: Woodcock, Chris
Sent: February 27, 2013 8:04 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I understood that they were treating Wallin as a separate matter, since it deals with travel and not secondary residence claims.

From: Wright, Nigel
Sent: Wednesday, February 27, 2013 07:58 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

have added a number of changes, including a sentence that they might gag on, but which satisfies what the PM has asked for. Am I to understand that Sen. Wallin is the one referred to a Deloitte audit and that Sens. Harb and Duffy are the ones referred to a special subcommittee? If so, what the heck? I thought

03000193

that there would be a report that Duffy has closed the question with respect to his primary residence by committing to reimburse the expenses that brought him within Internal Economy's jurisdiction?

From: Woodcock, Chris

Sent: February 27, 2013 7:26 PM

To: Woodcock, Chris; Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin

Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I have rewritten the report extensively in the attached version. I did not change the Committee's recommendations. CS-O informs me this is not final.

From: Woodcock, Chris

Sent: February 27, 2013 6:47 PM

To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin

Subject: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I just received this. The second paragraph is clearly problematic.

The PM mentioned to me that this report should say that all Senators are qualified to sit in the Senate on the basis of owning a residence.

At the very least i think the first paragraph should say "This report deals with residency questions for the purpose of eligibility to claim certain expenses. This matter in no way impacts senators eligibility to represent the region or province they represent in the Senate."

I will have more comments, but wanted to share with this group.

CW

03000194

Thursday, February 28, 2012

Draft - Confidential

The Audit Subcommittee of the Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

First Report

The Senate Internal Economy Committee is responsible for oversight of expenses incurred by Senators while they are doing their job. The Committee mandated the Subcommittee on Agenda and Procedure to examine issues surrounding Declarations of Residency for the purpose of submitting expenses. The Declaration of Residency is a rather recent instrument and applies only to the question of eligibility for submitting certain expenses. This matter in no way relates to Senators' constitutional eligibility to represent the province of appointment in the Senate since wholly different governing rules and principles apply and it appears to the Audit Subcommittee that all Senators meet the residency qualification to hold their seats.

On June 18, 1998, the Senate adopted a policy providing that Senators for whom being in the National Capital Region to carry out their parliamentary functions places them more than 100 kilometres from their registered primary residence, are on travel status while in the National Capital Region and may be reimbursed for eligible living expenses in the National Capital Region. This policy followed the recommendation of the 1998 Blais Commission to Review Allowances of Members of Parliament. It was patterned after a similar policy adopted by the House of Commons. Senators can claim a maximum of \$22,000 in such living expenses for the 2012-13 fiscal year.

To establish the primary residence of Senators claiming secondary residence expenses, the Audit Subcommittee of Internal Economy asked all Senators to submit copies of three documents: a driver's licence; a provincial health card; and relevant information on their income tax return, together with a signed statement of where they vote. The Audit Subcommittee also requested a review of Senators' travel patterns to their primary residences. It was felt that these five criteria would provide the Audit Committee of Internal Economy with

Deleted: the payment

Deleted: s

Deleted: u

Deleted: The Senate Internal Economy Committee is responsible for the payment of expenses incurred by Senators while they are doing their job.

Deleted: It is neither in our mandate nor our jurisdiction to make any findings on the constitutional question of residency. There has been some confusion on this matter. In the history of the Senate, the Declaration of Residency is a rather recent instrument and applies only to the question of submitting expenses. ¶

¶ It is the duty of senators to serve in Ottawa while at the same time being

Deleted: impacts the s

Deleted: .

Deleted: a resident of the province or territory for which the senator is appointed. ¶

Deleted: that

Deleted: es

Deleted: s

Deleted: who come to Ottawa

Deleted: , and who are

Deleted: kilometres

Deleted: r

Deleted: Ottawa

Deleted: The budget set for this purpose for 2012-13 is

Deleted: Media reports in December 2012 identified three senators whose use of secondary residence expenses was questionable. With the approval of the Internal Economy Committee, the Subcommittee on Agenda and Procedure (Steering Committee) referred two claims to a special subcommittee of internal economy chaired by Senator Beth Marshall and the third was referred to external auditors at Deloitte. ¶ Subsequently t

Deleted: Audit

Deleted: s

Deleted: s

Deleted: s

Deleted: s

Deleted: Committee

03000195

the information necessary to establish each Senator's primary residence for the particular purposes of the policy noted above.

Deleted: a

Deleted: s

Deleted: .

Deleted: Providing a Senator has to travel more than 100 km from the NCR to their primary residence he or she is eligible to claim a secondary residence.

The results of the review of the documentation that was submitted is as follows:

- All 98 Senators responded to the request for information. There were five vacancies and two pending retirements when the requests were sent.
- 95 Senators satisfied the Subcommittee that their residency situation for the purposes of the noted policy was not in question.
- The Committee interviewed two Senators to obtain additional information. Following these interviews, media reports suggested, incorrectly, that the residency status of Senator Patterson was in question. Senator Patterson satisfied the Committee that his primary residence is in Nunavut. The other Senator also met the requirements.
- The primary residence of three Senators remains in question. The Subcommittee has referred two claims to a special subcommittee of Internal Economy chaired by Senator Beth Marshal and the third was referred to external auditors at Deloitte.

Formatted: Bullets and Numbering

Deleted: a

Formatted: Indent: Left: 0.25"

Deleted: i

Deleted: e

In order to improve stewardship of Senate operations with respect to primary and secondary declarations, your Subcommittee makes the following recommendations:

Deleted: Leaders Lebreton and Cowan agreed with the steering committee that if a senator met all four indicators supported by travel documentation they were deemed to have been interviewed. This resulted in two Senators being interviewed. Both explained to the satisfaction of the interviewers that their residency situation was not in question. ¶ As a result of this process no other Senators were referred to Deloitte ¶ It is clear that almost all senators understand the declaration of primary residence. ¶

1. That accompanying his or her Primary Residence Declaration each Senator furnish a health card and the relevant page of his or her income tax form each and every time the Declaration is signed. This Declaration is signed annually.
2. That Internal Economy instruct management to standardize terminology in the Senate's policy instruments.
3. That the Senators' Travel Policy be reviewed to ensure concordance with rules regarding primary residence declarations.

Deleted: -C

Deleted: their

Deleted: s

Deleted: their

Deleted: t

Deleted: ;

Deleted: ¶

¶

Deleted: t

Deleted: comply with

Deleted: ; and

Respectfully submitted,

David Tkachuk

03000196

Chair

Deleted: 1

03000197

03000198

Wright, Nigel

From: Wright, Nigel
Sent: February 27, 2013 9:56 PM
To: Woodcock, Chris; Rogers, Patrick
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx
Thank you Chris.

From: Woodcock, Chris
Sent: February 27, 2013 9:55 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

Talked to Tkachuk. He is meeting Deloitte tomorrow.

This was indeed a raucous meeting.

He initially described the report we saw as an "interim report." He didn't object to any of our changes. He says the ongoing audit would be followup to the recommendations in the report he wants to table tomorrow. This work would include rule changes and procedures, but would not include additional digging into senators.

I objected to the word "interim" and said they need to position this as the Committee's (only) report on senators' residency for expense purposes. They need to close the book on individual senators (with the exception of the external audits as already understood). The committee will followup on the recommendations, but this report can't be step one of many. He has committed to this and to showing me any changes they want to make to the report before it is adopted.

I believe the dispute tonight involved the Senate Administration arguing that LeBreton and Cowan asked for an "audit" and that the report can't be called a full audit. I think we need more detail on exactly what kind of additional work they are planning.

I am at wits end with the drama and agendas at play in the chamber of sober second thought.

From: Wright, Nigel
Sent: Wednesday, February 27, 2013 09:19 PM
To: Woodcock, Chris; Rogers, Patrick
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

FHS

From: Woodcock, Chris
Sent: February 27, 2013 9:17 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

The subcommittee met tonight. Apparently the Clerk and a staffer who wrote the initial audit succeeded in forcing the committee (on which we have a majority) to decide that the report to be issued tomorrow is just a draft but that the audit will continue. I told CS-O this is out of the question.

03000199

Apparently the clerk and staffer threatened legal action if the full original audit/report was not released. Our members felt the staffer would leak the report.

They are meeting again at 8am. Calling Tkachuk now.

From: Wright, Nigel
Sent: Wednesday, February 27, 2013 08:15 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

OK, well we cannot have Duffy referred to a brand new subcommittee.

From: Woodcock, Chris
Sent: February 27, 2013 8:10 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I believe Mike stays with Deloitte until Deloitte determines that this issue was rendered moot by his decision to repay. I am still trying to reach Tkachuk on this question.

I noted the various subcommittees. I don't know which committee is which and intended to ask CS-O to sort that out. The "audit subcommittee" appears midway through the original draft with no introduction.

From: Wright, Nigel
Sent: February 27, 2013 8:07 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

Sure, but does Mike now go to some new special subcommittee? Why doesn't this one just settle him? Also, I didn't try to fix the references to different subcommittees in this report – but a total of three SUBcommittees are mentioned.

From: Woodcock, Chris
Sent: February 27, 2013 8:04 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I understood that they were treating Wallin as a separate matter, since it deals with travel and not secondary residence claims.

From: Wright, Nigel
Sent: Wednesday, February 27, 2013 07:58 PM
To: Woodcock, Chris; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I have added a number of changes, including a sentence that they might gag on, but which satisfies what the PM has asked for. Am I to understand that Sen. Wallin is the one referred to a Deloitte audit and that Sens. Harb and Duffy are the ones referred to a special subcommittee? If so, what the heck? I thought that there would be a report that Duffy has closed the question with respect to his primary residence by committing to reimburse the expenses that brought him within Internal Economy's jurisdiction?

03000200

From: Woodcock, Chris
Sent: February 27, 2013 7:26 PM
To: Woodcock, Chris; Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: RE: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I have rewritten the report extensively in the attached version. I did not change the Committee's recommendations. CS-O informs me this is not final.

From: Woodcock, Chris
Sent: February 27, 2013 6:47 PM
To: Wright, Nigel; Rogers, Patrick; Novak, Ray; Perrin, Benjamin
Subject: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx

I just received this. The second paragraph is clearly problematic.

The PM mentioned to me that this report should say that all Senators are qualified to sit in the Senate on the basis of owning a residence.

At the very least i think the first paragraph should say "This report deals with residency questions for the purpose of eligibility to claim certain expenses. This matter in no way impacts senators eligibility to represent the region or province they represent in the Senate."

I will have more comments, but wanted to share with this group.

CW

03000201

03000202

Wright, Nigel

From: Wright, Nigel
Sent: February 28, 2013 9:55 AM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Subject: RE: QP Closed Captioning Transcript - 2013-02-27

I foresee the Deloitte statement being made in the report it provides to the Senate subcommittee and then, on that basis, Sen. Tkachuk on behalf of the Subcommittee would inform Sen. Duffy. That said, we are not in total control of how that Subcommittee does its work, so we should not over-commit on modalities at this stage. As I said before in these email exchanges, if I were Sen. Duffy I would not release my cheque until I have seen something from the Subcommittee on that.

From: Perrin, Benjamin
Sent: February 28, 2013 9:22 AM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Subject: RE: QP Closed Captioning Transcript - 2013-02-27

SOLICITOR-CLIENT PRIVILEGE

Janice and I spoke. She seemed satisfied and will send information for wiring the funds.

Patrick/Rogers: she will follow-up with me later today on status re: the Deloitte audit being moot. Would that letter come from Deloitte or Sen. T? Obviously, the preference would be for such a letter to be obtained prior to payment, but if that will happen only after payment, we need to know. At any rate, that was a key point in the understanding we have with Senator Duffy.

From: Wright, Nigel
Sent: 2013-02-27 8:14 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick
Subject: RE: QP Closed Captioning Transcript - 2013-02-27

Ben, I do find this frustrating. There is a letter from the Subcommittee stating precisely what expenses are owed relating to the primary residence claim. Once those are paid, the Subcommittee can scarcely say that it got its amount wrong and needs more. Does Janice truly understand that if Mike has improperly charged for travel on Senate business when no Senate business actually took place that we cannot now say to him that those expenses are in order?

Withdrawal of Deloitte is as we noted earlier – I agree that the Subcommittee has to do its work on that. Chris and Patrick are following the status of that. By “the \$ arrangements”, I will arrange for the amount to be wired to Janice Payne in trust. Presumably Mike knows or can find out how to remit the proper amount to the Senate?

From: Perrin, Benjamin
Sent: February 27, 2013 8:09 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick
Subject: Fw: QP Closed Captioning Transcript - 2013-02-27

Privileged

See below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]

03000203

Sent: Wednesday, February 27, 2013 07:53 PM Eastern Standard Time
To: Perrin, Benjamin
Subject: Re: QP Closed Captioning Transcript - 2013-02-27

Essentially we need confirmation expenses are in order, withdrawal from Deloitte and the \$ arrangements.

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Wednesday, February 27, 2013 07:32 PM
To: Janice Payne
Subject: Re: QP Closed Captioning Transcript - 2013-02-27

Privileged

Can you clarify what you are precisely looking for from us at this time? I understand that the process is underway.

From: Perrin, Benjamin
Sent: Wednesday, February 27, 2013 07:15 PM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Re: QP Closed Captioning Transcript - 2013-02-27

We are looking into it.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Wednesday, February 27, 2013 06:33 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: QP Closed Captioning Transcript - 2013-02-27

Thank you for this. When can I expect a response on the other outstanding matters noted in my email earlier today?

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended

03000204

recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Wednesday, February 27, 2013 5:49 PM
To: Janice Payne
Subject: Fw: QP Closed Captioning Transcript - 2013-02-27

See below where the PM clearly states the Government's position on the constitutional Senate residency issue.

From: Fecteau Labbé, Simon
Sent: Wednesday, February 27, 2013 03:31 PM Eastern Standard Time
Subject: QP Closed Captioning Transcript - 2013-02-27

Question Period

Today

Updated Mon. - Thurs. at 4:30 p.m. and Fri. at 12:45 p.m.

***For an official transcript, please consult the Hansard located on the Parliamentary website.
 Pour obtenir une transcription officielle, veuillez consulter le hansard sur le site web parlementaire.***

2013-02-27

*Transcript provided courtesy of the Privy Council Office. Please note that this transcript is produced via the closed captioning provided by CPAC and is available in English only. Disclaimer

Thomas Mulcair: Mr. Speaker, over the past few days, I've had the opportunity to meet with several native leaders who are greatly concerned by Conservative cuts in First Nations police services. The Prime Minister is trampling on treaty rights. He has decreased the Canadian responsibility towards First Nations. These communities must be able to count on quality police services. Will the Prime Minister respect Canada's obligations, the crown's obligations towards First Nations or will he continue to cut First Nations police services?

The speaker: The right honourable the Prime Minister.

Rt. Hon. Stephen Harper: That statement is completely false. We did not cut any services. On the contrary, Mr. Speaker. As we have already indicated, we will announce shortly our position with regard to those services and the funding of those services.

The speaker: The honourable leader of the opposition. (End of translation)

03000205

Thomas Mulcair: an independent judiciary is fundamental to the rule of law. The Minister of finance has been caught illegally lobbying an independent tribunal. The Prime Minister says it's just an administrative error. A letterhead malfunction but the finance Minister wasn't using his title and signature on behalf of a constituent from Oshawa. He was lobbying in his role as Minister on behalf of a Conservative donor from north York. Can the Prime Minister explain how an administrative error leads a senior cabinet member to lobby illegally on behalf of a Conservative party donor? (Applause)

The speaker: The right honourable Prime Minister.

Rt. Hon. Stephen Harper: Mr. Speaker, of course I've already answered this question, and I think the circumstances speak for themselves. As I will say once again that the Minister of finance has been doing a tremendous job for Canadians and is widely viewed around the world as the best finance Minister... (Applause)

The speaker: The honourable leader of the opposition.

Thomas Mulcair: Mr. Speaker, he still hasn't answered the question. 16 Conservative Senators, Mr. Speaker, 16 Conservative Senators are still refusing to provide evidence that they actually live in the provinces they're supposed to represent. 15 Of those were appointed by this Prime Minister. In their 8th year of broken promises, this is the Conservative record on Senate reform. Will the Prime Minister demand that his Senators, members of his caucus, come clean with Canadians or is he going to keep covering up for them? (Applause)

The speaker: The right honourable Prime Minister.

Rt. Hon. Stephen Harper: Mr. Speaker, all Senators conform to the residency requirement, that's the basis on which they are appointed to the Senate. And those requirements have been clear for 150 years. We recognize, Mr. Speaker, there have to be reforms to the Senate, including limiting Senators' mandates and encouraging an elected Senate. Unfortunately, the NDP consistently oppose reforming the Senate and opposes an elected Senate so that it hopes in the future to appoint its own Senators. I would encourage the NDP to join with us and allow the bill to pass so we can have an elected Senate. (Applause) (voice of translator)

The speaker: The honourable member for hull.

Nycole Turmel (NDP): Where is the reform Senate bill? We're still waiting for it. It's been a year now. Mr. Speaker, documents from the human resources department prove that the Minister misled the house but that's not the end of the quota story. New revelations indicate that e.I. Inspectors are evaluated on a weekly basis and that they are warmly congratulated if they cut \$2,500 at a time. It even appears they get performance bonuses. The way this department is run is disgusting. Will the Minister immediately stop her reform? (Applause)

the speaker: The right honourable the Prime Minister.

Rt. Hon. Stephen Harper: The Senate reform bill is bill c-7, so since we have arrived at power, we have introduced this bill 17 times. The NDP has blocked the bill, so I would encourage unanimous consent of the chamber to adopt the bill today. (Applause)

the speaker: The honourable member for hull-aylmer.

Nycole Turmel (NDP): Mr. Speaker, let's leave job seekers alone. Rather, let's go after fraudsters in the Senate. Everybody knows that quotas and objectives are the same thing. Everybody knows that regional economies are in a vulnerable situation because of the botched reform. Seasonal industry workers do not deserve to be treated with the disdain shown by Conservatives. The Minister has heard from mayors, reeves, and workers who have implored her to end her dangerous experience. When will she listen to them?

The speaker: The honourable Minister for human resources.

Diane Finley: Mr. Speaker, we are working to ensure that employment insurance is there for people who play by the rules and who contribute to the system. Mr. Speaker, first-line staff and managers at service Canada who are unionized do not receive any bonuses. The pay for the integrity officers is no different from pay given to the executive level employees elsewhere in the public service.

the speaker: Honourable member for Toronto centre. (Voice of translator)

Bob Rae: Mr. Speaker, regarding the response of the Minister, can the Prime Minister confirm that there are bonus systems in place in the department that these employees receive bonuses if they get recover or cut benefits, e.I. Benefits? Does the government not recognize that they are doing things which have no precedent, the chamber of commerce and many other people are against the government's proposals, Mr. Speaker.

The speaker: The right honourable the Prime Minister.

Rt. Hon. Stephen Harper: Mr. Speaker, it is important, it is essential, that unemployed workers who have paid into the e.I. Fund have the ability to receive benefits when they need them. Of course, Mr. Speaker, when illegal or inappropriate payments have been made, it is essential to detect them. As for the nature of pay or compensation in the public service, in all departments, some managers get performance pay and this is the same in every department. (End of translation)

the speaker: The honourable member for Toronto centre. (Voice of translator)

Bob Rae: the Prime Minister has just confirmed what we have been saying for three days, that is, employees get incentive-based pay. It is based on the money they get from the unemployed Canadians. This is unacceptable. Does the Prime Minister not recognize something else, that in Canada's regional economies, in Canada's provinces, what the government is doing is down shifting the burden and the debt and the economic crisis of the federal level down on to the backs of the provinces and the provinces ultimately will have to pay more in welfare payments? (End of translation)

the speaker: The right honourable Prime Minister. (Voice of translator).

Rt. Hon. Stephen Harper: That is absolutely, absolutely not true, it is contrary to what is happening. Employment insurance is there for people who have lost their jobs. For people who need these benefits. Our actions and the actions of our employees are there to ensure that the e.I. Fund is being used the way it is supposed to be use, that is, for workers that have contributed premiums into the fund. (End of translation)

the speaker: Honourable member for Toronto centre.

Bob Rae: Mr. Speaker, there are two ways in which the government is passing the burden on from the

federal government to the provinces. It's very clear -- it's very clear how it's being done. It's very clear what the impact is. It's very clear that all you're doing is creating a greater demand for social assistance and a greater demand for welfare at the same time as the government cuts its employment insurance. That's exactly what the government --

the speaker: Order. Order. Order. There's far too much noise going on. The honourable member for Toronto centre has the floor. I'm having difficulty hearing the question. The honourable member for Toronto centre.

Bob Rae: I seem to have stirred up the other side, Mr. Speaker. That's fine. They need waking up. But what is taking place is not only an affront to the workers, it's not only an affront to the chambers of commerce, it's not only an affront to business groups and others which are now coming forward, it's an affront to the nature of the federation itself. All the government is doing is saving money on the backs of the provinces and on the backs of working people.

The speaker: The right honourable Prime Minister.

Rt. Hon. Stephen Harper: Well, Mr. Speaker, absolutely nothing could be farther from the truth. We ensure in our system that when the unemployed, when people have paid into the system, they cannot find jobs in their area that correspond to their abilities, that employment insurance will be there for them. That is precisely what we're doing. We're also making greater efforts to help the unemployed to be able to get jobs when jobs are available and, of course, Mr. Speaker, we're making sure there are not inappropriate payments from the fund taken from workers who paid legitimately into that fund, we're making sure it goes to workers and the unemployed who legitimately need it.

The speaker: The honourable leader of the opposition.

Thomas Mulcair: Mr. Speaker, a few minutes ago, the Prime Minister turned around to his house leader to get information on bill c-7. He might have looked at the wrong date because it was indeed on February 27th that this bill was last debated but that's today, you see, it was one year ago today that we actually debated this bill for the last time. They have done nothing in the meantime. Prime Minister wants unanimous consent. Here it is. Start working with the provinces and territories to abolish the Senate. You'll get unanimous consent from us. (Applause)

The speaker: Order. Order. The right honourable Prime Minister.

Rt. Hon. Stephen Harper: Of course, Mr. Speaker, here's the dodge from the leader of the NDP. He doesn't want to have an elected Senate so he tries to turn it over, say get the provinces to do it, so he can hide behind the various premiers, Mr. Speaker, knowing that that isn't going to happen. The reality is this, Mr. Speaker, we know that what he really wants, the reason the NDP has 17 times in this house blocked this piece of legislation is because they don't want elected Senators, because they want to appoint their own. But guess what, Mr. Speaker, the people of Canada are never going to give them that chance. (Cheering and applause)

the speaker: Order. Order. (Voice of translator) the honourable member for trois-rivieres.

Robert Aubin (NDP): Thank you, Mr. Speaker.

The speaker: The honourable member for trois-rivieres.

Robert Aubin (NDP): Thank you, Mr. Speaker. Canadians expect from their federal government that it fully assume its responsibilities in the area of transportation security and that it protect Canadians with the highest safety standards. Unfortunately, the security budget for airline travel, for instance, will go down by \$17 million and marine and rail security budgets will also be cut as investigations on the Burlington derailment and on the miss ally fishing vessel are still ongoing, why are Conservatives cutting programs designed to prevent this kind of accident?

The speaker: Honourable Minister for transportation.

Denis Lebel: Mr. Speaker, we are maintaining our essential services, and we have not cut any front-line inspectors. None have been cut. In fact, we are improving airline security, the number of airline accidents has gone down by 25% since 2007, train derailments have gone down by 37%, Mr. Speaker. These are excellent results, and we will continue to rigorously ensure transportation safety. (End of translation)

Olivia Chow (NDP): the Conservative planned cuts will make travelers less safe. In the air, on the water, or riding the rails. The Minister has repeatedly ignored recommendations from the transportation safety board. He just won't implement their recommendations. And they're cutting transport Canada's budget by almost 3%. 30%. Mr. Speaker, Canadians are travelling more than ever so how can the Minister possibly justify these drastic cuts to transportation safety?

The speaker: The honourable Minister of transport.

Denis Lebel: Mr. Speaker, we maintain our core function, and we have not cut any front-line safety inspectors. The reality is we have improved safety travelers. The number of aviation accidents fell by 25% since 2000. And while air travel increased significantly, and since 2007, train accident decrease by 23% and train derailment decrease by 27%.

Malcolm Allen (NDP): Mr. Speaker, making up stories doesn't change the facts. They have cut services to Canadians while increasing -- where do they increase the spending? In the Senate, of course. In the spending plans they tabled yesterday, Mr. Speaker, we learned of more cuts to food safety. This is the same government that brought us the largest meat recall in Canadian history. Reduced meat inspections, ignored compliance orders, and increased self-regulation, why are they gambling with Canadians' health and why are these wreckless cuts coming to Canada's food safety system?

The speaker: The honourable Minister of agriculture.

Gerry Ritz: Of course, Mr. Speaker, absolutely none of that die a tribe is true. It's well-known the main estimates don't include department total budgets for the year. That's why they're called estimates, Mr. Speaker. The member opposite should know that. There are supplementary estimates throughout the year that continue to build the capacity for cfia and other departments to do the job that Canadians require of them.

The speaker: The honourable member for parkdale-high park. (Voice of translator)

Peggy Nash (NDP): Mr. Speaker, they are cutting food security but increasing the budget of the Senate. They are cutting a billion dollars from the infrastructure budget but they are increasing the budget of the department of propaganda. Not to mention the fact that via rail's budget will be cut by half. There's more money for friends of the party and for advertising and less money for services to Canadians. Are the main estimates for a taste of what we can expect in the next budget?

The speaker: The honourable president of the treasury board. (End of translation)

Tony Clement: -- already indicated and as the honourable members should know and do know, the estimates are not the budget. The estimates are a base line that is used to -- for planning purposes. The budget is the budget. And of course we will continue to fulfill our responsibilities when it comes to health and safety and the core programs of the federal government. We will continue to build jobs, opportunity and economic prosperity for our country. That is what the budget is about. And we will continue to stand with Canadians.

The speaker: The honourable member for parkdale-high park.

Peggy Nash (NDP): Well, for a refreshing change, let's look at the facts. Conservatives are cutting services that Canadians rely on and spending more on the Senate. Infrastructure spending is down almost 25%. While our communities face crumbling roads and bridges. And while the rest of the world invests in rail, Conservatives are cutting via rail in half. Will the next budget be more of the same, more money for Senate cronies, more money for well-connected friends, and less for the services and safety programs that Canadians rely on?

The speaker: The honourable Minister of transport. (Voice of translator)

Denis Lebel: Mr. Speaker, as I said previously, we cut no front-line inspector. When it comes to transportation of this country, our history. We're investing where it is important, and the infrastructure program as announced shows that it will go from 2007 until the forecast and there are no cuts, so, Mr. Speaker, never has the government invested as much in the infrastructures of this country.

The speaker: The honourable member.

Anne-Marie Day (NDP): Through budget choices consist in thanking the party friends and cutting services to Canadians. The Minister's attacks against the unemployed or rather against job seekers are as arrogant as they are incompetent. The Minister has not consulted groups of unemployed, provinces or seasonal industries. The Minister has not even -- did not even do an impact study. A government which makes changes without knowing what the impacts will be is an amateur and Conservative government. Why has the Minister not done her homework before implementing her reform?

The speaker: The honourable Minister for human resources.

Diane Finley: Mr. Speaker, the main objective of our government is the economy and job creation as well as long-term prosperity. In order to achieve these goals, we need to match workers with jobs, with employers. We need to support people, though, who, through no fault of their own, lose their jobs, and that's why the e.I. System is there. That is why we are conducting these reforms, to help people get back to work with the skills they need.

The speaker: The honourable member.

Philip Toone (NDP): Mr. Speaker, the question was on the impact of e.I. Reform but the Minister has confirmed that she did not do her homework and the ideological attack against e.I. Is not only hypocritical but it's bad public policy. Experts agree, a poll of economists reveal that most of them believe that e.I. Reforms will not bring down unemployment. Three quarters of them are against the aggressive measures imposed by Conservatives. Why are Conservatives not listening to the experts instead of attacking seasonal workers?

The speaker: The honourable Minister.

Diane Finley: Mr. Speaker, let's be clear. For seasonal workers, if there is no work in their region, in their field, e.I. Will be there for them as always. But, Mr. Speaker, there is a lack of workers, a lack of skilled workers everywhere in this country, and that's why we have widened the job alert system and our supports for the unemployed, to help match them with available jobs. (End of translation)

The speaker: The honourable member.

Chris Charlton (NDP): Mr. Speaker, today seasonal workers showed up at the Minister's door to tell her exactly what they think of her short sighted cuts to e.I. When I look out at them in Ottawa here today, I don't see fraudsters and cheats. I see honest, hard-working seasonal workers who want the Minister to complain why she's coming after them. I see workers from seasonal industries threatened by politically-driven Conservative cuts. When will the Minister call off her witch hunt, cancel her unfair cuts, and finally start listening to the industries, provinces, and people affected? (Applause)

The speaker: The honourable Minister of human resources.

Diane Finley: Mr. Speaker, we do know that Canadians want to work. And that's why we've expanded the e.I. System to help them find the jobs that are available within their skill sets in their geographic area. Mr. Speaker, we do have a shortage of skills and labour in this country, many parts of it, and that's why we're working hard to connect those who have lost their jobs through no fault of their own with the jobs that are there for them. If jobs are not available in their local area, then employment insurance will be there for those people and their families as it always has been.

The speaker: Honourable member for York west.

Judy Sgro (LPC): Mr. Speaker, we all know the Prime Minister's view that seniors should work longer and harder to qualify for their old age pension. But seniors want it know why they're being forced to take on more debt because the government is unwilling to help them. Conservatives waste millions of dollars to advertise its so-called economic action plan, but offers only cuts for working-class families and seniors. Why does the Conservative vision for prosperity and success exclude Canada's seniors?

The speaker: The honourable Minister of state for seniors.

Alice Wong: Mr. Speaker, when it comes to seniors' poverty, our government has a record we can be proud of. Canada has one of the lowest senior poverty rates in the world thanks in part to actions which include removing hundreds of thousands of seniors from the tax rolls completely, making significant investment in affordable housing for low-income seniors and introducing the largest increase in a quarter century. Mr. Speaker, Canadians know they can count on our government to deliver for seniors.

The speaker: The honourable member for Charlottetown.

Sean Casey (LPC): Mr. Speaker, yesterday, the treasury board Minister, a man deeply committed to wasting taxpayers' money, advocated spending tens of millions of dollars on advertising in order to tell Canadians what a great job they're doing unravelling Canada's social safety net. Meanwhile, his friend, the Minister of veterans' affairs, is cutting funding for veterans' funerals as the propaganda budget grows. Why do Conservatives choose propaganda over the dignity of a veteran's funeral?

The speaker: The honourable Minister of veterans affairs.

03000211

Steven Blaney: Well, Mr. Speaker, contrary to the Liberal who have cut the programs and benefits to veterans, let me assure you that we are bringing investment to our veterans at record level. And regarding precisely the funeral and burial program, don't take my word for it, but listen to this. These measures were adopted to ensure that the delivery of the funeral and burial program for our veterans remains at its present level of quality. Who said that? The last -- ten months ago.

The speaker: The honourable member for kings-hants.

Scott Brison (LPC): Mr. Speaker, the Martin government spent \$45 million a year on advertising, which is half what the current Conservative --

The speaker: Order. Order. The honourable member for kings-hants has the floor. I'd like to hear the question. The honourable member for kings-hants.

Scott Brison (LPC): Mr. Speaker, the Martin government spent less than half what this Conservative government is spending on advertising every year. I know that because I was Minister responsible and the Conservatives should know that because it's in their own government advertising report. So why is the treasury board Minister repeating, as he did yesterday, misinformation in this house? Is it because he doesn't know his files or is he trying to mislead Canadians?

The speaker: The honourable president of the treasury board.

Tony Clement: Well, Mr. Speaker, I know it was a long time in the distant past when he was in government, Mr. Speaker, but the facts do speak for themselves, \$111 million in their last year, we're spending tens of millions of dollars less. And in fact I remember when that particular fox king-hant's was in charge of the hen house, they were spending tens of millions of dollars more on advertising, he was up in this house saying wait for gomery, when we questioned their advertising budget, he said wait for gomery, we waited and we still want to know, where's the 40 million bucks! (Cheering and applause)

the speaker: Order. Order. Order. The honourable member for timmins-James bay.

Charlie Angus (NDP): Well, speaking of gomery, yesterday, Senator Patterson of no fixed address was the latest Senator caught doing the mike Duffy shuffle out the back door. Seems you can't turn on a TV without catching a Senator running from accountability. So much for reform. We now have 17 Senators reviewed to see if they're eligible to be in the Senate, 15 personally appointed by this Prime Minister. So how many are under investigation, how much money have they had to pay back, are there going to be consequences for ripping off the taxpayers and will the Conservatives stop defending the entitlements of these Senators?

The speaker: Order. Order. The honourable parliamentary secretary to the Minister of transport.

Pierre Poilievre (CPC): Mr. Speaker, because that question has already been answered let me take occasion to celebrate some non-fiction Canadian literature. I'm reading a page turner filled with political intrigue, back-room dirty deals, and blatant hypocrisy and the starring character is the member for Timmins. The title is the independent electoral boundary commission for Ontario. And it says of him, this was the first hint of what the commission considers to be inappropriate involvement by the member of parliament in electoral redistribution process. Let him explain that. (Cheering and applause)

The speaker: Order. Order. The honourable member for timmins-James bay.

03000212

Charlie Angus (NDP): Well, Mr. Speaker, trying to stone me --

The speaker: Order. Order. The honourable member for timmins-James bay has the floor. We need a little bit of order. Honourable member for timmins-James bay.

Charlie Angus (NDP): Well, Mr. Speaker, trying to stone me to death with popcorn doesn't change the fact that it's their Senators under investigation, Canadians are fed up. An arrest warrant has now been issued for Arthur porter, charged with fraud, conspiracy to commit fraud, fraud against government, breach of trust, money laundering. Mr. Porter was personally chosen by this Prime Minister to be the chair of the security intelligence review committee. So what's with that? When will the government come clean about their relationship with Mr. Porter?

The speaker: The honourable parliamentary secretary.

Pierre Poilievre (CPC): By lecturing on ethics that member is making great progress in his effort to make the world a safer place for hypocrisy. I read right here from this report that says of him, this was the first hint of what the commission considers to be inappropriate involvement by a member of parliament in the electoral redistribution process. Mr. Speaker, it's clear that Charlie's no angel. (Laughter) (applause)

The speaker: Order. Order. The parliamentary secretary knows -- order. Order. The parliamentary secretary knows he can't use proper names but we refer to each other by their riding or title. We also need to stay away from some of the connotations that he may have been employing.

The speaker: the honourable member.

Eve Pelet (NDP): Another partisan appointment. Another friend of the Conservative party. Another friend of the Prime Minister who's in hot water. But for whom the Conservatives refuse to accept responsibility over these antics, like Brazeau, Wallin, Duffy in the Senate, porter was the Conservatives' man at CSIS. The Conservative party benefited from generous contributions from porter and they paid him back. But today, he's facing a host of charges for his involvement in one of the biggest scandals, corruption scandals, in Canadian history. When will the Conservatives admit that they showed a lack of judgment when they appointed porter to CSIS?

The speaker: The honourable Minister.

Vic Toews: Mr. Porter submitted his resignation, it was accepted almost two years ago, but the leaders of the NDP and the Liberal party were consulted prior to his appointment, and they consented to the appointment. The allegations that Mr. Porter is facing do not have anything to do with his former responsibilities.

The speaker: The honourable member.

Eve Pelet (NDP): It's always easy for them to accuse people looking for a job to be fraudsters but it's complicated for them to admit that the fraudsters are in their own party. Oh, and that reminds me, I want to get back to the Senate. Despite the revelations that are coming up with respect to the residency scandal, travel costs, et cetera, the Conservatives are continuing to defend their Senators tooth and nail. 15 Of them appointed by this Prime Minister and paid out of public funds to raise partisan funds are refusing to say where they live. How much money did Pamela Wallin reimburse? When did the Prime Minister learn about it? And what are the consequences?

The speaker: The honourable government house leader. (End of translation)

Peter Van Loan: Mr. Speaker, our government introduced a concrete proposal to allow Canadians to make the Senate truly accountable by choosing who represents them in the Senate. And what has happened when we've had that bill debated in the house? Blocked 17 times by NDP members of parliament, including, for example, the member for there, and what should they say, that member said, the bill the Conservative government has introduced is a travesty of democratic reform and an affront to Canadians' intelligence, an affront to Canadians' intelligence. That's what the NDP gets a standing ovation for. (Applause)

The speaker: Order. Order. I've asked members before to wait until the response is finished before they start their applause. I don't think the Minister quite finished his response... (Mixed talking) we'll have to look at getting rid of coffee at caucus meetings because today is not going as smoothly as other days. The honourable member for where.

Blake Richards (CPC): Under the leadership of our Conservative government, Canada has become a leader in a troubled economy. We have the lowest debt burden. Over 900,000 net new jobs since July of 2009. Not only that, but the IMF and the oecd forecast Canada to be among the fastest-growing g7 economies in the years ahead. Mr. Speaker, Canada is a model for the world. Can the parliamentary secretary share with this house the latest example of the recognition our economic leadership has received abroad?

The speaker: The honourable parliamentary secretary to the Minister of finance.

Shelly Glover (CPC): Thank you, Mr. Speaker. I want to thank the member from wildrose for the question. And Canada is indeed being recognized around the world. Here is what the ceo of sisco systems, a leading global enterprise, had to say about the economic leadership of our Conservative government, and I quote, the easiest place in the world to do business is Canada. Their Prime Minister gets it. They make it easy for me to invest and do acquisitions there. They have a great education program, and they have a great immigration policy. End quote. But Mr. Speaker, while our plan attracts investment and creates jobs for Canadians, the NDP will harm that with a 21 billion-dollar... (Applause)

The speaker: Order, please. (Voice of translator) the honourable member.

Guy Caron (NDP): Mr. Speaker, the Minister of human resources misled the house by denying the existence of e.I. Quotas and she continues to do so, by repeating ad nauseum that employment insurance will be there for people who need it, except she put an end to a pilot project that offered additional five weeks in regions where the unemployment rate is higher. She's also chopped another private project which is forcing workers to work longer hours to be eligible for a shorter benefit period, so many workers, in fact, who are in seasonal jobs will lose between one and three months of benefits without employment income. Employment insurance won't be there for them so will she apologize to the people who are victims of these changes?

The speaker: The honourable Minister.

Diane Finley: Mr. Speaker, we have said on several occasions that when we announced the additional five-week pilot project, that it was a temporary project. To go through the recession, the global recession. Times have changed, Mr. Speaker. And the system and we played changes to help unemployed people, to help them find jobs in their regions and in their area.

The speaker: The honourable member.

Jonathan Tremblay (NDP): That's ridiculous. For months and months now, workers, employers, and representatives of my region have been trying to meet with the Minister and get her to listen to reason. Gutting e.I. Will punish these people. She will also deprive industries of precious expertise and the cost of training and loss of productivity will be huge. Poem in my riding realize that the Conservatives want to empty out our regions. After months of pressure, will the Minister finally meet with regional representatives from these affected areas? Will she listen to them and act accordingly?

The speaker: The honourable Minister.

Diane Finley: Mr. Speaker, that is exactly what I've been doing for quite some time, Mr. Speaker. We have continued to work to help people, to connect them with jobs that are available. It's better for them, better for society, for the communities. It's a good thing, Mr. Speaker.

The speaker: The honourable member.

Francois Lapointe (NDP): They really need to be disconnected from seasonal industries. The Minister is incapable of admitting her reform is counterproductive for smes. She is inviting people who are unemployed in my riding to take out a row boat and row 31 kilometres to get somewhere for a job. She's ignoring what the Quebec tourism industry is calling for, i.E., That this reform be suspended. This is affecting many people. The Minister must live in a parallel universe if she thinks that gutting e.I. Is a good thing for workers. Will she put an end to this botched reform today?

Diane Finley: NO TEXT

Yvon Godin (NDP): she's really making fun of people. People have had enough. Will she immediately put an end to this bad reform? She doesn't care about people at all.

The speaker: Order. The honourable Minister of human resources.

Diane Finley: Mr. Speaker, let's be reasonable. The system is in place to help people when they're looking for another job. That is the truth. Mr. Speaker, for employers, employees, and unemployed people, we need for them to ensure, to verify, to look and see that the money is there to ensure that people who are receiving ei are eligible. Thank you, mr. Speaker.

Stephane Dion (NDP): Mr. Speaker, we've just heard the Minister talk about ei. Will she at least listen to entrepreneurs who are saying that the reform will have the opposite impact? It will hinder seasonal employment. Will she listen for the groups, the gaspe chamber of commerce among others, the chamber of commerce for Cartier, the tourism association, all of these associations, the tourism association of Charlebois --

The speaker: the honourable Minister of human resources.

Diane Finley: Mr. Speaker, we need to invest in the system to help employers to find jobs with the required skills. Dish inaudible. The interpreter cannot hear the Minister. We want to try to connect people to the jobs that are available and if those positions around available, yeah, I will be available. (End of translation).

Rodger Cuzner (LPC): Mr. Speaker, first the human resource Minister throws a net around the entire

community, stops payment to anyone receiving ei claimants and has people showing up at the RCMP Station. Now she's placed a bounty on unemployment workers making reluctant civil servants go out and do her dirty work. It's like a bad episode of dog the bounty hunter. When in Canada do we go from investigation to intimidation? When did we do that?

The speaker: The honourable Minister of human resources.

Diane Finley: Mr. Speaker, let's inject some truth into this discussion, shall we? Mr. Speaker, the employment insurance system is there to support people while they're looking for another job. There are responsibilities to be actively looking for another job. Mr. Speaker, ei is paid for by employers and employees and we as a government owe it to them to make sure that eligible people are receiving those benefits. That shows respect for all of them.

Alexandrine Latendresse (NDP): Mr. Speaker, the bill on bilingualism will be put to a vote tonight but it's unfortunate that the Conservatives have forgotten all about the importance of this and the NDP had to come back with a bill on. It but they're not the only ones who, in fact, in a moment of weakness can -- a guy who was supported by Trudeau doesn't speak a word of French. Account Conservatives ensure us that they will not delay the progress of C-419 in committee.

James Moore: Mr. Speaker, we will always seek people who are qualified for these positions, for qualifications where they're required to be bilingual. Which respect official languages and we have invested money over five years and we've seen success. Maurice Kenny says we need to achieve that result. We have the results. We have an approach, we have the policies and we will continue to protect the fact that there are two official languages here in the house and in the country.

Alexandrine Latendresse (NDP): Mr. Speaker, if the Conservatives were serious about their approach to protecting the French language, they have to show some accountability on the progress for this bill that - or on the project, rather, for studying French in federally regulated companies. The member promised the creation of a committee of where's the committee? It's now 2013. Who will sit on the committee and what will its mandate be?

James Moore: The committee can make its own decision. I'm sure that the Minister will do what is necessary to perfect -- to protect official languages. End end (resuming in English) our approach to respecting both official languages is something that we are very proud. Here is the president of the -- she says, quote, we salute this government's commitment and thank you. She's a spokesperson who has come out time and again recognizing our government's efforts to protect the French in this country.

Wai Young (CPC): Mr. Speaker, Canada's aerospace and space technologies are major contributors to our economy, providing good quality well-paying jobs to Canadians. Our government has a proven record of support and a report commissioned by our government. Mr. Emerson noted that the Canadian space industry is well positioned to take advantage of emerging opportunities to succeed commercially and to contribute to the public good. Canadians from coast to coast to coast are proud of these iconic national industries. The Minister of state for science and technology update the house on the latest developments in the space sector. Diagnose space sector.

Gary Goodyear: Thank you. I would like to thank the honourable member from Vancouver south for a relevant but tough question. It's true, Mr. Speaker. The Ministry of industry announced today, \$15.8 Million contract to McDonnell Whiler for a sophisticated mapping system demonstrating once again this government's commitment to Canada's space industry and to jobs, growth, and long-term prosperity of what would be very nice, Mr. Speaker, if the NDP would drop its political games and fear mongering agenda and help do something positive for Canadian industry.

The speaker: The honourable member for St. Paul.

Carolyn Bennett (LPC): Mr. Speaker, the facts are clear. Police forces are keeping their communities safer. Since 2004, violent crime down 19%. Homicides down 36%. Assaults down 20%. Alarmingly, this so-called law and order government is slashing \$15 million from the First Nations policing program. Will the Minister of public safety reassure First Nations today that the \$15 million of funding will be renewed before March 31st so they will not have to lay off the essential First Nations police.

The speaker: Honourable minister of public safety.

Vic Toews: The Prime Minister answered that question earlier in question period, but I find it interesting that this member is talking about improving safety for aboriginals, yet that member, her party opposes matrimonial real property rights for aboriginal women, tougher sentences for sexual assault, ending house arrest for serious crimes, tougher penalties for those who sell drugs to our children, and funding to keep young people out of gangs. We'll take no lesson from that party.

The speaker: The honourable member.

Ryan Cleary (NDP): Mr. Speaker, marine Atlantic ferry rates are increasing on April the 1st. The fee hikes spell trouble, damaging our crucial tourism industry. We just reached the \$1 billion mark, Mr. Speaker. The trucking industry has said they can't absorb the hike in commercial rates, higher costs will be passed on to consumers. The price of goods will most definitely increase of Mr. Speaker, why are the Conservatives pricing the ferries out of service and making life more expensive for Newfoundlanders and Labradorians?

The speaker: The honourable Minister for.

Steven Fletcher: I thank the member for this question. This is actually the first question since the 2011 election on marine Atlantic. So that gives you an idea of how much the NDP actually care about marine Atlantic. In fact, the Conservative party under my predecessor, the member from Yellowhead and the current foreign affairs Minister conducted an investment of capital that allowed marine Atlantic to acquire new ships, greater capacity, they're on time and there's faster entrance on to the boats and off the boats of marine Atlantic --

The speaker: The honourable member for Scarborough-centre.

Roxanne James (CPC): Mr. Speaker, the NDP are at it again. Treating hard-earned taxpayer dollars like they simply grow on trees. Last week, they released a long, long list of demands for increased spending that would break the backs and empty the pockets of Canadian families. My constituents are worried. My colleagues here, my Conservative colleagues are worried. And Mr. Speaker, everyone else at home should be worried, too. Would the president of the treasury board please update this house how our government is standing up for hard working Canadian taxpayers.

The speaker: The honourable president of the treasury board.

Tony Clement: I thank the honourable member very much for that pertinent question. I can tell the house that we do know that the NDP are planning a brand new social program, even though this is on top of the \$12 billion the federal government delivers to the provinces each year under the Canada social transfer. We know it's on top of the hundreds of millions of dollars the government spends on affordable housing and homelessness each and every year. We know the stills of the cost of their program would be

\$5.5 Billion. That's equivalent to a one-point hike in the gst, Mr. Speaker. We cannot allow that to pass.

The speaker: the honourable member?

Marie-Claude Morin (NDP): Mr. Speaker, the comments by the president of the treasury board considering the cost of my bill don't change anything of the fact they've been doing nothing for fur years, they've been going around in circles of 1.5 Million Canadian families don't have access to safe housing of we need a national strategy. They've got a tourniquet solution. All they have to do is vote for bill c-400. Mr. Mr. Speaker, what I want to know is if it the Conservatives will support affordable safe housing for Canadians. Yes or no.

Tony Clement: Mr. Speaker, as I indicated, this is on top of the social transfer, this is on top of the hundreds of millions of dollars we spend every year on the homelessness and housing programs, Mr. Speaker. Could it be the NDP is desperately trying to find ways to spend the money from their 21 billion-dollar carbon tax?

The speaker: the honourable member?

Jean-Francois Fortin (BQ): Mr. Speaker, today, all of eastern Quebec is in Ottawa to make a clear and intelligent plea to make it possible to understand the devastating effect of the ei reform. The striking examples provided by these workers and employers show the real impact of these rules. And the Minister must show them some openness and respect. The Minister of labour for Quebec will meet with the Minister today so the door is wide open. Will the Minister listen here and understand and respond to these legitimate requests today and show reform?

Diane Finley: Mr. Speaker, I will be meeting with the Minister this afternoon, the Quebec Minister to hear about these impacts. But the changes have been put in place to help people find another job, a better job. To help them improve the quality of lives for their families and that is a good thing, Mr. Speaker. It's an objective that we're going to continue to work towards.

The speaker: That concludes question period to today.

(End of Question Period)

The Privy Council Office's Media Centre /
Le Centre des médias du Bureau du Conseil privé

Disclaimer

The unofficial Question Period transcript is based on closed captioning (rough)

**Transcript provided courtesy of the Privy Council Office. Please note that this transcript is produced via the closed captioning provided by CPAC and is available in English only. For an official transcript please consult the Hansard located on the Parliamentary Internet site.*

QP Rough Transcript

Media Centre / Centre des médias

03000218

Requests / Demandes : 613.952.6922 or
mediacentre@bnet.pco-bcp.gc.ca

Centre des médias / Media Centre
Demandes / Requests : 613.952.6922 ou
mediacentre@bnet.pco-bcp.gc.ca

[Unsubscribe](#) / [Désabonnez](#)

03000219

03000220

Wright, Nigel

From: Wright, Nigel
S March 1, 2013 6:43 AM
To: Woodcock, Chris; Rogers, Patrick
Subject: FW: Re Senate Report

FYI

-----Original Message-----

From: Wright, Nigel
Sent: March 1, 2013 6:42 AM
To: 'Stewart Olsen, Carolyn'
Subject: RE: Re Senate Report

Please stay close to Chris and Patrick, Carolyn.

As for Wednesday night and Thursday, we got a draft report, we asked for necessary changes. You should have been part of those conversations.

As for strategy, I am extremely frustrated that we seem to be unable to get either the subcommittee or Deloitte to the point where it is agreed that the Deloitte examination of Duffy's secondary residence claim is completed by the combination of (i) Deloitte determining the amount of expenses incurred by reason of the claim of secondary residence, and (ii) Mike agreeing to repay that amount. Once we know that repayment will permit the subcommittee and Deloitte to state that that matter is resolved, then the repayment will follow forthwith. Somehow, despite agreement to this in advance from you, Marjory, and David, no one on the Senate side is delivering. Chris and Patrick are our point people on this, please stay close to them and help make this happen.

Nigel

-----Original Message-----

From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
Sent: March 1, 2013 6:34 AM
To: Wright, Nigel
Subject: Re Senate Report

Hi Nigel, just a quick note to say that I am always ready to do exactly what is asked but it would have been a great help to know in advance what the strategy was. I can only do so much without background. I think I could have stick handled it better with that knowledge. Prob could have avoided yesterday's fervor. Some personalities take a bit of management.
Carolyn

Sent from my iPad

03000221

03000222

van Hemmen, David

From: Woodcock, Chris
Sent: 2013-03-01 7:25 AM
To: Wright, Nigel; Rogers, Patrick
Subject: RE: Re Senate Report

Understood thank you.

-----Original Message-----

From: Wright, Nigel
Sent: March 1, 2013 7:21 AM
To: Woodcock, Chris; Rogers, Patrick
Subject: FW: Re Senate Report

FYI. BTW, I will also be asking Irving Gerstein to help get this done.

-----Original Message-----

From: Wright, Nigel
Sent: March 1, 2013 7:21 AM
To: 'Stewart Olsen, Carolyn'
Subject: RE: Re Senate Report

Thanks Carolyn. I agree that the auditor (it's not really an audit) should report. But the report can be - if Kanata were a primary residence, here is how much would be owed. It shouldn't conclude that "Kanata is the primary residence", and it doesn't need to conclude that because Mike has committed to repay the money as if that were the case. I could use your help getting them to understand that and making it happen. N

-----Original Message-----

From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
Sent: March 1, 2013 7:17 AM
To: Wright, Nigel
Subject: Re: Re Senate Report

Confidentially both Marj and David are telling each other the audit will not be pulled. I believe I can work with Dave but he does work Marj up. I am not certain if it is a feeling that they are independent or just not used to working together. I think the only way to do this is to tell Deloitte that we are satisfied with the repayment and end the audit. The non partisan nature of the committee is a problem as is the Clerk who seems to have his own agenda. Mind you it is a good agenda. He wants to clean up the place. In fairness Chris did talk to me about revisions but said he was talking to Dave so I left it. Checked with Dave later to see if they had spoken and was he ok with revisions and he said yes. I don't envy you your job. As I said though, if I had know from the start where we needed to finish it prob could have been managed.

Sent from my iPad

On Mar 1, 2013, at 6:42 AM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

> Please stay close to Chris and Patrick, Carolyn.
>
> As for Wednesday night and Thursday, we got a draft report, we asked
> for necessary changes. You should have been part of those conversations.
>
> As for strategy, I am extremely frustrated that we seem to be unable
> to get either the subcommittee or Deloitte to the point where it is
> agreed that the Deloitte examination of Duffy's secondary residence
> claim is completed by the combination of (i) Deloitte determining the
> amount of expenses incurred by reason of the claim of secondary
> residence, and
> (ii) Mike agreeing to repay that amount. Once we know that repayment
> will permit the subcommittee and Deloitte to state that that matter is
> resolved, then the repayment will follow forthwith. Somehow, despite

> agreement to this in advance from you, Marjory, and David, no one on
> the Senate side is delivering. Chris and Patrick are our point people
> on this, please stay close to them and help make this happen.

>
> Nigel

-----Original Message-----

> From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
> Sent: March 1, 2013 6:34 AM
> To: Wright, Nigel
> Subject: Re Senate Report

>
> Hi Nigel, just a quick note to say that I am always ready to do
> exactly what is asked but it would have been a great help to know in
> advance what the strategy was. I can only do so much without
> background. I think I could have stick handled it better with that
> knowledge. Prob could have avoided yesterday's fervor. Some
> personalities take a bit of management. Carolyn

>
> Sent from my iPad

03000225

Wright, Nigel

From: Wright, Nigel
Sent: March 1, 2013 2:18 PM
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: Re: Urgent: Senator Duffy

Thank you very much Ben.

From: Perrin, Benjamin
Sent: Friday, March 01, 2013 02:12 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: RE: Urgent: Senator Duffy

SOLICITOR-CLIENT PRIVILEGE

Done.

I have spoken with Janice and conveyed the information below to her (i.e. those aspects that you wanted conveyed, not the insider information).

I reiterated it is not acceptable for her to keep making statements that are broader than what we had as our understanding. She relented on that point.

For now, she has been placated, but I suspect will want more later. I told her we have no timeline for a reply. I told her once we have anything further we see fit to report back to her, we would do it.

If she calls again I will say "no update", until I hear otherwise.

From: Wright, Nigel
Sent: 2013-03-01 1:39 PM
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: Re: Urgent: Senator Duffy

I don't care about her expectations. From what I hear her client is making this more difficult.

From: Perrin, Benjamin
Sent: Friday, March 01, 2013 01:36 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: Re: Urgent: Senator Duffy

Privileged

I share your frustration here, Nigel. Happy to discuss if you like.

My only communication with her on this specific issue this week has been that I have nothing to report.

This is the first that I have heard on this level of specificity on this point, however: "the outcome we are pushing for is for Deloitte to report publicly that IF Kanata were the primary residence then the amount owing would be the \$90 thousand figure and that since Sen. Duffy has committed to repay this amount then Deloitte's work in determining primary residence is no longer needed." It will come as news to her and I will try to share it as the implementation of our understanding.

03000226

She is seeking outcomes that she wants. I have repeatedly and clearly made the point about scope being limited to this specific residency issue only.

I will speak with her per the points below. I assume you would also like me, as you previously indicated, to suggest they not remit payment until they get an assurance that it would render the audit moot?

However, I think it is fair between us to say that we had expected this aspect to have been resolved already. I understand significant effort has already been expended in that regard. Tuesday was the initial target as I recall. I get why that hasn't occurred so will have to manage expectations with her also.

From: Wright, Nigel
Sent: Friday, March 01, 2013 01:10 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: RE: Urgent: Senator Duffy

It's not your fault Ben, but I am getting frustrated by this, particularly because it is not my role in this office to be micromanaging files.

1. No we do not have an update for her on the Deloitte audit. I am presuming that you verbally led her to understand that this is being worked on. Chris and Patrick and I are trying to make this happen, but it is not easy. Today I asked Sen. Gerstein to actually work through senior contacts at Deloitte and with Sen. LeBreton. I want her to understand, through verbal conversation (because I am frustrated that she continues to quote a paragraph that you will have told her at the time is not the deal – we are not making any representation that expenses writ large are fully in order) that the outcome we are pushing for is for Deloitte to report publicly that IF Kanata were the primary residence then the amount owing would be the \$90 thousand figure and that since Sen. Duffy has committed to repay this amount then Deloitte's work in determining primary residence is no longer needed. This approach has not changed, but I do not know whether you passed it along to her. If they have an expectation in excess of this, then they should set it aside. The nub of what I said to Mike is that his expenses would have to be repaid, so his choice was between having that plus a finding that they were inappropriate or that without such a finding. That is what we are working towards. Despite pre-clearing that with the relevant Senators, I am no longer 100% sure we can deliver, but if we can't then we and Mike have a bigger problem.
2. The use of the media line about issues having been addressed depends on the resolution to #1.
3. As to her timing, she can set whatever deadlines she wants, but none has been agreed to by us. Sen. Duffy would make this easier if he did not have outbursts in Senate caucus that make Senators oppose anything that helps him save face for expense claims that they see as inappropriate and as putting their own reputations in harm's way. We are working on this matter. We are doing so with more dispatch than Sen. Duffy showed in bringing this to a resolution. I do not gather from the tone of her email that she understands any of this, and it might help if she did.

From: Perrin, Benjamin
Sent: March 1, 2013 12:46 PM
To: Wright, Nigel; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: Urgent: Senator Duffy

Privileged

See below. Do we have an update for her on the Deloitte audit?

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Friday, March 01, 2013 12:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>

03000227

Subject: Senator Duffy

Please find attached the wire instructions you need.

Ben, I really must have an update today as to how our client will be provided with the confirmation required by the first sentence in bullet #1 in the settlement we reached last week which was, to remind you:

1. Senate representatives M. Lebreton, David Tkachuk and Stewart Olsen will confirm that Senator Duffy has been withdrawn from the Deloitte review and will assure him that his expenses are fully in order to date and will not be the subject of any further activity or review, at their initiative or at the initiative of the Internal Economy Committee, by any other party. If any member of the Committee makes any statement, it will ensure that such statement is consistent with the agreed media lines.

I would also draw your attention to the last item in the attached agreed to media lines (your email at 3:07 Friday last) that speaks to this issue and which has not yet been addressed.

As you know Deloitte is pressing and needs to be told that Senator Duffy is no longer part of their review.

Thank you.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000228

WIRE TRANSFER INFORMATION

TD Canada Trust
45 O'Connor Street
Ottawa, ON K1P 1A4
Tel. 613-782-1201

Account Name: Nelligan O'Brien Payne LLP Trust
Transit #03546
Bank #004
Account Number: 5266494

If required: International Banking Code TD0MCATTOR

Please quote invoice numbers with all payments

03000229

03000230

Wright, Nigel

From: Wright, Nigel
Sent: March 6, 2013 11:31 AM
To: Rogers, Patrick; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

We might need a meeting between you guys, Beth Marshall and Irving. Also, David Tkachuk says he would be OK with all this, just needs to be kept in the loop. He will back off suggesting to Duffy that he meet with Deloitte right now.

From: Rogers, Patrick
Sent: March 6, 2013 10:19 AM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy - request for input please

I have now spoken to Senator Gerstein.

Deloitte has reported to him that their mandate on Duffy comes from a sub-committee chaired by Senator Marshall and that the mandate limits Deloitte's ability to pull off what we want.

I do not believe that this office has seen this mandate.

It seems that our goal to have Deloitte write to the committee stating that their work is done with Senator Duffy's repayment may be impossible due to the wording of this mandate.

I will contact Senator Marshall's office to get the mandate if this chain believes it would be useful.

Senator Gerstein confirmed that his channel into Deloitte is open and is happy to continue assisting us.

Patrick

From: Rogers, Patrick
Sent: Tuesday, March 05, 2013 03:23 PM Eastern Standard Time
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

Senator Gerstein is meeting with Deloitte at 4. He now has our question for Deloitte and will be back to me after the meeting.

Patrick

From: Wright, Nigel
Sent: 2013-03-05 2:52 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy - request for input please

Patrick,

I would like this checked with Irving. I am happy to do so unless you have an outstanding need to have a further conversation with him. I would support taking the approach below IF I can be satisfied that

03000231

Deloitte will accept the proposal. I do not trust that Sen. Tkachuk has ascertained that with Deloitte before making the suggestion to Sen. Duffy (although that might be the case, I just don't know).

If we take this route, I would phrase the latter part somewhat differently, to the effect that since the scope of Deloitte's review in respect of Sen. Duffy was limited to his claim of expenses relating to the characterisation of his Kanata address as a secondary residence, and since Sen. Duffy has decided to repay any expenses related to such characterisation for the reasons noted in the earlier part of the letter, then purpose of Deloitte's review has been satisfied. Accordingly, Ms Payne would be seeking confirmation that Deloitte will so report to the subcommittee. I am reluctant to have her ask Deloitte to specify the amount of expenses owing because that would give Deloitte an excuse to ask for documents from Sen. Duffy again. He has a letter from the subcommittee, and if he wants another one, it should come from the subcommittee.

Nigel

From: Perrin, Benjamin
Sent: March 5, 2013 2:42 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy - request for input please

SOLICITOR-CLIENT PRIVILEGE

FYI – see below. I did not reply to her earlier email.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-05 2:34 PM
To: Perrin, Benjamin; Arthur Hamilton (ahamilton@CasselsBrock.com)
Cc: Christine King
Subject: Senator Duffy - request for input please

Senator Tkachuk took the initiative to speak to Senator Duffy today and suggested to him that I write to Deloitte (G Timm) and state the following:

As you are no doubt aware, Senator Duffy has decided to resolve this matter by repaying the housing allowance paid to him since his appointment. He does so not because he believes he improperly claimed the allowance but because the rules are not clear and he prefers to make the repayment rather than continue to suffer the considerable distraction that this matter has caused him and his family.

We are making arrangements to provide that payment shortly.

Please confirm that he will be withdrawn from the review you have been asked to undertake as soon as the repayment has been made.

Please also advise whether it is appropriate to send the amount to be repaid to your attention for delivery to the Senate or whether your clients prefer some other arrangement for payment.

Ben and Arthur: Please confirm today that you have no difficulty with this approach. If some other approach or course of action is under consideration, please update me.

Janice Payne
Lawyer/Avocate

03000232

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télec: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000233

03000234

Wright, Nigel

From: Wright, Nigel
Sent: March 6, 2013 11:41 AM
To: Novak, Ray; Woodcock, Chris
Cc: MacDougall, Andrew; Rogers, Patrick
Subject: RE: next steps

I had asked Ben yesterday to advise Duffy's lawyer that she should give him advice on the OHIP request.

From: Novak, Ray
Sent: March 6, 2013 11:40 AM
To: Woodcock, Chris; Wright, Nigel
Cc: MacDougall, Andrew; Rogers, Patrick
Subject: Re: next steps

I believe Duffy told me this morning he received same letter re OHIP.

From: Woodcock, Chris
Sent: Wednesday, March 06, 2013 11:38 AM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Cc: MacDougall, Andrew; Rogers, Patrick
Subject: RE: next steps

Senator Wallin just called me. She wants us to know that the statement proposed on Sunday is to "keep in her back pocket" in case she is targeted by leaks again – not for immediate release. I suggested that she incorporate Nigel's comments below into her draft as a first step.

She received a letter from OHIP informing her that she has been selected for a "random audit" to determine if she is eligible for an OHIP card. Her lawyer is on it.

From: Wright, Nigel
Sent: March 3, 2013 1:05 PM
To: Novak, Ray; Woodcock, Chris
Cc: MacDougall, Andrew; Rogers, Patrick
Subject: FW: next steps

FYI

From: Wright, Nigel
Sent: March 3, 2013 1:05 PM
To: 'Pamela Wallin'
Cc: Rogers, Patrick; MacDougall, Andrew
Subject: RE: next steps

03000235

Senator,

I have copied Patrick Rogers and Andrew MacDougall. Andrew's advice is that issuing the statement is likely to drive media stories about you at a time when there is very little attention being paid to this at the moment. I think you could hold it for a few days to see whether your name appears in print much. The bottom line is that although this will provide more of a defence, the media and the public are not going to accept that defence and will wait until the Deloitte report is out (which I have heard might be at the end of this month). At that time, it will be critical for you to have an accurate and factual statement. So that is our advice on timing.

Anything you do put out will be compared with whatever it is that Deloitte ultimately reports and what the subcommittee decides. I do not know whether either of them is going to itemise your trips, but the possibility that they might makes accuracy in your own statement important. I think that it is strictly accurate to say that "a lot of" the other travel is to and from Saskatchewan and places other than Ottawa where you "may be carrying out Senate duties", but, as you are aware, we are not able to document or detail Senate business to explain a lot of that travel to and from other places. It is very likely that a substantial portion of it will be found to be non-reimbursable. It might be wiser to wait until the Deloitte and subcommittee reports before deciding which of those trips you will defend and which you will accept as not being on Senate business.

Finally, regarding the expenses already repaid, the statement that these "mistakes did not benefit me personally" could be true if all of them, not just "many" of them were reimbursable by third parties. It might be safer to omit those two sentences.

On both of those matters, Internal Economy's ability to support and stand behind the ultimate resolution of your expenses will depend in part on whether people perceive your statements along the way as being accurate and not misleading – as your statements on the time spent in Saskatchewan and your connectedness to that province have been.

Nigel

From: Pamela Wallin [mailto:pamela@pamelawallin.com]
Sent: March 3, 2013 10:39 AM
To: Wright, Nigel
Subject: next steps

Nigel,

Below is the draft of a statement that I'd like to release as soon as possible, because it appears the Deloitte audit won't be finished for weeks. Terry O'Sullivan and I worked on this over the week-end.

Also, the Globe and Mail agreed to a retraction of misinformation about me which was published online and in Saturday's paper.

The column by Tabatha Southey said: "**Conservative Senator Pamela Wallin, now-independent Senator Patrick Brazeau and Liberal Senator Mac Harb are also being investigated for questionable secondary-residence expenses.**"

That sentence has been removed online, with this note appended to the bottom of the column:
Editor's note: Pamela Wallin is not being investigated for questionable secondary-residence expenses. Incorrect information appeared in an earlier version of this article.

Thanks Nigel. Please see the draft below.

03000236

Pamela

Draft statement

Saskatchewan is my home. And now the Senate has confirmed it. They did so based on the requested documents I provided, as well as the fact that I spent 168 days in my home province last year alone. I continue to be proud to represent the people of Saskatchewan. I now look forward to resolving any outstanding questions related to travel expenses.

Let me say that I am very upset about the viciousness of the attacks on me, abetted by inaccurate "leaks" by persons unknown.

In the midst of all this adverse publicity, you should also know about the large number of supportive calls, emails and notes I have received from those who appreciate and understand the hard work done by me and others in the Senate.

It's been reported that my travel costs are high. Let me make two things clear about that.

Senate travel works on a 64 point system, not on total dollar amounts. This is so that all senators have access to the same travel resources, no matter whether they live near to or far from Ottawa. Every senator is allotted 64 points per fiscal year. A point is deducted for each return trip. I've never exceeded my 64 points.

Second, the only reason it looks like I infrequently go to Saskatchewan is that the Senate counts trips to the home province only if they originate or end in Ottawa. A lot of that so-called "other travel" I've done is actually to Saskatchewan and back, but from Toronto or other places in the country where I may be carrying out Senate duties. I was in Saskatchewan 168 days last year, sometimes at home in Wadena with family, but often at events around the province.

I have also been dismayed by the unwillingness of people to correct misinformation when it is brought to their attention. For example, the Canadian Press reported that I owned three condos in Toronto, all bought at the same address on the same day. This story ended up in several Canadian newspapers. I own just one condo in Toronto.

A refreshing exception to this was the decision by the Globe and Mail to print a retraction for writing that I was being investigated for second-residence expenses, which is not and has never been the case. When in Ottawa for Senate business, I stay in a hotel and those costs are covered in accordance with Senate rules.

I do look forward to having all questions surrounding my travel expenses resolved. Unfortunately, the process has been very slow.

Prior to the start of this audit process, I repaid some travel expenses to the Senate without being asked to do so when my new executive assistant discovered errors previously made in my office. These mistakes did not benefit me personally. Many were charges that should have been billed to third parties, not the Senate.

Like you, I want all of this cleared up, and soon. And the Senate needs to clarify and possibly reform the rules. I await the outcome of the audit process.

03000237

03000238

03000239

Wright, Nigel

From: Wright, Nigel
Sent: March 6, 2013 9:44 PM
To: Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: Re: Senator Duffy - request for input please

Thx.

From: Woodcock, Chris
Sent: Wednesday, March 06, 2013 08:42 PM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy - request for input please

Tkachuk has promised to deliver the mandate tomorrow. I will follow up to ensure it is delivered.

Chris

From: Wright, Nigel
Sent: March 6, 2013 6:05 PM
To: Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Cc: Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

Thank you.

From: Rogers, Patrick
Sent: March 6, 2013 6:03 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray
Cc: Woodcock, Chris
Subject: Re: Senator Duffy - request for input please

I have now spoken to Senator Marshall.

She and her committee are NOT responsible for the Duffy order to Deloitte.

She claims that Tkachuk's steering committee is.

This obviously calls into question Senator Gerstein's contact but I think Chris and I should work with Tkachuk to get the mandate and share it with Senator Gerstein.

Patrick

From: Rogers, Patrick
Sent: Wednesday, March 06, 2013 04:02 PM Eastern Standard Time
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray
Cc: Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

I may have been the source of some confusion here.

03000240

There is no meeting today between Senators Marshall and Gerstein at 4pm.

Yesterday, Senator Gerstein had a meeting with Deloitte at 4pm.

This morning you asked that Senators Gerstein and Marshall meet but I have been unable to line them up as of yet. I will continue to do so.

I am sorry about the confusion,

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: March 6, 2013 3:35 PM
To: Perrin, Benjamin; Novak, Ray; Rogers, Patrick
Cc: Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

Please include Ben on internal exchanges on this matter so that I do not have to write multiple emails every time Duffy's lawyer makes contact.

Ben, as noted below, on item #1, please explain why we see danger in the approach she asked about. On item #2, please take the tone I indicated. Regarding what they should do in response to Deloitte's request, you could repeat what you would have told her earlier, which is that the Senators responsible are attempting to engage with Deloitte. I wish we could say more, but it takes an interminable amount of time to make anything happen on the Senate side. You will get a report after the 4 pm meeting, so perhaps you will be able to tell her more then about whether Duffy should respond directly to Deloitte or wait for Deloitte to change its request. A much lower risk approach, if we do not have very good comfort after 4 pm that Deloitte will withdraw its request for data will be for Duffy to write to them stating that he believes the requested information to be redundant given that he understands their mandate as regards him to be limited to his claim of primary residence in PEI and the payments that flow directly and specifically from that claim, and given that he has agreed to repay all such amounts and to not make the same claim going forward, and Duffy's view that this comprehensively addresses the scope of Deloitte's enquiry. I don't love that relative to having Deloitte arrive at that conclusion first, but I like it better than Duffy explicitly asking Deloitte to opine on this. I would do it if Ms Payne and Duffy perceive that their refusal to provide the requested data is giving rise to the risk that Deloitte will simply deem them to be non-responsive.

From: Perrin, Benjamin
Sent: March 6, 2013 3:20 PM
To: Novak, Ray; Wright, Nigel; Rogers, Patrick
Cc: Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

SOLICITOR-CLIENT PRIVILEGED

Nigel: I have been on some, but not all of the exchanges on this, and have not be part of any of the meetings or consultations with members of the Senate so am very much a messenger here. That is fine, of course, but that is why I am looking for direction on how to reply clearly to her given the sensitivities here.

Based on the below, I will tell Janice:

- 1) It would not be prudent to send the draft letter below at this time.

03000241

- 2) Senator Duffy is creating serious difficulties in his dealings with his colleagues and his remarks about our office's role.

I can leave it at that if you like. She will likely ask what they should do about Deloitte's request for documentation. I can refuse to answer if that is what you prefer. Please advise.

From: Novak, Ray
Sent: 2013-03-06 3:02 PM
To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin
Cc: Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

Agree. I was pretty frank with Mike this morning about attacking the very people who are trying to help him. Unfortunately he and Vern traded expletives shortly thereafter.

(Mike was in a state over waking up to a lawn-sign in Kanata calling on him to resign, and a likely resolution in the PEI leg asking that he be fired)

From: Wright, Nigel
Sent: March 6, 2013 2:58 PM
To: Rogers, Patrick; Perrin, Benjamin
Cc: Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy - request for input please

I agree. I spoke with Sen. Tkachuck during Caucus. I told him that it is not wise to advise Sen. Duffy to ask Deloitte to withdraw from their review and risk committing them to an answer without all the work having first been done to receive a helpful answer. Sen. Tkachuk said he agreed with this and then asked to be kept in the loop on strategic things like that. Of course, it had all been shared with him, but perhaps had not made an impression.

And there are our internal exchanges on having Irving speak with Sen. Marshall, who, we now believe, chairs the subcommittee that gave the mandate to Deloitte regarding Sen. Duffy and would presumably be the source of any authority it felt it needed to interpret whether that mandate can be discharged in the way that we have discussed.

I think that the Gerstein - Marshall conversation is scheduled for 4 pm today.

Ben, are you not on any of those emails or PINs? I think it would be helpful for Ms Payne to understand why we see danger in the letter below and some assurance that we continue to try to get this resolved. I do not think you need to take the aggressive tone with her that I asked you to use before, but it is worth noting that Sen. Duffy enraged many Senators yesterday with remarks about his own situation and about PMO's role. Several of those same Senators sit on the subcommittees and committee that will eventually come to a conclusion and make a report on Sen. Duffy. It is not just me who is hearing this; Ray has also got several earfuls on it. Sen. Duffy is making it harder for the subcommittee to accept his change of practice and offer to repay as a full discharge of the matter. That is just friendly advice to his lawyer.

From: Rogers, Patrick
Sent: March 6, 2013 2:46 PM
To: Perrin, Benjamin; Wright, Nigel
Cc: Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy - request for input please

I don't believe she should reply until we know that Deloitte will do what we want them to after they receive it. At this time we do not know for sure.

03000242

From: Perrin, Benjamin
Sent: Wednesday, March 06, 2013 02:44 PM Eastern Standard Time
To: Wright, Nigel
Cc: Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy - request for input please

SOLICITOR-CLIENT PRIVILEGE

Janice has called me and left a voicemail following-up on her email below, asking if we are okay with the proposed letter below being sent. Please let me know if, and how, you'd like me to respond.

From: Perrin, Benjamin
Sent: 2013-03-05 2:42 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy - request for input please

SOLICITOR-CLIENT PRIVILEGE

FYI – see below. I did not reply to her earlier email.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-05 2:34 PM
To: Perrin, Benjamin; Arthur Hamilton (ahamilton@CasselsBrock.com)
Cc: Christine King
Subject: Senator Duffy - request for input please

Senator Tkachuk took the initiative to speak to Senator Duffy today and suggested to him that I write to Deloitte (G Timm) and state the following:

As you are no doubt aware, Senator Duffy has decided to resolve this matter by repaying the housing allowance paid to him since his appointment. He does so not because he believes he improperly claimed the allowance but because the rules are not clear and he prefers to make the repayment rather than continue to suffer the considerable distraction that this matter has caused him and his family.

We are making arrangements to provide that payment shortly.

Please confirm that he will be withdrawn from the review you have been asked to undertake as soon as the repayment has been made.

Please also advise whether it is appropriate to send the amount to be repaid to your attention for delivery to the Senate or whether your clients prefer some other arrangement for payment.

Ben and Arthur: Please confirm today that you have no difficulty with this approach. If some other approach or course of action is under consideration, please update me.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500

03000243

2013-07-30 1059h
~~03000242~~ X

Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000244

03000245



Nigel Wright <nigel.s.wright@gmail.com>

Re: Sen. Wallin

1 message

nigel.s.wright@gmail.com <nigel.s.wright@gmail.com>
Reply-To: nigel.s.wright@gmail.com
To: "Woodcock, Chris" <chriswoodcock1@gmail.com>

8 March 2013 11:29

Ok. Just check with Dan Hilton.
Sent from my BlackBerry device on the Rogers Wireless Network

From: chriswoodcock1@gmail.com
Date: Fri, 8 Mar 2013 16:27:36 +0000
To: Nigel Wright <nigel.s.wright@gmail.com>
ReplyTo: chriswoodcock1@gmail.com
Subject: Re: Sen. Wallin

We could say:

"No. In general, the Party would only cover expenses incurred for party business."

Sent from my BlackBerry device on the Rogers Wireless Network

From: nigel.s.wright@gmail.com
Date: Fri, 8 Mar 2013 16:21:49 +0000
To: Woodcock, Chris <chriswoodcock1@gmail.com>
ReplyTo: nigel.s.wright@gmail.com
Subject: Re: Sen. Wallin

I don't know whether we should just kill it. The Party will not be paying for any of Sen. Duffy's expense claims re his secondary residence claim. The Party would only cover expenses incurred by Senators for doing Party business. Check that with Dan, of course. I sort of feel we should comment.

FYI only. No such discussions with Wallin. There was discussion re Duffy, but decided no CPC funds to be used. For you only: I am personally covering Duffy's \$90K.
Sent from my BlackBerry device on the Rogers Wireless Network

From: chriswoodcock1@gmail.com
Date: Fri, 8 Mar 2013 16:11:19 +0000
To: Nigel Wright <nigel.s.wright@gmail.com>
ReplyTo: chriswoodcock1@gmail.com
Subject: Fw: Sen. Wallin

I assume we would not comment on all of the below?
Sent from my BlackBerry device on the Rogers Wireless Network

From: Fred DeLorey <FredDeLorey@conservative.ca>
Date: Fri, 8 Mar 2013 11:09:44 -0500
To: chriswoodcock1@gmail.com <chriswoodcock1@gmail.com>
Subject: Fw: Sen. Wallin

03000246

Questions from Postmedia below about Sen. Wallin's travel.

I don't have any background on this, do you?

From: Press, Jordan [mailto:JPress@postmedia.com]

Sent: Friday, March 08, 2013 10:24 AM

To: Fred DeLorey

Subject: Sen. Wallin

Mr. Delorey,

Just writing because wanted to ask the party if there had been any discussions about helping Sen. Wallin repay some of her Senate travel claims that involved partisan work. For context, I also wanted to know under what circumstances the party would provide funding to a senator, and how that decision is made. I'd also like to know if similar talks have been held in regard to Sen. Duffy and his pledge to repay about \$90,000 in housing claims.

Deadlines for me is 3:30 p.m.

Cheers.

Jordan

--

Jordan Press

Parliamentary Reporter

Postmedia News

Work: 613-369-4898

Cell: 613-853-8980

Twitter.com/jordan_press

03000247

03000248

Wright, Nigel

From: Wright, Nigel
Sent: March 8, 2013 3:26 PM
To: Rogers, Patrick; Perrin, Benjamin; Woodcock, Chris
Subject: Re: Statement of Work - Sen. Duffy

Thank you.

From: Rogers, Patrick
Sent: Friday, March 08, 2013 03:12 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris
Subject: Re: Statement of Work - Sen. Duffy

Senator Gerstein has just called.

He agrees with our understanding of the situation and his Deloitte contact agrees.

The stage we're at now is waiting for the Senator's contact to get the actual Deloitte auditor on the file to agree.

The Senator will call back once we have Deloitte locked in.

From: Rogers, Patrick
Sent: Friday, March 08, 2013 01:27 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris
Subject: Re: Statement of Work - Sen. Duffy

No. I will call Senator Gerstein.

From: Perrin, Benjamin
Sent: Friday, March 08, 2013 01:15 PM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Subject: Re: Statement of Work - Sen. Duffy

Privileged

Patrick: do we know how Deloitte responded?

From: Wright, Nigel
Sent: Thursday, March 07, 2013 03:00 PM Eastern Standard Time
To: Rogers, Patrick; Woodcock, Chris; Perrin, Benjamin
Subject: RE: Statement of Work - Sen. Duffy

Thank you.

From: Rogers, Patrick

03000249

Sent: March 7, 2013 2:31 PM
To: Wright, Nigel; Woodcock, Chris; Perrin, Benjamin
Subject: Re: Statement of Work - Sen. Duffy

Senator Gerstein has this and has committed to getting our views to Deloitte today.

From: Rogers, Patrick
Sent: Thursday, March 07, 2013 01:07 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris; Perrin, Benjamin
Subject: RE: Statement of Work - Sen. Duffy

I will get this to Senator Gerstein.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: March 7, 2013 1:07 PM
To: Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin
Subject: RE: Statement of Work - Sen. Duffy

This is perfect. It completely permits Deloitte and the Subcommittee to say that the task as related to Sen. Duffy is rendered moot by his decision to withdraw his claim of Cavendish as his primary residence and to repay the expenses that had been associated with making that claim.

From: Woodcock, Chris
Sent: March 7, 2013 1:04 PM
To: Rogers, Patrick; Perrin, Benjamin; Wright, Nigel
Subject: Fw: Statement of Work - Sen. Duffy
Importance: High

Deloitte mandate is attached.

From: Shave, Katarina [mailto:SHAVEK@SEN.PARL.GC.CA]
Sent: Thursday, March 07, 2013 12:51 PM
To: Woodcock, Chris
Subject: FW: Statement of Work - Sen. Duffy

Hi Chris,
As per request from Sen. Tkachuk.
Best,

Katarina

Katarina Shave, EA
To the Hon. Senator David Tkachuk

03000250

Senate of Canada
140 Wellington Street
Room 401-VB
Ottawa, ON K1A 0A4

Tel.: (613) 947-3196
Fax: (613) 947-3198

shavek@sen.parl.gc.ca

03000251

STATEMENT OF WORK

Title:

Review of Primary and Secondary Residency and related expense claims.

Objective(s):

To review a Senator's Declaration of Primary and Secondary Residence, related living and travel expense claims, other related documentation, and to report back thereon.

Background:

Senators claim their living allowance and travel expenses in compliance with the *Parliament of Canada Act* and internal rules and policies. Senators may request reimbursement of living expenses in the National Capital Region and related travel expenses.

Scope:

Senators make a signed Declaration regarding their primary and secondary residences. Senators do not have to produce proof of their primary residence nor are there internal criteria that define primary residence, other than that it must be "the residence identified by the senator as his/her main residence and is situated in the province or territory represented by the senator."

There is a risk that the primary residence may not be as declared.

Tasks:

To review all relevant documentation and conduct interviews that may assist in establishing the Senator's primary residence and assess the appropriateness of related claims.

Travel:

N/A

Constraints:

The work to be undertaken is to be treated with the strictest confidentiality. It may be conducted on site at the Senate Finance and Procurement Directorate or at the contractor's facility. For any work to be completed at the contractor's facility, the technical authority will provide the documents to be reviewed in double confidential envelopes and the contractor will sign for receipt of all files and return them to the Senate in their original form when required. The contractor must safeguard the

information at all times by taking all measures reasonably necessary to secure it and protect its integrity and confidentiality.

Client support:

The policy framework governing residency and claims will be provided, along with the declarations and claims for review.

The technical authority will work closely with the contractor over the course of the review and may require the contractor to report periodically to the Audit Subcommittee on interim findings. The contractor may also request meetings with the Audit Subcommittee at his or her discretion.

The contractor may establish direct lines of communication with the Senator or his representative and a representative from Senate Finance in order to answer questions and provide any supporting documentation, but should inform the technical authority as the principle contact.

Meetings:

The client requests a weekly status report by meeting or in writing of progress to date.

Deliverables:

(A) report(s) on the claims that identify them as 1) appropriate in keeping with Senate practice; 2) subject to interpretation and determination by the Steering Committee of Internal Economy; 3) subject to reimbursement to the Receiver General; or 4) subject to further investigation by appropriate authorities. The final report will be submitted to the technical authority no later than (to be determined).

03000252

03000253

Wright, Nigel

From: Perrin, Benjamin
Date: March 14, 2013 8:37 AM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Fw: Senator Duffy

Privileged

-Fyi. After consulting with Patrick on latest...

----- Original Message -----

From: Perrin, Benjamin
Sent: Thursday, March 14, 2013 08:29 AM Eastern Standard Time
To: 'janice.payne@nelligan.ca' <janice.payne@nelligan.ca>
Subject: Re: Senator Duffy

Privileged

There should be no change to the lines.

----- Original Message -----

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, March 14, 2013 08:07 AM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Senator Duffy

Good to hear. Thank you.

● have some suggestions from Senator Duffy for media lines when you are ready to discuss.

Sent by Blackberry/Envoyé de mon Blackberry

----- Original Message -----

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Thursday, March 14, 2013 08:04 AM
To: Janice Payne
Subject: Re: Senator Duffy

Privileged

We are making some progress. Please continue to hold tight.

----- Original Message -----

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, March 14, 2013 07:35 AM Eastern Standard Time
To: Perrin, Benjamin
Subject: Senator Duffy

Are you able to give me an update?

Sent by Blackberry/Envoyé de mon Blackberry

Janice Payne
Lawyer/Avocate
● nigan O'Brien Payne LLP
● O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655

03000254

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000255

03000256

Wright, Nigel

From: Wright, Nigel
Sent: March 20, 2013 7:40 PM
To: Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy
 Fair enough.

From: Woodcock, Chris
Sent: March 20, 2013 7:36 PM
To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

I think he should just say he will send her an update when there is an update.

From: Wright, Nigel
Sent: March 20, 2013 7:34 PM
To: Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

Very dangerous tactic by her. Also, I wonder if she is paying attention, because Ben will have explained to her several times that it is not "the audit being called off", but rather Deloitte not having to come to a conclusion on primary vs secondary residence since Sen. Duffy has taken that issue off the table by conceding it, which is the full sum of what I discussed with Sen. Duffy. I fully expect Deloitte to issue a report - my hope is that it is limited to a dollar amount owing based on the assumption that Kanata is the primary residence, an assumption made valid by Sen. Duffy's decision not to contest that point.

I will let someone else suggest the response.

From: Woodcock, Chris
Sent: March 20, 2013 7:24 PM
To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

Senator Tkachuk received an email from Ms. Payne today seeking confirmation that the audit would be called *off* upon repayment. He is awaiting a suggestion from us on a response.

From: Wright, Nigel
Sent: March 20, 2013 1:54 PM
To: Rogers, Patrick; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

I also don't know what Sen. LeBreton said to the Senate caucus yesterday. I am concerned, given the email below, whether caucus confidentiality has been violated.

Ben, you are up to speed with advice being provided about what Deloitte could do in this situation. I am sure that Sen. Duffy has been patient. If so, no one has benefited from that more than Sen. Duffy himself as he has not been the subject of the additional negative media and public comment that he would have had he not avoided the media. We too have been patient. As we explained before, our job was made more difficult by intemperate things that Sen. Duffy has said to his colleagues, but we continue to believe that there is a way forward here within the spirit of our discussions with Sen. Duffy.

03000257

From: Rogers, Patrick
Sent: March 20, 2013 1:04 PM
To: Perrin, Benjamin; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

I don't believe I know anything about the March 19th reference.

I have been on the phone constantly with Gerstein who has been trying to arrange the necessary commitments from Deloitte but to date he hasn't been able to receive those assurances.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 20, 2013 1:02 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Fw: Senator Duffy

Privileged

See below. I have not heard about the developments below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Wednesday, March 20, 2013 12:54 PM Eastern Standard Time
To: Perrin, Benjamin; Arthur Hamilton (ahamilton@CasselsBrock.com) <ahamilton@CasselsBrock.com>
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

We negotiated an arrangement on Feb 22nd that remains in limbo.

Senator Lebreton advised Senators on March 19 that no one should raise questions about or bring any pressure to bear on Deloitte. Our client is not sure how to read this in light of the commitment we had that he would be withdrawn from the process.

How should we read Sen. Lebreton's comments? Will the commitment and the balance of the arrangement we negotiated for Sen. Duffy be honoured?

We have worked hard to avoid the media and be team players. We have been more than patient. We need some clarity on process.

Sen. Lebreton also said big things are coming. We need to know where our client stands asap.

Janice Payne
Lawyer/Avocate

03000258

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000259

03000260

Wright, Nigel

From: Perrin, Benjamin
Sent: March 21, 2013 1:45 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy - request for input please

Importance: High

PRIVILEGED

FYI – I asked her to hold so we can assess next steps in light of Patrick's last email.

Her reference to the "ultimate objective" was the one articulated by Nigel in respect of the Deloitte report earlier.

From: Perrin, Benjamin
Sent: 2013-03-21 1:44 PM
To: 'Janice Payne'
Cc: Christine King
Subject: RE: Senator Duffy - request for input please
Importance: High

Please hold. I literally just received an email on this issue. We will need to assess it and get back to you tomorrow. Everyone is in Budget Lock-up starting now so we will be unavailable for most of the rest of the afternoon.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-21 1:41 PM
To: Perrin, Benjamin
Cc: Christine King
Subject: RE: Senator Duffy - request for input please

Ben, further to our conversation, given the lack of concrete result thus far and the ultimate objective as you described it to me, I see no reason not to send the message I suggested below to Deloitte. If you disagree, please advise today and explain why not. I need to try and advance this matter for my client.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may

03000261

contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Janice Payne
Sent: Tuesday, March 05, 2013 2:34 PM
To: 'Perrin, Benjamin'; Arthur Hamilton (ahamilton@CasselsBrock.com)
Cc: Christine King
Subject: Senator Duffy - request for input please

Senator Tkachuk took the initiative to speak to Senator Duffy today and suggested to him that I write to Deloitte (G Timm) and state the following:

As you are no doubt aware, Senator Duffy has decided to resolve this matter by repaying the housing allowance paid to him since his appointment. He does so not because he believes he improperly claimed the allowance but because the rules are not clear and he prefers to make the repayment rather than continue to suffer the considerable distraction that this matter has caused him and his family.

We are making arrangements to provide that payment shortly.

Please confirm that he will be withdrawn from the review you have been asked to undertake as soon as the repayment has been made.

Please also advise whether it is appropriate to send the amount to be repaid to your attention for delivery to the Senate or whether your clients prefer some other arrangement for payment.

03000262

03000263

Wright, Nigel

From: Perrin, Benjamin
Sent: March 21, 2013 2:01 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy
 Thanks, Nigel. I will ask David to help arrange the call.

From: Wright, Nigel
Sent: 2013-03-21 2:00 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy

I do agree with Patrick's suggestion. We have exhausted our avenues, and I think that is the best we can do. Ben, I would be OK participating in a call to Janice to explain. While I would not encourage them to send the response they drafted because I think 'withdrawn from the review' is an odd request, I would suggest that they send a similar response essentially making the point that we have been making – that since Sen. Duffy has taken off the table the one issue DT was asked to review, they do not see a purpose for that review. They will want to add "or any reason to provide the information requested". We can never suggest that they say this latter bit, because we cannot trust them never to say that PMO told them not to respond to DT's requests for information.

As upset as they might be, I suspect that Sen. Duffy will still want some aspects of the arrangement to remain in effect.

From: Perrin, Benjamin
Sent: March 21, 2013 1:52 PM
To: Rogers, Patrick; Wright, Nigel; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy

At a minimum, I think in good faith they need to know the info you found out. We would then need to convinced them why they should do nothing. The Senator's instinct may be to go in and fight this out again with Deloitte. The optics look really bad of it.

How about the email she proposed? I think we should reply to her suggestion from Sen Tkachuk with a "no concerns" with it:

From Janice:

Senator Tkachuk took the initiative to speak to Senator Duffy today and suggested to him that I write to Deloitte (G Timm) and state the following:

As you are no doubt aware, Senator Duffy has decided to resolve this matter by repaying the housing allowance paid to him since his appointment. He does so not because he believes he improperly claimed the allowance but because the rules are not clear and he prefers to make the repayment rather than continue to suffer the considerable distraction that this matter has caused him and his family.

We are making arrangements to provide that payment shortly.

Please confirm that he will be withdrawn from the review you have been asked to undertake as soon as the repayment has been made.

03000264

Please also advise whether it is appropriate to send the amount to be repaid to your attention for delivery to the Senate or whether your clients prefer some other arrangement for payment.

From: Rogers, Patrick
Sent: 2013-03-21 1:46 PM
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy

I may be wrong but I would propose that the Senator continue to **not** engage with Deloitte. I believe that we should make arrangements for repayment knowing that Deloitte will not say one way or another on his residency.

If asked following the report why he didn't participate with Deloitte the Senator can say because he had already made the decision to repay the money and as he said at the time, he looked forward to moving on. It is then up to our esteemed Senators on the committee and our Senate leadership to move on.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 21, 2013 1:41 PM
To: Rogers, Patrick; Wright, Nigel; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy

PRIVILEGED

How should we propose that the Senator engage with Deloitte in light of this? They will be very unhappy to state the obvious since this is completely at odds with what they understood would occur, and as we have clarified with respect to what we were working towards per below.

From: Rogers, Patrick
Sent: 2013-03-21 1:33 PM
To: Perrin, Benjamin; Wright, Nigel; Woodcock, Chris; Novak, Ray
Subject: RE: Senator Duffy

Just heard from Gerstein. Here's the latest and most useful information yet from Deloitte

- Any repayments will not change Deloitte's conclusions
- Because they were asked to opine on residency
- However, they can't reach a conclusion on residency because Duffy's lawyer has not provided them anything
- This is despite their attempts use "public information" about Duffy's residency
- Their report will state that Duffy's lawyer did not provide information when requested.
- They were asked to complete the work by the end of March and plan to.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires

03000265

Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 21, 2013 1:23 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Novak, Ray
Subject: RE: Senator Duffy

PRIVILEGED

I spoke to her and conveyed all points clearly to her.

From: Wright, Nigel
Sent: 2013-03-20 7:40 PM
To: Perrin, Benjamin; Woodcock, Chris; Rogers, Patrick; Novak, Ray
Subject: RE: Senator Duffy

I'd be very happy for you to have a discussion with her Ben. Also, I am not sure how to do this, but let her know that if she discusses any understanding with anyone outside of PMO, we will not hesitate to correct any statement that is not 100% accurate.

From: Perrin, Benjamin
Sent: March 20, 2013 7:37 PM
To: Woodcock, Chris; Wright, Nigel; Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

I agree. She is just not getting it. Nigel: do you want me to give her the same line or have another discussion with her?

From: Woodcock, Chris
Sent: Wednesday, March 20, 2013 07:35 PM Eastern Standard Time
To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

I think he should just say he will send her an update when there is an update.

From: Wright, Nigel
Sent: March 20, 2013 7:34 PM
To: Woodcock, Chris; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

Very dangerous tactic by her. Also, I wonder if she is paying attention, because Ben will have explained to her several times that it is not "the audit being called off", but rather Deloitte not having to come to a conclusion on primary vs secondary residence since Sen. Duffy has taken that issue off the table by conceding it, which is the full sum of what I discussed with Sen. Duffy. I fully expect Deloitte to issue a report – my hope is that it is limited to a dollar amount owing based on the assumption that Kanata is the primary residence, an assumption made valid by Sen. Duffy's decision not to contest that point.

I will let someone else suggest the response.

From: Woodcock, Chris
Sent: March 20, 2013 7:24 PM

03000266

To: Wright, Nigel; Rogers, Patrick; Perrin, Benjamin; Novak, Ray
Subject: RE: Senator Duffy

Senator Tkachuk received an email from Ms. Payne today seeking confirmation that the audit would be called *off* upon repayment. He is awaiting a suggestion from us on a response.

From: Wright, Nigel
Sent: March 20, 2013 1:54 PM
To: Rogers, Patrick; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

I also don't know what Sen. LeBreton said to the Senate caucus yesterday. I am concerned, given the email below, whether caucus confidentiality has been violated.

Ben, you are up to speed with advice being provided about what Deloitte could do in this situation. I am sure that Sen. Duffy has been patient. If so, no one has benefited from that more than Sen. Duffy himself as he has not been the subject of the additional negative media and public comment that he would have been had he not avoided the media. We too have been patient. As we explained before, our job was made more difficult by intemperate things that Sen. Duffy has said to his colleagues, but we continue to believe that there is a way forward here within the spirit of our discussions with Sen. Duffy.

From: Rogers, Patrick
Sent: March 20, 2013 1:04 PM
To: Perrin, Benjamin; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

I don't believe I know anything about the March 19th reference.

I have been on the phone constantly with Gerstein who has been trying to arrange the necessary commitments from Deloitte but to date he hasn't been able to receive those assurances.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 20, 2013 1:02 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Fw: Senator Duffy

Privileged

See below. I have not heard about the developments below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Wednesday, March 20, 2013 12:54 PM Eastern Standard Time
To: Perrin, Benjamin; Arthur Hamilton (ahamilton@CasselsBrock.com) <ahamilton@CasselsBrock.com>
Cc: Christine King <Christine.King@nelligan.ca>

03000267

Subject: Senator Duffy

We negotiated an arrangement on Feb 22nd that remains in limbo.

Senator Lebreton advised Senators on March 19 that no one should raise questions about or bring any pressure to bear on Deloitte. Our client is not sure how to read this in light of the commitment we had that he would be withdrawn from the process.

How should we read Sen. Lebreton's comments? Will the commitment and the balance of the arrangement we negotiated for Sen. Duffy be honoured?

We have worked hard to avoid the media and be team players. We have been more than patient. We need some clarity on process.

Sen. Lebreton also said big things are coming. We need to know where our client stands asap.

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000268

03000269

Volume II

VOLUME II

03000270

03000271

Some of the attached emails refer to a parallel policy process initially intended to develop bright-line demonstrations of Senators' residency for constitutional qualification purposes. The Prime Minister did not agree with this initiative, as he viewed the matter to be long-settled historically as requiring ownership of a residence in the province of appointment, so the process was shut down within a few days. While that policy process is not relevant to the issues being examined, for convenience and ease of reading generally the portions of emails dealing with this process were left in when the emails were produced to the Conflict of Interest and Ethics Commissioner. The redactions at tabs I-21 and I-22 and the omission of the attachment at tab I-19 are consistent with production to the Commissioner.

Tab	Description	Last Subject Line
Volume I		
I-1.	Email thread ending Feb. 6, 7:31 p.m. Last From: Wright, Nigel	RE: Duffy Statement
I-2.	Email thread ending Feb. 7, 6:40 p.m. Last From: Wright, Nigel	RE: Duffy
I-3.	Email thread ending Feb. 7, 6:47 p.m. Last From: Wright, Nigel	FW: Duffy Statement
I-4.	Email thread ending Feb. 7, 6:57 p.m. Last From: Wright, Nigel	RE: Duffy Statement
I-5.	Email thread ending Feb. 7, 21:24 [9:24 p.m.] Last From: Nigel Wright	Re: Fwd: Depending on what u say in your release
I-6.	Email thread ending Feb. 7, 11:22 p.m. Last From: Wright, Nigel	Re: Before you issue news release ...
I-7.	Email thread ending Feb. 11, 2:00 p.m. Last From: McNamara, Joanne	Re: Senate - Residency and Expenses
I-8.	Email thread ending Feb. 11, 2:10 p.m. Last From: Wright, Nigel	Re: Senate - Residency and Expenses
I-9.	Email thread ending Feb. 11, 4:21 p.m. Last From: mdduffy@aol.com	FW: SENATE: Letter from Senate Leadership to CIBA
I-10.	Email thread ending Feb. 11, 5:23 p.m. Last From: Wright, Nigel	RE: Duff at 613-254-8411

03000272

Tab	Description	Last Subject Line
I-11.	Email thread ending Feb. 11, 6:27 p.m. Last From: McNamara, Joanne	RE: Duff at 613-254-8411
I-12.	Email thread ending Feb. 11, 8:38 p.m. Last From: mdduffy@aol.com	Re: My lawyer writes ...
I-13.	Email thread ending Feb. 11, 8:41 p.m. Last From: Wright, Nigel	Re: My lawyer writes ...
I-14.	Email thread ending Feb. 11, 9:00 p.m. Last From: Rogers, Patrick	Re: Senate - Residency and Expenses
I-15.	Email thread ending Feb. 13, 1:21 a.m. Last From: Duffy, Michael	Re: Update?
I-16.	Email thread ending Feb. 14, 21:04 [9:04 p.m.]. Last From Nigel Wright	Re: Rubber Chicken - 2011 will be higher
I-17.	Email thread ending Feb. 15, 18:35 [6:35 p.m.]. Last From Nigel Wright	Re: PEI Residency Ruling
I-18.	Email threading ending Feb. 15, 7:10 p.m. Last From: Woodcock, Chris	Re: Senator Duffy
I-19.	Email thread ending Feb. 18, 5:33 p.m. Last From: Wright, Nigel [attachment excluded as not relevant]	RE: Residency
I-20.	Email thread ending Feb. 19, 6:01 a.m. Last From: Wright, Nigel	Re: the Guardian SmartEdition
I-21.	Email thread ending Feb. 19, 1:19 p.m. Last From: Wright, Nigel [redacted]	RE: Return on Senate Residency note
I-22.	Email thread ending Feb. 19, 1:21 p.m. Last From: Wright, Nigel [redacted]	RE: Return on Senate Residency note
I-23.	Email, Feb. 19, 4:27 p.m. From: Wright, Nigel	pls schedule a call w Sen. Duffy, thx
I-24.	Email thread ending Feb. 20, 2:45 p.m. Last From: Wright, Nigel	RE: Senator Michael Duffy
I-25.	Second email thread ending Feb. 20, 2:45 p.m. Last From: Wright, Nigel	FW: Your fax number pls. Mike

03000273

Tab	Description	Last Subject Line
I-26.	Email thread ending Feb. 20, 3:27 p.m. Last From: Wright, Nigel	RE: Duffy Scenario
I-27.	Email thread ending Feb. 20, 3:39 p.m. Last From: Wright, Nigel	RE: Duffy
I-28.	Email thread ending Feb. 20, 7:37 p.m. Last From: Wright, Nigel	RE: Duffy Scenario
I-29.	Email thread ending Feb. 21, 12:17 p.m. Last From: Wright, Nigel	RE: Sen. Duffy
I-30.	Email thread ending Feb. 21, 12:50 p.m. Last From: Wright, Nigel	RE: Sen. Duffy
I-31.	Email thread ending Feb. 21, 7:18 p.m. Last From: Wright, Nigel	RE: Revised Duffy Statement
I-32.	Email thread ending Feb. 21, 8:32 p.m. Last From: Wright, Nigel	RE: Revised Duffy Statement
I-33.	Email thread ending Feb. 22, 8:12 a.m. Last From: Wright, Nigel	Re: Senator Duffy
I-34.	Email thread ending Feb. 22, 12:45 p.m. Last From: Wright, Nigel	FW: Senator Duffy
I-35.	Email thread ending Feb. 22, 1:04 p.m. Last From: Wright, Nigel	Re: Senator Duffy
I-36.	Email thread ending Feb. 22, 2:10 p.m. Last From: Wright, Nigel	RE: Senator Duffy
I-37.	Email thread ending Feb. 22, 2:14 p.m. Last From: van Hemmen, David	RE: Senator Duffy
I-38.	Email thread ending Feb. 22, 3:15 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy
I-39.	Email thread ending Feb. 22, 3:16 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy
I-40.	Email thread ending Feb. 22, 3:27 p.m. Last From: Wright, Nigel	RE: Urgent: Senator Duffy

03000274

Tab	Description	Last Subject Line
I-41.	Email thread ending Feb. 22, 3:42 p.m. Last From: Perrin, Benjamin	RE: Urgent: Senator Duffy
I-42.	Email thread ending Feb. 22, 5:44 p.m. Last From: Wright, Nigel	RE: Duffy Transcript
I-43.	Email thread ending Feb. 22, 6:04 p.m. Last From: Wright, Nigel	FW: 'I made a mistake' claiming housing allowance, says embattled senator Duffy
I-44.	Email thread ending Feb. 22, 7:01 p.m. Last From: Wright, Nigel	RE: Hard copy will be faxed monday. Letter to sen tkachuk
I-45.	Email thread ending Feb. 26, 11:53 a.m. Last From: Woodcock, Chris	RE: Today's target - for Fife too
I-46.	Email thread ending Feb. 26, 12:52 p.m. Last From: Wright, Nigel	RE: Duffy
I-47.	Email thread ending Feb. 26, 21:16 [9:16 p.m.]. Last From Nigel Wright	Re: Deal
I-48.	Email thread ending Feb. 27, 11:36 a.m. Last From: Wright, Nigel	RE: Letter to Duffy
I-49.	Email thread ending Feb. 27, 3:44 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
I-50.	Email thread ending Feb. 27, 5:49 p.m. Last From: Wright, Nigel	Re: Urgent: Senator Duffy
I-51.	Email thread ending Feb. 27, 5:58 p.m. Last From: Perrin, Benjamin	Re: Urgent: Senator Duffy
I-52.	Email thread ending Feb. 27, 8:18 p.m. Last From: Woodcock, Chris	Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx
I-53.	Email thread ending Feb. 27, 9:56 p.m. Last From: Wright, Nigel	Re: Revised Audit Subcommittee report - Primary and Secondary Recommendations3.docx
I-54.	Email thread ending Feb. 28, 9:55 a.m. Last From: Wright, Nigel	RE: QP Closed Captioning Transcript - 2013-02-27
I-55.	Email thread ending Mar. 1, 6:43 a.m. Last From: Wright, Nigel	FW: Re Senate Report

03000275

Tab	Description	Last Subject Line
I-56.	Email thread ending Mar. 1, 7:25 a.m. Last From: Woodcock, Chris	RE: Re Senate Report
I-57.	Email thread ending Mar. 1, 2:18 p.m. Last From: Wright, Nigel	Re: Urgent: Senator Duffy
I-58.	Email thread ending Mar. 6, 11:31 a.m. Last From: Wright, Nigel	RE: Senator Duffy - request for input please
I-59.	Email thread ending Mar. 6, 11:41 a.m. Last From: Wright, Nigel	RE: next steps
I-60.	Email thread ending Mar. 6, 9:44 p.m. Last From: Wright, Nigel	Re: Senator Duffy - request for input please
I-61.	Email thread ending Mar. 8, 11:29 [a.m.]. Last From Nigel Wright	Re: Sen. Wallin
I-62.	Email thread ending Mar. 8, 3:26 p.m. Last From: Wright, Nigel	Re: Statement of Work - Sen. Duffy
I-63.	Email thread ending Mar. 14, 8:37 a.m. Last From: Perrin, Benjamin	Fw: Senator Duffy
I-64.	Email thread ending Mar. 20, 7:40 p.m. Last From: Wright, Nigel	RE: Senator Duffy
I-65.	Email thread ending Mar. 21, 1:45 p.m. Last From: Perrin, Benjamin	FW: Senator Duffy - request for input please
I-66.	Email thread ending Mar. 21, 2:01 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
Volume II		
II-1.	Email thread ending Mar. 22, 10:19 a.m. Last From: Wright, Nigel	RE: Call with Nigel Wright and Ben Perrin
II-2.	Email thread ending Mar. 22, 2:21 p.m. Last From: Woodcock, Chris	Re: letter
II-3.	Email thread ending Mar. 22, 3:54 p.m. Last From: Perrin, Benjamin	RE: Draft letter: repayment of housing allowances

03000276

Tab	Description	Last Subject Line
II-4.	Email thread ending Mar. 23, 1:20 p.m. Last From: Wright, Nigel	FW: Follow-up
II-5.	Email thread ending Mar. 24, 7:52 p.m. Last From: Wright, Nigel	Re: Senator Duffy
II-6.	Email thread ending Mar. 25, 1:00 p.m. Last From: Rogers, Patrick	RE: Senator Duffy
II-7.	Email thread ending Mar. 25, 2:06 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
II-8.	Email thread ending Mar. 25, 2:26 p.m. Last From: Wright, Nigel	RE: Senator Duffy
II-9.	Email thread ending Mar. 25, 3:09 p.m. Last From: Woodcock, Chris	Re: Senator Duffy
II-10.	Email thread ending Mar. 25, 3:43 p.m. Last From: Wright, Nigel	Re: Senator Duffy
II-11.	Email thread ending Mar. 25, 3:45 p.m. Last From: Perrin, Benjamin	FW: Senator Duffy
II-12.	Email thread ending Mar. 25, 3:46 p.m. Last From: Perrin, Benjamin	RE: Senator Duffy
II-13.	Email thread ending Mar. 26, 12:09 p.m. Last From: Perrin, Benjamin	FW: Senator Michael Duffy
II-14.	Email thread ending Mar. 26, 6:09 p.m. Last From: Wright, Nigel	RE: Duffy
II-15.	Email thread ending Apr. 17, 10:32 p.m. Last From: Woodcock, Chris	Fw: Global National
II-16.	Email thread ending Apr. 18, 7:13 p.m. Last From: Wright, Nigel	RE: Sen. Duffy admits he hasn't paid money back
II-17.	Email thread ending Apr. 18, 7:28 p.m. Last From: Rogers, Patrick	Re: Sen. Duffy admits he hasn't paid money back
II-18.	Email thread ending Apr. 18, 20:02 [8:02 p.m.] Last From: Nigel Wright	Fwd: Things

03000277

Tab	Description	Last Subject Line
II-19.	Email thread ending Apr. 18, 8:24 p.m. Last From: LeBreton, Marjory	Re: Interview Request - The West Block with Tom Clark
II-20.	Email thread ending Apr. 19, 10:19. Last From Nigel Wright	Fwd: Jordan Press called my office again today going to write MD is a liar
II-21.	Email thread ending Apr. 19, 11:51 a.m. Last From: Woodcock, Chris	Re: Jordan Press called my office again today going to write MD is a liar
II-22.	Email thread ending Apr. 19, 5:14 p.m. Last From: Woodcock, Chris	Re: Urgent - Duffy
II-23.	Email thread ending Apr. 22, 3:30 p.m. Last From: Wright, Nigel	RE: Duffy
II-24.	Email thread ending Apr. 23, 5:43 p.m. Last From: Montgomery, Christopher	RE: Confidential. Tkachuk/Duffy
II-25.	Email thread ending Apr. 23, 6:23 p.m. Last From: Wright, Nigel	Re: Confidential. Tkachuk/Duffy
II-26.	Email thread ending Apr. 30, 06:36 [6:36 a.m.] Last From: Nigel Wright	Fwd: Follow up
II-27.	Email thread ending May 2, 07:54 [7:54 a.m.] Last From: Goldy Hyder	Re: Draft Statement
II-28.	Email thread ending May 2, 2:46 p.m. Last From: Woodcock, Chris	Re: Audit
II-29.	Email thread ending May 3, 02:42 [2:42 a.m.] Last From: Goldy Hyder	RE: Follow up
II-30.	Email thread ending May 3, 11:44 [11:44 a.m.] Last From: Nigel Wright	Re: Follow up
II-31.	Email thread ending May 8, 1:58 p.m. Last From: Woodcock, Chris	Re: Report on Duffy
II-32.	Email thread ending May 8, 2:37 p.m. Last From: Woodcock, Chris	Re: Meeting
II-33.	Email thread ending May 8, 3:04 p.m. Last From: Woodcock, Chris	Re: Meeting

03000278

Tab	Description	Last Subject Line
II-34.	Email thread ending May 8, 3:42 p.m. Last From: Wright, Nigel	RE:
II-35.	Email thread ending May 8, 7:11 p.m. Last From: Wright, Nigel	RE: Any sign of products for tomorrow?
II-36.	Email thread ending May 8, 8:44 p.m. Last From: Woodcock, Chris	RE: Duffy Statement
II-37.	Email thread ending May 9, 6:00 a.m. Last From: Wright, Nigel	Re: Any sign of products for tomorrow?
II-38.	Email thread ending May 9, 6:00 a.m. Last From: Woodcock, Chris	FW: Notes from Thursday BOIE FYI
II-39.	Email thread ending May 9, 11:16 a.m. Last From: Woodcock, Chris	RE: Duffy
II-40.	Email, May 14, 22:52 [10:52 p.m.] From: chriswoodcock1@gmail.com	(no subject)
II-41.	Schedule for Feb. 11 [redacted]	n.a.
II-42.	Schedule for Feb. 12 [redacted]	n.a.
II-43.	Schedule for Feb. 13 [redacted]	n.a.
II-44.	Schedule for Feb. 19 [redacted]	n.a.
II-45.	Schedule for Feb. 21 [redacted]	n.a.
II-46.	Schedule for Mar. 22 [redacted]	n.a.
II-47.	Journal excerpt from Feb. 6, 2013	n.a.
II-48.	Journal excerpt from Feb. 7, 2013	n.a.
II-49.	Journal excerpt from Feb. 11, 2013	n.a.
II-50.	Journal excerpt from Feb. 12, 2013	n.a.
II-51.	Journal excerpt from Feb. 13, 2013	n.a.
II-52.	Journal excerpt from Feb. 19, 2013	n.a.
II-53.	Journal excerpt from Feb. 20, 2013	n.a.

03000279

Tab	Description	Last Subject Line
II-54.	Journal excerpt from Feb. 20/21, 2013	n.a.
II-55.	Journal excerpt from Feb. 21, 2013	n.a.
II-56.	Journal excerpt from Mar. 22, 2013	n.a.
II-57.	Journal excerpt from Apr. 29, 2013	n.a.
II-58.	Journal excerpt from May 7, 2013	n.a.
II-59.	Letter from Hon. David Tkachuk to Janice Payne dated Feb. 14, 2013	Re: The Honourable Senator Michael Duffy Your File No. 16138-2

03000280

03000281

Wright, Nigel

From: Wright, Nigel
Sent: March 22, 2013 10:19 AM
To: van Hemmen, David
Subject: RE: Call with Nigel Wright and Ben Perrin

I do not think it would be helpful, so I'd prefer just to have Janice. However, if she feels he really should be we cannot object. I'd like Ben to say that we think it might work best to have it be the three of us, with a follow-up call with the Senator if need be, but that ultimately it is up to her.

-----Original Message-----

From: van Hemmen, David
Sent: March 22, 2013 9:33 AM
To: Wright, Nigel
Subject: FW: Call with Nigel Wright and Ben Perrin

Would you like Senator Duffy to be on the call?

-----Original Message-----

From: Perrin, Benjamin
Sent: 2013-03-21 11:13 PM
To: van Hemmen, David
Subject: Fw: Call with Nigel Wright and Ben Perrin

Ask Nigel what he prefers please.

----- Original Message -----

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Thursday, March 21, 2013 10:21 PM Eastern Standard Time
To: van Hemmen, David; Christine King <Christine.King@nelligan.ca>; Perrin, Benjamin
Subject: RE: Call with Nigel Wright and Ben Perrin

Ben, would it be helpful to have Senator Duffy on this call? Please let me know.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca-----Original Message-----

03000282

03000283

Wright, Nigel

From: Woodcock, Chris
Sent: March 22, 2013 2:21 PM
To: Rogers, Patrick; Perrin, Benjamin; Wright, Nigel; Novak, Ray
Subject: Re: letter

The letter has been requested. We should have it today.

From: Rogers, Patrick
Sent: Friday, March 22, 2013 02:04 PM
To: Woodcock, Chris; Perrin, Benjamin; Wright, Nigel; Novak, Ray
Subject: Re: letter

I'm happy to call with you if you're around.

From: Woodcock, Chris
Sent: Friday, March 22, 2013 02:02 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Rogers, Patrick; Novak, Ray
Subject: Re: letter

Patrick I can call Sen Tkachuk

From: Perrin, Benjamin
Sent: Friday, March 22, 2013 02:00 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris; Novak, Ray
Subject: Re: letter

Privileged

Patrick we need this attached letter to be updated to date please (ie it is calculated to late February). We would like it for Monday.

From: Wright, Nigel
Sent: Friday, March 22, 2013 01:57 PM Eastern Standard Time
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris; Novak, Ray
Subject: letter

03000284

03000285

Wright, Nigel

From: Perrin, Benjamin
Sent: March 22, 2013 3:54 PM
To: Wright, Nigel; Woodcock, Chris; Novak, Ray; Rogers, Patrick
Subject: RE: Draft letter: repayment of housing allowances
Will do, thanks.

From: Wright, Nigel
Sent: 2013-03-22 3:52 PM
To: Perrin, Benjamin; Woodcock, Chris; Novak, Ray; Rogers, Patrick
Subject: Re: Draft letter: repayment of housing allowances

Thanks Ben. You could share the draft letter itself, since that will give her comfort.

From: Perrin, Benjamin
Sent: Friday, March 22, 2013 03:37 PM Eastern Standard Time
To: Woodcock, Chris; Wright, Nigel; Novak, Ray; Rogers, Patrick
Subject: Re: Draft letter: repayment of housing allowances

I will let Janice know the number.

From: Woodcock, Chris
Sent: Friday, March 22, 2013 03:37 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Perrin, Benjamin; Rogers, Patrick
Subject: Fw: Draft letter: repayment of housing allowances

Attached is a draft of the letter. Note the indication that interest accrues on the 31st.

From: Shave, Katarina [mailto:SHAVEK@SEN.PARL.GC.CA]
Sent: Friday, March 22, 2013 03:24 PM
To: Woodcock, Chris
Cc: Hay, Robin <HAYR@SEN.PARL.GC.CA>
Subject: Draft letter: repayment of housing allowances

Hi Chris,

Please see attached a draft letter for Sen. Duffy prepared by Senate Finance. Please note that there is no change in the amount owed because the interest is calculated annually on March 31. So, there would be a change only if the payment is made after March 31.

Katarina

Katarina Shave, EA
To the Hon. Senator David Tkachuk
Senate of Canada
140 Wellington Street
Room 401-VB
Ottawa, ON K1A 0A4

Tel.: (613) 947-3196
Fax: (613) 947-3198

shavek@sen.parl.gc.ca

03000286

SENATE
STANDING COMMITTEE ON
INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION



CANADA

SÉNAT
COMITÉ PERMANENT DE LA RÉGIE
INTERNE, DES BUDGETS ET DE L'ADMINISTRATION

March 25, 2013

The Honourable Michael Duffy, Senator
The Senate of Canada
Room 367-E, Centre Block
Ottawa, Ontario
K1A 0A4

Dear Senator Duffy:

As requested, this is to confirm that there is no change in the amount owed for repayment of the housing allowance as the interest is calculated annually on March 31. As was stated in my earlier letter, interest plus capital represents a total of \$90,172.24. Please note that the amount would change if reimbursement is made after that date.

Sincerely,

David Tkachuk,
Chair

03000287

03000288

Wright, Nigel

From: Wright, Nigel
Sent: March 23, 2013 1:20 PM
To: van Hemmen, David
Subject: FW: Follow-up

My cheque is in the correspondence folder. I don't have enough funds in my chequing account, so I have emailed Murray Culligan to ask him to transfer them in from another account. You might call him on Monday morning to assure that he is doing it, as I dated my cheque for Monday and I expect them to negotiate it that day. Thanks.
Nigel

From: Perrin, Benjamin
Sent: March 23, 2013 12:59 PM
To: Wright, Nigel; Novak, Ray
Subject: Re: Follow-up

I agree.

From: Wright, Nigel
Sent: Saturday, March 23, 2013 12:47 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray
Subject: RE: Follow-up

I don't know whether either of you has thoughts, but I think that this is perfectly fine (and I resist making minor suggestions since I would prefer to be able to answer, if necessary, that PMO did not write it).

Nigel

From: Perrin, Benjamin
Sent: March 23, 2013 12:29 PM
To: Wright, Nigel; Novak, Ray
Subject: Fw: Follow-up

Privileged

She just sent this over. Let me know if you have any comments.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Saturday, March 23, 2013 12:08 PM Eastern Standard Time
To: Janice Payne <janice.payne@nelligan.ca>; Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: RE: Follow-up

I would also be grateful for any comment from you/Nigel on the draft letter suggested below:

I am enclosing Senator's Duffy's personal cheque payable to [?] in the amount of \$90,172.24 in repayment of the housing allowance paid to him to date since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

03000289

As Senator Duffy has already publicly declared, while he understood at the time he claimed the allowance that he was entitled to it, he no longer intends to contest the matter and prefers instead to pay any amount that could be found to be owing by him.

He has now done so.

In the circumstances, we suggest that the review that Deloitte has been asked to undertake is now moot. The considerable time necessary for Senator Duffy to compile the extensive information and documentation required of him as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer necessary.

This matter has been an unfortunate and painful distraction for Senator Duffy. We trust that he will now be able to return to devoting his full energies to his work as the Senator from PEI.

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient; you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

From: Janice Payne

Sent: Saturday, March 23, 2013 10:39 AM

To: 'Perrin, Benjamin'

Cc: Christine King

Subject: RE: Follow-up

Ben, yesterday we discussed the Senator sending a cheque to Deloitte with a letter explaining our position that the ongoing review should now be moot. I am preparing such a letter.

Would it be preferable to send the chq and the letter to the Steering Committee as a reply to this correspondence advising him of the amount owing? Perhaps with a copy to Mr. Timm at Deloitte?

03000290

I would appreciate your and Nigel's consideration on this and your further comments.

I expect to have my client's instructions by Monday a.m. and if he is in agreement, I would like to proceed promptly on Monday.

Thank you.

03000291

03000292

Wright, Nigel

From: Wright, Nigel
Sent: March 24, 2013 7:52 PM
To: Perrin, Benjamin
Subject: Re: Senator Duffy

Yes.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 07:42 PM Eastern Standard Time
To: Wright, Nigel
Subject: Re: Senator Duffy

Can I loop Patrick and Chris in on this chain? It doesn't include the payment issue.

From: Wright, Nigel
Sent: Sunday, March 24, 2013 07:07 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray
Subject: Re: Senator Duffy

I agree tat we can live with the draft letter. I don't think that we can give the second part of the undertaking until Patrick or Chris check with Senators LeBreton and Tkachuk. We can give the first part.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 06:51 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Subject: Fw: Senator Duffy

Privileged

See below. I don't have major concerns with the revised draft letter (though I'd have preferred the initial draft). Let me know if you're okay with it. Also need guidance on how to respond to point 2 below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

03000293

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500

03000294

Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000295

03000296

Wright, Nigel

From: Rogers, Patrick
Sent: March 25, 2013 1:00 PM
To: Perrin, Benjamin; Woodcock, Chris; Wright, Nigel
Cc: Novak, Ray
Subject: RE: Senator Duffy

LeBreton is onsite. I am waiting to hear back from Tkachuk.

Patrick

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 25, 2013 1:00 PM
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Just checking in to see if we have any update.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 07:47 AM Eastern Standard Time
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Privileged

Hi Chris and Patrick,

We are on stand by awaiting word on this after your meetings as there is a desire, if we can, to conclude this today. Please let us know once you have info. Thanks so much.

Regards,
Ben

From: Woodcock, Chris
Sent: Sunday, March 24, 2013 08:30 PM Eastern Standard Time
To: Wright, Nigel <Nigel.Wright@pmo-cpm.gc.ca>
Cc: Rogers, Patrick <Patrick.Rogers@pmo-cpm.gc.ca>; Perrin, Benjamin <Benjamin.Perrin@pmo-cpm.gc.ca>; Novak, Ray <Ray.Novak@pmo-cpm.gc.ca>; Woodcock, Chris
Subject: Re: Senator Duffy

Understood.

03000297

Sent from my iPad

On Mar 24, 2013, at 8:25 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

It has to be handled very delicately. We are not asking Senators to absolve him of anything - they would refuse that, quite properly. We are asking them to treat the repayment as the final chapter of the expenses issue relating to his designation of the PEI cottage as his primary residence to this point in time. That is something to which Sens. LeBreton and Tkachuk and Stewart-Olsen already agreed once.

From: Rogers, Patrick
Sent: Sunday, March 24, 2013 08:21 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy

I will speak to Senator LeBreton at the 10 am meeting regarding her giving an assurance to Duffy regarding the housing.

Chris and I can speak to Tkachuk regarding future studies/actions against Duffy.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 08:07 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

Privileged

Adding Chris and Patrick to follow-up per below.

From: Wright, Nigel
Sent: Sunday, March 24, 2013 07:07 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray
Subject: Re: Senator Duffy

I agree tat we can live with the draft letter. I don't think that we can give the second part of the undertaking until Patrick or Chris check with Senators LeBreton and Tkachuk. We can give the first part.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 06:51 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Subject: Fw: Senator Duffy

Privileged

See below. I don't have major concerns with the revised draft letter (though I'd have preferred the initial draft). Let me know if you're okay with it. Also need guidance on how to respond to point 2 below.

From: Janice Payne [<mailto:janice.payne@nelligan.ca>]

03000298

Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as

03000299

well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000300

03000301

Wright, Nigel

From: Perrin, Benjamin
Sent: March 25, 2013 2:06 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Cc: Novak, Ray
Subject: RE: Senator Duffy

I will communicate that to her verbally.

From: Wright, Nigel
Sent: 2013-03-25 2:03 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris
Cc: Novak, Ray
Subject: RE: Senator Duffy

No, I would prefer this wording, which is consistent with past statements.

We can provide an assurance that should any Senator seek his removal from the Senate, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as against any motion to refer the matter of expenses relating to the designation of the PEI home as his primary residence, to the present time, for further investigation or action by Deloitte or any other party.

From: Perrin, Benjamin
Sent: March 25, 2013 1:22 PM
To: Rogers, Patrick; Woodcock, Chris; Wright, Nigel
Cc: Novak, Ray
Subject: RE: Senator Duffy

PRIVILEGED

Thanks, Patrick.

Nigel: are you fine with me letting Janice know that we can provide the assurances as she worded them below? I think it is sufficient but need your confirmation. Here it is again for your reference:

"He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support."

From: Rogers, Patrick
Sent: 2013-03-25 1:07 PM
To: Perrin, Benjamin; Woodcock, Chris; Wright, Nigel
Cc: Novak, Ray
Subject: RE: Senator Duffy

Tkachuk just called.

He agrees that he will join LeBreton in fending off any attacks of residency.

Agrees that this will be the final chapter for Duffy in committee.

03000302

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 25, 2013 1:00 PM
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Just checking in to see if we have any update.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 07:47 AM Eastern Standard Time
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Privileged

Hi Chris and Patrick,

We are on stand by awaiting word on this after your meetings as there is a desire, if we can, to conclude this today. Please let us know once you have info. Thanks so much.

Regards,
Ben

From: Woodcock, Chris
Sent: Sunday, March 24, 2013 08:30 PM Eastern Standard Time
To: Wright, Nigel <Nigel.Wright@pmo-cpm.gc.ca>
Cc: Rogers, Patrick <Patrick.Rogers@pmo-cpm.gc.ca>; Perrin, Benjamin <Benjamin.Perrin@pmo-cpm.gc.ca>;
Novak, Ray <Ray.Novak@pmo-cpm.gc.ca>; Woodcock, Chris
Subject: Re: Senator Duffy

Understood.

Sent from my iPad

On Mar 24, 2013, at 8:25 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

It has to be handled very delicately. We are not asking Senators to absolve him of anything - they would refuse that, quite properly. We are asking them to treat the repayment as the final chapter of the expenses issue relating to his designation of the PEI cottage as his primary residence to this point in time. That is something to which Sens. LeBreton and Tkachuk and Stewart-Olsen already agreed once.

03000303

From: Rogers, Patrick
Sent: Sunday, March 24, 2013 08:21 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy

I will speak to Senator LeBreton at the 10 am meeting regarding her giving an assurance to Duffy regarding the housing.

Chris and I can speak to Tkachuk regarding future studies/actions against Duffy.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 08:07 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

Privileged

Adding Chris and Patrick to follow-up per below.

From: Wright, Nigel
Sent: Sunday, March 24, 2013 07:07 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray
Subject: Re: Senator Duffy

I agree tat we can live with the draft letter. I don't think that we can give the second part of the undertaking until Patrick or Chris check with Senators LeBreton and Tkachuk. We can give the first part.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 06:51 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Subject: Fw: Senator Duffy

Privileged

See below. I don't have major concerns with the revised draft letter (though I'd have preferred the initial draft). Let me know if you're okay with it. Also need guidance on how to respond to point 2 below.

From: Janice Payne [<mailto:janice.payne@nelligan.ca>]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now

03000304

been approved by my client.

2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

03000305

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000306

03000307

Wright, Nigel

From: Wright, Nigel
Sent: March 25, 2013 2:26 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris
Cc: Novak, Ray
Subject: RE: Senator Duffy

Thanks Ben.

From: Perrin, Benjamin
Sent: March 25, 2013 2:25 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Cc: Novak, Ray
Subject: RE: Senator Duffy

PRIVILEGED

Confirming that I have conveyed this to her verbatim. She will advise us later today whether the letter and cheque will go today or tomorrow.

From: Wright, Nigel
Sent: 2013-03-25 2:03 PM
To: Perrin, Benjamin; Rogers, Patrick; Woodcock, Chris
Cc: Novak, Ray
Subject: RE: Senator Duffy

No, I would prefer this wording, which is consistent with past statements.

We can provide an assurance that should any Senator seek his removal from the Senate, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as against any motion to refer the matter of expenses relating to the designation of the PEI home as his primary residence, to the present time, for further investigation or action by Deloitte or any other party.

From: Perrin, Benjamin
Sent: March 25, 2013 1:22 PM
To: Rogers, Patrick; Woodcock, Chris; Wright, Nigel
Cc: Novak, Ray
Subject: RE: Senator Duffy

PRIVILEGED

Thanks, Patrick.

Nigel: are you fine with me letting Janice know that we can provide the assurances as she worded them below? I think it is sufficient but need your confirmation. Here it is again for your reference:

"He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support."

03000308

From: Rogers, Patrick
Sent: 2013-03-25 1:07 PM
To: Perrin, Benjamin; Woodcock, Chris; Wright, Nigel
Cc: Novak, Ray
Subject: RE: Senator Duffy

Tkachuk just called.

He agrees that he will join LeBreton in fending off any attacks of residency.

Agrees that this will be the final chapter for Duffy in committee.

Patrick

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Perrin, Benjamin
Sent: March 25, 2013 1:00 PM
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Just checking in to see if we have any update.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 07:47 AM Eastern Standard Time
To: Woodcock, Chris; Wright, Nigel
Cc: Rogers, Patrick; Novak, Ray
Subject: Re: Senator Duffy

Privileged

Hi Chris and Patrick,

We are on stand by awaiting word on this after your meetings as there is a desire, if we can, to conclude this today. Please let us know once you have info. Thanks so much.

Regards,
Ben

From: Woodcock, Chris
Sent: Sunday, March 24, 2013 08:30 PM Eastern Standard Time
To: Wright, Nigel <Nigel.Wright@pmo-cpm.gc.ca>
Cc: Rogers, Patrick <Patrick.Rogers@pmo-cpm.gc.ca>; Perrin, Benjamin <Benjamin.Perrin@pmo-cpm.gc.ca>;
Novak, Ray <Ray.Novak@pmo-cpm.gc.ca>; Woodcock, Chris
Subject: Re: Senator Duffy

Understood.

03000309

Sent from my iPad

On Mar 24, 2013, at 8:25 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

It has to be handled very delicately. We are not asking Senators to absolve him of anything - they would refuse that, quite properly. We are asking them to treat the repayment as the final chapter of the expenses issue relating to his designation of the PEI cottage as his primary residence to this point in time. That is something to which Sens. LeBreton and Tkachuk and Stewart-Olsen already agreed once.

From: Rogers, Patrick
Sent: Sunday, March 24, 2013 08:21 PM Eastern Standard Time
To: Perrin, Benjamin; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy

I will speak to Senator LeBreton at the 10 am meeting regarding her giving an assurance to Duffy regarding the housing.

Chris and I can speak to Tkachuk regarding future studies/actions against Duffy.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 08:07 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

Privileged

Adding Chris and Patrick to follow-up per below.

From: Wright, Nigel
Sent: Sunday, March 24, 2013 07:07 PM Eastern Standard Time
To: Perrin, Benjamin; Novak, Ray
Subject: Re: Senator Duffy

I agree tat we can live with the draft letter. I don't think that we can give the second part of the undertaking until Patrick or Chris check with Senators LeBreton and Tkachuk. We can give the first part.

From: Perrin, Benjamin
Sent: Sunday, March 24, 2013 06:51 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray
Subject: Fw: Senator Duffy

Privileged

See below. I don't have major concerns with the revised draft letter (though I'd have preferred the initial draft). Let me know if you're okay with it. Also need guidance on how to respond to point 2 below.

03000310

From: Janice Payne [<mailto:janice.payne@nelligan.ca>]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile

03000311

the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000312

03000313

Wright, Nigel

From: Woodcock, Chris
Sent: March 25, 2013 3:09 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Rogers, Patrick
Subject: Re: Senator Duffy

I would support Nigel's suggestion below. I did not attend law school, but I can say confidently that it would be a scandal to promise not to refer to the RCMP.

From: Wright, Nigel
Sent: Monday, March 25, 2013 03:06 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

We could have a separate sentence saying that "the facts known to us do not warrant a referral of this matter to the RCMP". I would support that. I have some vague recollection from law school about it being improper for a lawyer to seek civil advantage in connection with a promise to refer or to not refer a suspected criminal matter to the authorities. It just seems politically indefensible to have an 'agreement' not to refer any matter to the RCMP.

From: Perrin, Benjamin
Sent: March 25, 2013 3:01 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

PRIVILEGED

I can reply and say that what we said stands if you would like. I expect that may aggravate them though and lead them to think something is being hidden.

Alternatively, if we don't think a crime has occurred here, we would surely not support a motion referring it to the RCMP. We could add a caveat about "based on the facts as they are presently known".

From: Wright, Nigel
Sent: 2013-03-25 2:53 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

How can we do that? If someone thinks a crime has occurred, can we have an internal agreement not to refer it to the RCMP? I think that would be a scandal, no? Unless you guys disagree, I think we tell her we cannot mention the RCMP.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 02:40 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy

PRIVILEGED

See Janice's reply – post-speaking with the Senator after my call to her a few minutes ago. He specifically wants the RCMP added to the list. I assume that is included in "other party" but they want it spelled out.

03000314

Are you okay with that? Her writing below excludes "to the present time" – I would reiterate that – again.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-25 2:36 PM
To: Perrin, Benjamin
Cc: Christine King
Subject: RE: Senator Duffy

I have spoken to my client about your clarification re item 2 below.

Senator Duffy would like some better clarity.

Please call me about this language:

He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims related to the designation of PEI as his primary residence for further investigation or action by Deloitte, the RCMP or any other party.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 8:38 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

I won't have anything to say at that time given your request on point 2. Perhaps later in the morning.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 08:28 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Senator Duffy

Thank you. Can I call you at 9 am?

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 08:09 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

Privileged

We have no concerns with the revised letter and will look into point 2 below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin

03000315

Cc: Christine King <Christine.King@nelligan.ca>

Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

03000316

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000317

03000318

Wright, Nigel

From: Wright, Nigel
Sent: March 25, 2013 3:43 PM
To: Perrin, Benjamin; Rogers, Patrick; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy

Ok

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 03:21 PM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

Patrick: we already tried that. The original line referred generally to "any third party". Now they want the RCMP spelled out.

Nigel: I agree that saying "the facts known to us do not warrant a referral of this matter to the RCMP" is the most we should say. I can proceed with that now.

From: Rogers, Patrick
Sent: 2013-03-25 3:10 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

Can we say that the Senate leadership will urge their colleagues to vote against any motion that attempts to investigate these issues further? But not make reference to any of the bodies?

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel
Sent: March 25, 2013 3:06 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

We could have a separate sentence saying that "the facts known to us do not warrant a referral of this matter to the RCMP". I would support that. I have some vague recollection from law school about it being improper for a lawyer to seek civil advantage in connection with a promise to refer or to not refer a suspected criminal matter to the authorities. It just seems politically indefensible to have an 'agreement' not to refer any matter to the RCMP.

From: Perrin, Benjamin
Sent: March 25, 2013 3:01 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

PRIVILEGED

03000319

I can reply and say that what we said stands if you would like. I expect that may aggravate them though and lead them to think something is being hidden.

Alternatively, if we don't think a crime has occurred here, we would surely not support a motion referring it to the RCMP. We could add a caveat about "based on the facts as they are presently known".

From: Wright, Nigel
Sent: 2013-03-25 2:53 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

How can we do that? If someone thinks a crime has occurred, can we have an internal agreement not to refer it to the RCMP? I think that would be a scandal, no? Unless you guys disagree, I think we tell her we cannot mention the RCMP.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 02:40 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy

PRIVILEGED

See Janice's reply – post-speaking with the Senator after my call to her a few minutes ago. He specifically wants the RCMP added to the list. I assume that is included in "other party" but they want it spelled out. Are you okay with that? Her writing below excludes "to the present time" – I would reiterate that – again.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-25 2:36 PM
To: Perrin, Benjamin
Cc: Christine King
Subject: RE: Senator Duffy

I have spoken to my client about your clarification re item 2 below.

Senator Duffy would like some better clarity.

Please call me about this language:

He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims related to the designation of PEI as his primary residence for further investigation or action by Deloitte, the RCMP or any other party.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 8:38 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

I won't have anything to say at that time given your request on point 2. Perhaps later in the morning.

03000320

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 08:28 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Senator Duffy

Thank you. Can I call you at 9 am?

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 08:09 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

Privileged

We have no concerns with the revised letter and will look into point 2 below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for further investigation or action by Deloitte or any other party. Please confirm that he can count on that support. This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

03000321

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

VT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne

Lawyer/Avocate

Nelligan O'Brien Payne LLP

50 O'Connor, Suite 1500

Ottawa, ON K1P 6L2

Tel/Tél: 613-231-8245

Fax/Télé: 613-788-3655

www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

03000322

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000323

03000324

Wright, Nigel

From: Perrin, Benjamin
Sent: March 25, 2013 3:45 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy
PRIVILEGED

See final below as discussed.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-25 3:44 PM
To: Janice Payne; Perrin, Benjamin
Cc: Christine King
Subject: RE: Senator Duffy

Revised language as per our discussion for your review:

He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims up to the present time related to the designation of PEI as his primary residence for further investigation or action by Deloitte, or any other party.

Janice Payne
Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000325

03000326

Wright, Nigel

From: Perrin, Benjamin
Sent: March 25, 2013 3:46 PM
To: Wright, Nigel
Subject: RE: Senator Duffy

Thanks.

From: Wright, Nigel
Sent: 2013-03-25 3:45 PM
To: Perrin, Benjamin; Rogers, Patrick; Novak, Ray; Woodcock, Chris
Subject: Re: Senator Duffy

Well done Ben.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 03:43 PM Eastern Standard Time
To: Rogers, Patrick; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

PRIVILEGED

I have spoken to her. It took some explaining, but she gets it and agrees with it.

From: Perrin, Benjamin
Sent: 2013-03-25 3:21 PM
To: Rogers, Patrick; Wright, Nigel; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

Patrick: we already tried that. The original line referred generally to "any third party". Now they want the RCMP spelled out.

Nigel: I agree that saying "the facts known to us do not warrant a referral of this matter to the RCMP" is the most we should say. I can proceed with that now.

From: Rogers, Patrick
Sent: 2013-03-25 3:10 PM
To: Wright, Nigel; Perrin, Benjamin; Novak, Ray; Woodcock, Chris
Subject: RE: Senator Duffy

Can we say that the Senate leadership will urge their colleagues to vote against any motion that attempts to investigate these issues further? But not make reference to any of the bodies?

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Wright, Nigel

03000327

Sent: March 25, 2013 3:06 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

We could have a separate sentence saying that "the facts known to us do not warrant a referral of this matter to the RCMP". I would support that. I have some vague recollection from law school about it being improper for a lawyer to seek civil advantage in connection with a promise to refer or to not refer a suspected criminal matter to the authorities. It just seems politically indefensible to have an 'agreement' not to refer any matter to the RCMP.

From: Perrin, Benjamin
Sent: March 25, 2013 3:01 PM
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: RE: Senator Duffy

PRIVILEGED

I can reply and say that what we said stands if you would like. I expect that may aggravate them though and lead them to think something is being hidden.

Alternatively, if we don't think a crime has occurred here, we would surely not support a motion referring it to the RCMP. We could add a caveat about "based on the facts as they are presently known".

From: Wright, Nigel
Sent: 2013-03-25 2:53 PM
To: Perrin, Benjamin; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: Re: Senator Duffy

How can we do that? If someone thinks a crime has occurred, can we have an internal agreement not to refer it to the RCMP? I think that would be a scandal, no? Unless you guys disagree, I think we tell her we cannot mention the RCMP.

From: Perrin, Benjamin
Sent: Monday, March 25, 2013 02:40 PM Eastern Standard Time
To: Wright, Nigel; Novak, Ray; Woodcock, Chris; Rogers, Patrick
Subject: FW: Senator Duffy

PRIVILEGED

See Janice's reply – post-speaking with the Senator after my call to her a few minutes ago. He specifically wants the RCMP added to the list. I assume that is included in "other party" but they want it spelled out. Are you okay with that? Her writing below excludes "to the present time" – I would reiterate that – again.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: 2013-03-25 2:36 PM
To: Perrin, Benjamin
Cc: Christine King
Subject: RE: Senator Duffy

I have spoken to my client about your clarification re item 2 below.

Senator Duffy would like some better clarity.

03000328

Please call me about this language:

He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims related to the designation of PEI as his primary residence for further investigation or action by Deloitte, the RCMP or any other party.

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 8:38 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

I won't have anything to say at that time given your request on point 2. Perhaps later in the morning.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 08:28 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Re: Senator Duffy

Thank you. Can I call you at 9 am?

Sent by Blackberry/Envoyé de mon Blackberry

From: Perrin, Benjamin [mailto:Benjamin.Perrin@pmo-cpm.gc.ca]
Sent: Sunday, March 24, 2013 08:09 PM
To: Janice Payne
Cc: Christine King
Subject: Re: Senator Duffy

Privileged

We have no concerns with the revised letter and will look into point 2 below.

From: Janice Payne [mailto:janice.payne@nelligan.ca]
Sent: Sunday, March 24, 2013 06:40 PM Eastern Standard Time
To: Perrin, Benjamin
Cc: Christine King <Christine.King@nelligan.ca>
Subject: Senator Duffy

Further to our discussion Friday, I can confirm that my client will follow the approach recommended subject to the following.

1. Set out below is a somewhat revised letter that will accompany payment and which has now been approved by my client.
2. Senator Duffy is understandably concerned that this may not resolve matters. He therefore asks for assurance that should any Senator seek his removal, the Gov't leader in the Senate will urge her caucus to vote against such a motion as well as any motion to refer the matter of his housing and expense claims for

03000329

further investigation or action by Deloitte or any other party. Please confirm that he can count on that support.
This is consistent with our previous understanding.

May we speak at 9 a.m. Monday morning or earlier to discuss and to review next steps?

Thank you.

24 March 2013 - Letter to Sen. David Tkachuk, Chair Senate BOIE

I am enclosing Senator's Duffy's personal cheque payable to the Receiver General for Canada in the amount of \$90,172.24, in repayment of the housing and living allowance paid to him since his appointment including interest calculated by the Steering Committee of the Standing Committee on Internal Economy, Budgets and Administration.

As Senator Duffy has already publicly declared, he claimed the allowance because he believed that he was entitled to do so. The Senate rules and the handbook he was given at the time of his appointment reinforced that view and certainly lacked clarity.

He is looking forward to the Senate's planned review of the rules for clarity on this issue.

However given the distraction and upset of all that has transpired to date, and the time and effort further legal and/or other action would entail, the Senator has decided, not to contest the matter and instead will pay the amount stipulated above.

With the delivery of this letter, he has now done so.

In the circumstances, the review that Deloitte has been asked to undertake is now unnecessary. The considerable time required for Senator Duffy to compile the extensive information and documentation required of him by Deloitte as well as his participation in the review of that material, to say nothing of the public expense involved in same, is no longer needed.

This whole matter has been extremely upsetting and painful for Senator Duffy and his family. We trust that with this ex gratia payment, he will now be able to return to devoting his full energies to his work as a Senator from PEI.

YVT

Copies to Senators Furey, Stewart-Olsen, O'Brien and G Timm at Deloitte

Janice Payne

03000330

Lawyer/Avocate
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8245
Fax/Télé: 613-788-3655
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000331

03000332

Wright, Nigel

From: Perrin, Benjamin
Sent: March 26, 2013 12:09 PM
To: Wright, Nigel; Novak, Ray; Rogers, Patrick; Woodcock, Chris
Subject: Fw: Senator Michael Duffy
Privileged

Fyi

From: Christine King [mailto:Christine.King@nelligan.ca]
Sent: Tuesday, March 26, 2013 11:50 AM Eastern Standard Time
To: Perrin, Benjamin
Cc: Janice Payne <janice.payne@nelligan.ca>
Subject: Senator Michael Duffy

Mr. Perrin,

I am writing to advise that we have just sent the cheque to Senator Tkachuk by courier.

Christine King
Legal Assistant
Nelligan O'Brien Payne LLP
50 O'Connor, Suite 1500
Ottawa, ON K1P 6L2
Tel/Tél: 613-231-8280
Fax/Télé: 613-238-2098
www.nelligan.ca

Please consider the environment before printing this email. S'il vous plaît considérer l'environnement avant d'imprimer ce courriel.

Confidentiality Note: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.

AVIS - Courriel confidentiel: Ce courriel est transmis au destinataire pour ses propres fins. Il pourrait contenir des renseignements confidentiels ou soumis au secret professionnel de l'avocat. Si vous n'êtes pas le véritable destinataire, ou son/sa mandataire, il est strictement interdit de diffuser ce courriel, les renseignements qu'il contient ou les documents qui lui sont joints. Si vous avez reçu ce courriel par erreur, veuillez nous en aviser immédiatement. Merci.

03000333

03000334

Wright, Nigel

From: Wright, Nigel
Date: March 26, 2013 6:09 PM
To: 'Stewart Olsen, Carolyn'
Subject: RE: Duffy

No we did not. We told him that Deloitte had a mandate to look into the matter and could not, as a practical matter, decide of its own accord not to do that job. It would need an amended mandate or instruction from the subcommittee. I am advised that he has now repaid the amounts previously claimed.

-----Original Message-----

From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
Sent: March 26, 2013 6:01 PM
To: Wright, Nigel
Subject: Duffy

Did you guys tell him that I would not agree to withdrawing the audit from the auditors?? Where did this come from? I don't care. If we have the money I am fine. The Libs may have problems but we can prob deal with that. The Leader won't agree.
Carolyn Stewart Olsen Senator, NB ----- Sent using BlackBerry

03000335

03000336

Wright, Nigel

From: Woodcock, Chris
Sent: April 17, 2013 10:32 PM
To: Wright, Nigel; McNamara, Joanne; Novak, Ray
Cc: Rogers, Patrick
Subject: Fw: Global National

This Duffy piece is completely unnecessary. I've asked Tkachuk to confirm to Global that it is settled on behalf of the Committee.

Senator Expenses/ 18:40- 18:42/ 5th story/ Negative
Mike Duffy clipped

It has been a few weeks since Sen. Duffy said he would pay back the money he expensed for living costs. Global's Mike LeCouteur asked the Chairman of the committee for internal economy if he has paid the money back yet and he apparently told him to speak to Mike Duffy himself. Global shows Mike LeCouteur following Mike Duffy from the foyer of the Senate to an elevator and then him basically cornering Sen. Duffy in the elevator demanding to know if the money has in fact been paid back yet.

Transcript:

Mike LC: SENATOR, DUFFY, HOW ARE YOU? I WANTED TO ASK YOU A VERY QUICK QUESTION. YOU WERE SUPPOSED TO PAY THE MONEY BACK. WE WANTED TO KNOW IF THAT HAS HAPPENED YET.

Duffy: I THINK YOU SHOULD SPEAK TO THE CHAIRMAN OF THE INTERNAL ECONOMY.

Mike LC: HE TOLD ME TO SPEAK WITH YOU. HE SAID THAT I SHOULD CONTACT YOUR OFFICE ABOUT THE REPAYMENT BECAUSE HE SAYS THAT YOU WERE THE ONE THAT WAS GOING TO BE DECIDING THAT. HAS THAT HAPPENED YET? YOU HAVE PAID THE MONEY BACK YET?

Duffy: I'M A MAN OF MY WORD.

Mike LC: YOU HAVE PAID IT BACK YET THOUGH? IT'S BEEN TWO MONTHS. YOU HAVE PAID THE MONEY BACK? >>

Duffy: WOULD YOU MIND LETTING ME OUT OF HERE.

Mike LC: JUST ANSWER MY QUESTION YES OR NO.

Duffy: I'M NOT GOING TO ANSWER YOUR QUESTION. I TOLD YOU I'M A MAN OF MY WORD.

Mike LC: YOU HAVE PAID THE MONEY BACK THOUGH?

Duffy: WHAT IS WRONG WITH YOU.

Mike LC: I WANT TO KNOW IF YOU'VE PAID THE MONEY BACK.

From: Hourigan, Carly
Sent: Wednesday, April 17, 2013 08:01 PM
To: PMO-IM; PMO-CMM
Subject: Global National

Global National

April 17, 2013

Start: 18:30

03000337

Boston/ 18:30-18:34/ Top Story/ Neutral

It appears as though authorities may be narrowing in on a suspect or suspects in the bombing at the Marathon finish line. Early this afternoon there were reports that someone had been arrested. That was later denied. It seems as though the FBI may have a face obtained from video footage but not an ID. They've been pouring over hundreds of hours of video. One clue came from a department store's video footage near the site. There are also still photos showing a suspect bag. A press conference keeps on being delayed and no one knows what's going on as of yet. Global interviews a Canadian family that witnessed the events and was questioned by homeland security when they returned to Canada. They said they wish they took more videos and could've helped in some way. The Secretary for homeland security for the US clipped: "There is no current indication to suggest the attack was indicative of a broader plot." Two hours ago the Boston Courthouse was evacuated under a code red. Everybody was asked to leave the building. No one is sure about the details as of yet.

Boston part II/18:34-18:37/ 2nd story/ Boston/ Neutral

The staff at the hospitals have had an intense day as well. Of the 176 people wounded in the attack, 14 are still in critical condition including a 5 year old boy. Doctors say they are still pulling fragments from the injured, including pieces of wood, concrete and plastic. Global reports on all of the acts of kindness Boston residents are showing each other. They also report on the three people who died.

Ricin found in letter sent to Rep. Senator/18:37- 18:40/ 3rd story/ Neutral

The FBI says there is no indication the Boston Bombings are connected to the letters that were laced with the poison Ricin that were sent to Barack Obama, and to a Republican Sen. Roger Wicker. Shortly after President Obama briefed reporters on the Boston Bombing, he was briefed on another threat. **Jay Carney clipped:** "There was a letter addressed to, sent to, the President at an off-site mail facility was noticed to have contained a suspicious substance and tests were undertaken." **Mitch McConnell clipped:** "They prove that the proactive measures we put in place do in fact work." They measures were put into place after the anthrax incident in 2001. The letters came from Tennessee but they don't see any links between Boston and the letters at the moment.

Senator Expenses/ 18:40- 18:42/ 5th story/ Negative

Mike Duffy clipped

03000338

It has been a few weeks since Sen. Duffy said he would pay back the money he expensed for living costs. Global's Mike LeCouteur asked the Chairman of the committee for internal economy if he has paid the money back yet and he apparently told him to speak to Mike Duffy himself. Global shows Mike LeCouteur following Mike Duffy from the foyer of the Senate to an elevator and then him basically cornering Sen. Duffy in the elevator demanding to know if the money has in fact been paid back yet. Transcript:

Mike LC: SENATOR, DUFFY, HOW ARE YOU? I WANTED TO ASK YOU A VERY QUICK QUESTION. YOU WERE SUPPOSED TO PAY THE MONEY BACK. WE WANTED TO KNOW IF THAT HAS HAPPENED YET.

Duffy: I THINK YOU SHOULD SPEAK TO THE CHAIRMAN OF THE INTERNAL ECONOMY.

Mike LC: HE TOLD ME TO SPEAK WITH YOU. HE SAID THAT I SHOULD CONTACT YOUR OFFICE ABOUT THE REPAYMENT BECAUSE HE SAYS THAT YOU WERE THE ONE THAT WAS GOING TO BE DECIDING THAT. HAS THAT HAPPENED YET? YOU HAVE PAID THE MONEY BACK YET?

Duffy: I'M A MAN OF MY WORD.

Mike LC: YOU HAVE PAID IT BACK YET THOUGH? IT'S BEEN TWO MONTHS. YOU HAVE PAID THE MONEY BACK? >>

Duffy: WOULD YOU MIND LETTING ME OUT OF HERE.

Mike LC: JUST ANSWER MY QUESTION YES OR NO.

Duffy: I'M NOT GOING TO ANSWER YOUR QUESTION. I TOLD YOU I'M A MAN OF MY WORD.

Mike LC: YOU HAVE PAID THE MONEY BACK THOUGH?

Duffy: WHAT IS WRONG WITH YOU.

Mike LC: I WANT TO KNOW IF YOU'VE PAID THE MONEY BACK.

Thatcher's Funeral/ 18:44-18:47/ 6th Story/ Positive

Stephen Harper clipped

Prime Minister Stephen Harper led the official Canadian delegation at Thatcher's funeral today. **Prime Minister Harper clipped:** "Being able to really reflect on the passing of someone who is going to be a historic personage, a legend."

03000339

NDP attacks the Conservatives' tariffs /18:50- /8th story/ Negative

Global visits a local bike shop owner to discuss the rise in tariffs caused by the latest budget. Jose Bray tells Global, "Whenever you raise the price of a product and a portion of that goes to the government, I call that a tax." Selling bikes will be harder for Bray, says Global, because the Conservatives chose to end preferential tariffs on a variety of goods including bicycles. The government uses these tariffs to help emerging economies. By increasing the tariff, the government would increase revenue by \$330 million. The government promised not to raise taxes. But should it increase the tariffs, the costs of bikes, MP3 players, strollers, coffeee, even coffins may rise. The Finance Minister didn't give Bray any indication of this when he used his bike shop as a backdrop to talk about the economy. **Flaherty clipped:** "Small businesses are a key element of Canada's economic engine." Global asked Menzies, "How is an increase in tariffs not a tax?" **Menzies clipped replying:** "Ask the NDP." **Murray Rankin clipped at the bike shop:** "We understand it's not income taxes, but it's taxes and Canadians get it." **Menzies clipped in QP:** "Canadians have the lowest tax rate." The government says it has been reducing tariffs for the past four years and even with an increase overall tariffs are lower. The government also says many of the countries including China are benefitting from the tariffs when they realistically no longer need the support.

Rita MacNeil/ 18:56-18:59 /9th story/ Positive***Stephen Harper clipped***

Report on the death of Rita MacNeil. **Prime Minister Harper clipped:** "A great Canadian performer, an icon and obviously a great loss to the cultural scene in Canada."

03000340

03000341

Wright, Nigel

From: Wright, Nigel
Sent: April 18, 2013 7:13 PM
To: Woodcock, Chris
Subject: RE: Sen. Duffy admits he hasn't paid money back

Yes, I have no explanation. It will be odd when it becomes known that he paid the money back in March. It will anger me so much if he tries to get some back. We'll just unleash Tkachuk who will call him a thief.

From: Woodcock, Chris
Sent: April 18, 2013 7:10 PM
To: Wright, Nigel
Subject: Fwd: Sen. Duffy admits he hasn't paid money back

I think he may be denying repayment in hopes of getting some money back at the end of this process. Otherwise I cannot explain this.

Sent from my iPad

Begin forwarded message:

From: Fecteau Labbé, Simon <Simon.FecteauLabbe@pmo-cpm.gc.ca>
Date: April 18, 2013, 6:44:49 PM EDT
Subject: Sen. Duffy admits he hasn't paid money back

Sen. Duffy admits he hasn't paid money back

By [Laura Stone](#) and [Mike Le Couteur](#) Global News

April 18, 2013 5:59 pm

Conservative Senator Mike Duffy has not paid back the tens of thousands of dollars in housing expenses he said he'd return almost two months ago.

And now, he says he isn't sure he's "required" to.

A day after dodging questions from Global News, Duffy said he is waiting for an audit to come out before repaying the money.

"We haven't heard from Deloitte. But I said I'm a man of my word, and if repayment is required, it'll be repaid," Duffy said outside the Senate Thursday.

"I didn't say I made a mistake. I said I may have made a mistake," he said.

"Words are important."

In February, Duffy said he would pay back several years' worth of housing allowances he admits he may have mistakenly collected, blaming "confusing" forms.

"Rather than let this issue drag on, my wife and I have decided that the allowance associated with my house in Ottawa will be repaid," he said on a network television interview.

He alluded again to paperwork confusion Thursday.

03000342

"I think everyone agrees there's confusion, and I'll be waiting to hear what Deloitte has to say about the forms and about what the Senate should do to make it clearer for everybody," he said.

"I followed the forms as I thought they should have been filled out, and if I was wrong and made a mistake I'll repay it. And if I wasn't wrong, I assume that'll be reported as well."

The journalist-turned-senator came under fire last year for claiming \$33,000 in housing allowances since 2010 after he reported his primary residence was his cottage in Cavendish, PEI – the province he represents in the Red Chamber.

But Duffy has lived in the Ottawa suburb of Kanata for years, even before his appointment to the Senate.

Senators are required to keep a home in the province they represent. If a senator's primary residence is more than 100 kilometres away from the National Capital Region, he or she is eligible for an allowance to offset the costs of keeping a second home.

To prove where they live senators are required to fill out a declaration including the address of their primary residence. The declaration also asks for details about a senator's secondary residence.

Duffy is one of four senators whose expenses are being scrutinized by an ongoing external audit. The Senate has yet to set a date for the audit's release.

- With files from Rebecca Lindell

03000343

03000344

Wright, Nigel

From: Rogers, Patrick
Sent: April 18, 2013 7:28 PM
To: Wright, Nigel; Woodcock, Chris
Subject: Re: Sen. Duffy admits he hasn't paid money back

I agree but can it be 'until the committee completes its work' instead of the 'final report' because he did commit to pay preemptively.

From: Wright, Nigel
Sent: Thursday, April 18, 2013 07:23 PM Eastern Standard Time
To: Woodcock, Chris; Rogers, Patrick
Subject: RE: Sen. Duffy admits he hasn't paid money back

I would say he can do that. Maybe he would say that he misunderstood the question, or was simply declining to comment on the amount of the repayment until he has seen the final report?

From: Woodcock, Chris
Sent: April 18, 2013 7:20 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Fwd: Sen. Duffy admits he hasn't paid money back

FYI. I'd like to suggest that he contact Global to correct this, but he can't exactly dial this back to neutral without confirming he repaid.

Sent from my iPad

Begin forwarded message:

From: mdduffy@aol.com
Date: April 18, 2013, 7:18:11 PM EDT
To: "Chris Woodcock" <Chris.Woodcock@pmo-cpm.gc.ca>
Subject: Re: Sen. Duffy admits he hasn't paid money back
Reply-To: mdduffy@aol.com

They are twisting. As usual. I didn't confirm or deny.

Mike

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Woodcock, Chris" <Chris.Woodcock@pmo-cpm.gc.ca>
Date: Thu, 18 Apr 2013 19:02:49 -0400
To: <mdduffy@aol.com>
Subject: Fw: Sen. Duffy admits he hasn't paid money back

Are they misinterpreting your quote?

From: Fecteau Labbé, Simon
Sent: Thursday, April 18, 2013 06:44 PM

03000345

Subject: Sen. Duffy admits he hasn't paid money back

Sen. Duffy admits he hasn't paid money back

By Laura Stone and Mike Le Couteur Global News

April 18, 2013 5:59 pm

Conservative Senator Mike Duffy has not paid back the tens of thousands of dollars in housing expenses he said he'd return almost two months ago.

And now, he says he isn't sure he's "required" to.

A day after dodging questions from Global News, Duffy said he is waiting for an audit to come out before repaying the money.

"We haven't heard from Deloitte. But I said I'm a man of my word, and if repayment is required, it'll be repaid," Duffy said outside the Senate Thursday.

"I didn't say I made a mistake. I said I may have made a mistake," he said.

"Words are important."

In February, Duffy said he would pay back several years' worth of housing allowances he admits he may have mistakenly collected, blaming "confusing" forms.

"Rather than let this issue drag on, my wife and I have decided that the allowance associated with my house in Ottawa will be repaid," he said on a network television interview.

He alluded again to paperwork confusion Thursday.

"I think everyone agrees there's confusion, and I'll be waiting to hear what Deloitte has to say about the forms and about what the Senate should do to make it clearer for everybody," he said.

"I followed the forms as I thought they should have been filled out, and if I was wrong and made a mistake I'll repay it. And if I wasn't wrong, I assume that'll be reported as well."

The journalist-turned-senator came under fire last year for claiming \$33,000 in housing allowances since 2010 after he reported his primary residence was his cottage in Cavendish, PEI – the province he represents in the Red Chamber.

But Duffy has lived in the Ottawa suburb of Kanata for years, even before his appointment to the Senate.

Senators are required to keep a home in the province they represent. If a senator's primary residence is more than 100 kilometres away from the National Capital Region, he or she is eligible for an allowance to offset the costs of keeping a second home.

To prove where they live senators are required to fill out a declaration including the address of their primary residence. The declaration also asks for details about a senator's secondary residence.

Duffy is one of four senators whose expenses are being scrutinized by an ongoing external audit. The Senate has yet to set a date for the audit's release.

- With files from Rebecca Lindell

03000346

03000347



Nigel Wright <nigel.s.wright@gmail.com>

Fwd: Things

1 message

Nigel Wright <nigel.s.wright@gmail.com>

18 April 2013 20:02

To: "Woodcock, Chris" <Chris.Woodcock@pmo-cpm.gc.ca>, "Rogers, Patrick" <Patrick.Rogers@pmo-cpm.gc.ca>

----- Forwarded message -----

From: <mdduffy@aol.com>

Date: 18 April 2013 19:27

Subject: Things

To: David Tkachuk <TKACHD@sen.parl.gc.ca>

David. I did not say yes or no on repayment. I simply told global to wait for deloitte. When they tried to put words in my mouth I demurred. I sent that letter u wanted this pm. Ran into marj after your meeting and told her the same thing re global.

Marj thinks we shud not act on the pei health card until after deloitte is finished.

-

Mac harb told me he has hired former supreme court judge michel bastarash to review the rules on residency and per diems. Mike

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

03000348

03000349

Wright, Nigel

From: LeBreton, Marjory [LEBREM@SEN.PARL.GC.CA]
Sent: April 18, 2013 8:24 PM
To: Wright, Nigel
Cc: Woodcock, Chris; PCO; Rogers, Patrick
Subject: Re: Interview request - The West Block with Tom Clark

Thanks Nigel. I will add Patrick to future e-mails. For some reason or other his email address did not pop up on my iPad contact list. Marjory.

Sent from my iPad

On 2013-04-18, at 7:59 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

> Thank you Senator. We agree with you that he should repeat that he is a man of his word if he gets ambushed and, better yet, not get ambushed. I am adding Patrick.

>

> -----Original Message-----

> From: LeBreton, Marjory [mailto:LEBREM@SEN.PARL.GC.CA]

> Sent: April 18, 2013 7:57 PM

> To: Woodcock, Chris; PCO

> Cc: Wright, Nigel

> Subject: Fwd: Interview request - The West Block with Tom Clark

>

> Chris. FYI. He dropped into my office late this afternoon. He was all worked about the media, rumours about the money owed, the actions of Internal Economy - you name it. I assured him that all of us are working on a plan to manage this once we have the audits and have prepared the report to be tabled in the Senate. I told him once again that he must trust us on this and not complicate the issue by talking to the media.

> When he left, he seemed to understand. The Global story quoting him is not good but he did get around to saying he was waiting for the audit. Marjory

>

> Sent from my iPad

>

> Begin forwarded message:

>

> From: "LeBreton, Marjory"

> <LEBREM@SEN.PARL.GC.CA<mailto:LEBREM@SEN.PARL.GC.CA>>

> Date: 18 April, 2013 7:32:41 PM EDT

> To: "'mdduffy@aol.com<mailto:mdduffy@aol.com>'"

> <mdduffy@aol.com<mailto:mdduffy@aol.com>>

> Subject: Re: Interview request - The West Block with Tom Clark

>

> Good idea. Mike - I know this is difficult but as discussed, please
> keep repeating that you are a man of your word and you are awaiting
> the report of the outside auditor. Better still, try and avoid taking
> calls or answering e-mails from the media. Marjory

>

> From: mdduffy@aol.com<mailto:mdduffy@aol.com> [mailto:mdduffy@aol.com]

> Sent: Thursday, April 18, 2013 07:20 PM Eastern Standard Time

> To: Marieke Walsh

> <Marieke.Walsh@globalnews.ca<mailto:Marieke.Walsh@globalnews.ca>>

> Subject: Re: Interview request - The West Block with Tom Clark

>

> No. Wait for deloitte's report. Mike

> Sent wirelessly from my BlackBerry device on the Bell network.

> Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

>

> From: Marieke Walsh

> <Marieke.Walsh@globalnews.ca<mailto:Marieke.Walsh@globalnews.ca>>

> Date: Thu, 18 Apr 2013 22:40:49 +0000

> To:

03000350

> 'mdduffy@aol.com<mailto:mdduffy@aol.com>'<mdduffy@aol.com<mailto:mdduf
> fy@aol.com>>
> Subject: Interview request - The West Block with Tom Clark
>
> Hi Senator Duffy,
>
> Are you available for an interview on the show this Sunday? We can pre-tape tomorrow,
> Saturday or go live-to-tape on Sunday morning.
>
> I look forward to hearing from you. Cheers,
>
> Marieke
>
> -----
> Marieke Walsh
> Producer
> The West Block with Tom Clark
> Cell: 613-769-5751
> @MariekeWalsh
> thewestblock.ca<<http://thewestblock.ca>>
>

03000351

03000352



Nigel Wright <nigel.s.wright@gmail.com>

Fwd: Jordan Press called my office again today going to write MD is a liar

1 message

Nigel Wright <nigel.s.wright@gmail.com>

19 April 2013 10:19

To: "Woodcock, Chris" <Chris.Woodcock@pmo-cpm.gc.ca>, "Rogers, Patrick" <Patrick.Rogers@pmo-cpm.gc.ca>, Stephen Lecce <Stephen.Lecce@pmo.gc.ca>

—— Forwarded message ——

From: <MDDuffy@aol.com>

Date: 19 April 2013 10:14

Subject: Jordan Press called my office again today going to write MD is a liar

To: mdduffy@aol.com

I have never met Jordan Press myself. What about having someone – say Stephen Lecce call Jordan with these lines as background? -Duff

19 April 2013

Proposed Media line for Jordan Press

Senator Duffy is s a man of his word.

Sen. Duffy repeated that mantra at the beginning of the Global interview yesterday. They based their claims on a later portion which dealt with "what if's".

When was the last time, Postmedia had to follow Global News?

Have you considered why CBC and CTV and the Globe aren't running this?

They know Sen. Duffy personally, and can read his shorthand, and I suspect they don't want to look foolish when the Deloitte audit comes out in a few weeks.

03000353

03000354

Wright, Nigel

From: Woodcock, Chris
Sent: April 19, 2013 11:51 AM
To: Wright, Nigel; 'mdduffy@aol.com'; Lecce, Stephen; Rogers, Patrick
Subject: Re: Jordan Press called my office again today going to write MD is a liar

Fixed:

"Senator Duffy clearly said to Global that he is a man of his word. They based last night's story on his response to "what if" questions later in the interview. The Senate is working to ensure that expenses are appropriate, that the rules are appropriate and that this is reported back to the public. We won't have anything to add until the committee reports."

From: Wright, Nigel
Sent: Friday, April 19, 2013 11:48 AM
To: Woodcock, Chris; 'mdduffy@aol.com' <mdduffy@aol.com>; Lecce, Stephen; Rogers, Patrick
Subject: Re: Jordan Press called my office again today going to write MD is a liar

Sure, although is this the time to transition to "until the committee reports" rather than Deloitte report? I'm easy.

From: Woodcock, Chris
Sent: Friday, April 19, 2013 11:44 AM
To: 'mdduffy@aol.com' <mdduffy@aol.com>; Lecce, Stephen; Wright, Nigel; Rogers, Patrick
Subject: Re: Jordan Press called my office again today going to write MD is a liar

Adding others. I would suggest the following:

"Senator Duffy clearly said to Global that he is a man of his word. They based last night's story on his response to "what if" questions later in the interview. The Senate is working to ensure that expenses are appropriate, that the rules are appropriate and that this is reported back to the public. We won't have anything to add until the audit from Deloitte is released."

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Sent: Friday, April 19, 2013 10:14 AM
To: mdduffy@aol.com <mdduffy@aol.com>
Subject: Jordan Press called my office again today going to write MD is a liar

I have never met Jordan Press myself. What about having someone -- say Stephen Lecce call Jordan with these lines as background? -Duff

19 April 2013

Proposed Media line for Jordan Press

Senator Duffy is s a man of his word.

Sen. Duffy repeated that mantra at the beginning of the Global interview yesterday. They based their claims on a later portion which dealt with "what if's".

When was the last time, Postmedia had to follow Global News?

Have you considered why CBC and CTV and the Globe aren't running this?

They know Sen. Duffy personally, and can read his shorthand, and I suspect they don't want to look foolish when the Deloitte audit comes out in a few weeks.

03000355

03000356

Wright, Nigel

From: Woodcock, Chris
Sent: April 19, 2013 5:14 PM
To: Lecce, Stephen; Wright, Nigel; Rogers, Patrick; Vallée, Carl
Subject: Re: Urgent - Duffy
Duffy will issue this so that he isn't being contradicted by Tkachuk. Tkachuk will confirm

From: Lecce, Stephen
Sent: Friday, April 19, 2013 05:13 PM
To: Wright, Nigel; Woodcock, Chris; Rogers, Patrick; Vallée, Carl
Subject: RE: Urgent - Duffy

Statement for Senator Duffy:

In February I committed to repaying the allowance associated with my house in Ottawa.

I have always said that I am a man of my word. In keeping with the commitment I made to Canadians, I can confirm that I have repaid these expenses.

I will not be commenting on this further until the audit is completed.

Sen. Tkachuk will confirm that the total repaid was \$90,172.24

-----Original Message-----

From: Wright, Nigel
Sent: 2013-04-19 5:04 PM
To: Woodcock, Chris; Lecce, Stephen; Rogers, Patrick; Vallée, Carl
Subject: RE: Urgent - Duffy

Yes. What a schmozzle.

-----Original Message-----

From: Woodcock, Chris
Sent: April 19, 2013 4:58 PM
To: Wright, Nigel; Lecce, Stephen; Rogers, Patrick; Vallée, Carl
Subject: Urgent - Duffy

Jordan Press has somehow confirmed that Duffy has repaid. I think we need to confirm to other media that are asking so we can end this confusing story. Global is running a story and CTV likely is too. Nigel are you ok with this?

03000357

03000358

Wright, Nigel

F
S
To: Wright, Nigel
Subject: April 22, 2013 3:30 PM
Woodcock, Chris; Rogers, Patrick
RE: Duffy

Never heard of this. Is bad.

-----Original Message-----

From: Woodcock, Chris
Sent: April 22, 2013 3:29 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Fw: Duffy

Fyi

----- Original Message -----

From: Stewart Olsen, Carolyn [mailto:stewac@SEN.PARL.GC.CA]
Sent: Monday, April 22, 2013 03:22 PM
To: Woodcock, Chris
Subject: Duffy

Is asking to meet with Senate audit committee or the auditors themselves. Do you know why he wants to escalate?

Sent from my iPad

03000359

03000360

Wright, Nigel

From: Montgomery, Christopher [montgc@SEN.PARL.GC.CA]
Sent: April 23, 2013 5:43 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Cc: Melo, Sandy
Subject: RE: Confidential. Tkachuk/Duffy

I am told that Steering decided today to send a letter to Duffy indicating that the audit has concluded and he will therefore not have an opportunity to meet with the auditors.

I am also told that there may be a delay in Steering receiving the audits of one day due to translation issues but that the timeline of releasing the audits that we discussed last week remains intact.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Tuesday, April 23, 2013 2:46 PM
To: Montgomery, Christopher; Rogers, Patrick; Woodcock, Chris
Cc: Melo, Sandy
Subject: RE: Confidential. Tkachuk/Duffy

I think it makes no sense for Sen. Duffy to meet with Deloitte. If I were him I would not suggest a meeting with the Committee either. Chris, could someone from your office speak with Sen. Duffy every two days so we are kept abreast of his developing thoughts on things like this?

Perhaps one way for Deloitte to respond would be to welcome the offer to meet but stipulate that Sen. Duffy should first provide all of the information that had been requested, so that a review of that could provide the basis for the meeting.

From: Montgomery, Christopher [mailto:montgc@SEN.PARL.GC.CA]
Sent: April 23, 2013 2:23 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Cc: Melo, Sandy
Subject: FW: Confidential. Tkachuk/Duffy

Confidential FYI. Our office is shortly arranging for another meeting with the group.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000361

From: O'Brien, Gary
Sent: Saturday, April 20, 2013 11:25 AM
To: Tkachuk, David
Cc: Joseph, Jill Anne
Subject: Confidential

Hi Senator - as per Deloitte's email to Jill Anne, do you advise or encourage that Senator Duffy meet with Deloitte and provide the documentation requested? Thanks

From: Joseph, Jill Anne
Sent: Saturday, April 20, 2013 12:57 PM Eastern Standard Time
To: 'Timm, Gary (CA - Ottawa)' <gtimm@deloitte.ca>
Cc: Vadeboncoeur, Guillaume (CA - Ottawa) <qvadeboncoeur@deloitte.ca>; O'Brien, Gary
Subject: RE: Senator D

Good afternoon Gary ,

Thank you for this information. I will consult with the Clerk of the Senate, Gary O'Brien, who in turn will consult with the Chair of Internal Economy, Senator David Tkachuk, on this matter. I agree that a meeting and the provision of requested documentation will further assist your review of Senator Duffy's claims and will provide more consistency with the other Senators under review. As the reports stand alone, a short delay for this one may be acceptable.

Regards,

Jill Anne

From: Timm, Gary (CA - Ottawa) [<mailto:gtimm@deloitte.ca>]
Sent: April 20, 2013 12:47 PM
To: Joseph, Jill Anne
Cc: Vadeboncoeur, Guillaume (CA - Ottawa)
Subject: Senator D
Importance: High

Good afternoon Jill Anne,

I received an email this morning from counsel for Senator D, wherein counsel provided a copy of a letter, dated April 18, 2013, from Senator Duffy to Senator Tkachuk regarding an "informal conversation" they had on the evening of Tuesday April 16, 2013. In the letter, Senator Duffy states:

"If you feel it helpful, I will be happy to appear before your committee or sub-committee or auditors from Deloitte, to respond to questions on this, or questions about my residency in PEI."

Given this communication, we believe that we should be meeting with Senator Duffy and also be requesting that he provide the documentation requested previously to be consistent with the other Senators under review. We could undertake this meeting as soon as Senator Duffy is available; however, it would have an impact on our report timing.

We look to your and the Senate Sub-committee's direction.

Regards,

Gary Timm

03000362

Partner | Financial Advisory Services
Deloitte
800 – 100 Queen Street, Ottawa, Ontario
Tel/Direct 613-751-5378 | Fax 613-563-2244 | Mobile 613-794-4965
gtimm@deloitte.ca | www.deloitte.ca
[Twitter](#) | [Facebook](#) | [LinkedIn](#) | [YouTube](#)

Please consider the environment before printing.

Confidentiality Warning: This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system. Thank you.

Information confidentielle: Le présent message, ainsi que tout fichier qui y est joint, est envoyé à l'intention exclusive de son ou de ses destinataires; il est de nature confidentielle et peut constituer une information privilégiée. Nous avertissons toute personne autre que le destinataire prévu que tout examen, réacheminement, impression, copie, distribution ou autre utilisation de ce message et de tout fichier qui y est joint est strictement interdit. Si vous n'êtes pas le destinataire prévu, veuillez en aviser immédiatement l'expéditeur par retour de courriel et supprimer ce message et tout document joint de votre système. Merci.

03000363

03000364

Wright, Nigel

From: Wright, Nigel
Sent: April 23, 2013 6:23 PM
To: 'LEBREM@SEN.PARL.GC.CA'; 'montgc@SEN.PARL.GC.CA'; Rogers, Patrick; Woodcock, Chris; 'Melos@sen.parl.gc.ca'
Subject: Re: Confidential. Tkachuk/Duffy

I agree too that Steering should say what they propose.

From: LeBreton, Marjory [mailto:LEBREM@SEN.PARL.GC.CA]
Sent: Tuesday, April 23, 2013 06:04 PM
To: Montgomery, Christopher <montgc@SEN.PARL.GC.CA>; Wright, Nigel; Rogers, Patrick; Woodcock, Chris; Melo, Sandy <MELOS@SEN.PARL.GC.CA>
Subject: Re: Confidential. Tkachuk/Duffy

Thanks. This course of action makes sense. My only concern is Sen Duffy. Even though he claims he is careful in what he says and does, the evidence is the opposite! We have to be very careful what we say to him. Marjory

From: Montgomery, Christopher
Sent: Tuesday, April 23, 2013 05:43 PM Eastern Standard Time
To: Montgomery, Christopher; 'Wright, Nigel' <Nigel.Wright@pmo-cpm.gc.ca>; 'Rogers, Patrick' <Patrick.Rogers@pmo-cpm.gc.ca>; 'Woodcock, Chris' <Chris.Woodcock@pmo-cpm.gc.ca>; LeBreton, Marjory; Melo, Sandy
Subject: RE: Confidential. Tkachuk/Duffy

Looping in the Minister...

I am told that Steering decided today to send a letter to Duffy indicating that the audit has concluded and he will therefore not have an opportunity to meet with the auditors.

I am also told that there may be a delay in Steering receiving the audits of one day due to translation issues but that the timeline of releasing the audits that we discussed last week remains intact.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Wright, Nigel [mailto:Nigel.Wright@pmo-cpm.gc.ca]
Sent: Tuesday, April 23, 2013 2:46 PM
To: Montgomery, Christopher; Rogers, Patrick; Woodcock, Chris
Cc: Melo, Sandy
Subject: RE: Confidential. Tkachuk/Duffy

I think it makes no sense for Sen. Duffy to meet with Deloitte. If I were him I would not suggest a meeting with the Committee either. Chris, could someone from your office speak with Sen. Duffy every two days so we are kept abreast of his developing thoughts on things like this?

Perhaps one way for Deloitte to respond would be to welcome the offer to meet but stipulate that Sen.

03000365

Duffy should first provide all of the information that had been requested, so that a review of that could provide the basis for the meeting.

From: Montgomery, Christopher [<mailto:montac@SEN.PARL.GC.CA>]
Sent: April 23, 2013 2:23 PM
To: Wright, Nigel; Rogers, Patrick; Woodcock, Chris
Cc: Melo, Sandy
Subject: FW: Confidential. Tkachuk/Duffy

Confidential FYI. Our office is shortly arranging for another meeting with the group.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: O'Brien, Gary
Sent: Saturday, April 20, 2013 11:25 AM
To: Tkachuk, David
Cc: Joseph, Jill Anne
Subject: Confidential

Hi Senator - as per Deloitte's email to Jill Anne, do you advise or encourage that Senator Duffy meet with Deloitte and provide the documentation requested? Thanks

From: Joseph, Jill Anne
Sent: Saturday, April 20, 2013 12:57 PM Eastern Standard Time
To: 'Timm, Gary (CA - Ottawa)' <gtimm@deloitte.ca>
Cc: Vadeboncoeur, Guillaume (CA - Ottawa) <gvadeboncoeur@deloitte.ca>; O'Brien, Gary
Subject: RE: Senator D

Good afternoon Gary,

Thank you for this information. I will consult with the Clerk of the Senate, Gary O'Brien, who in turn will consult with the Chair of Internal Economy, Senator David Tkachuk, on this matter. I agree that a meeting and the provision of requested documentation will further assist your review of Senator Duffy's claims and will provide more consistency with the other Senators under review. As the reports stand alone, a short delay for this one may be acceptable.

Regards,

Jill Anne

From: Timm, Gary (CA - Ottawa) [<mailto:gtimm@deloitte.ca>]
Sent: April 20, 2013 12:47 PM
To: Joseph, Jill Anne

03000366

Cc: Vadeboncoeur, Guillaume (CA - Ottawa)

Subject: Senator D

Importance: High

Good afternoon Jill Anne,

I received an email this morning from counsel for Senator D, wherein counsel provided a copy of a letter, dated April 18, 2013, from Senator Duffy to Senator Tkachuk regarding an "informal conversation" they had on the evening of Tuesday April 16, 2013. In the letter, Senator Duffy states:

"If you feel it helpful, I will be happy to appear before your committee or sub-committee or auditors from Deloitte, to respond to questions on this, or questions about my residency in PEI."

Given this communication, we believe that we should be meeting with Senator Duffy and also be requesting that he provide the documentation requested previously to be consistent with the other Senators under review. We could undertake this meeting as soon as Senator Duffy is available; however, it would have an impact on our report timing.

We look to your and the Senate Sub-committee's direction.

Regards,

Gary Timm

Partner | Financial Advisory Services

Deloitte

800 -- 100 Queen Street, Ottawa, Ontario

Tel/Direct 613-751-5378 | Fax 613-563-2244 | Mobile 613-794-4965

gtimm@deloitte.ca | www.deloitte.ca

[Twitter](#) | [Facebook](#) | [LinkedIn](#) | [YouTube](#)

Please consider the environment before printing.

Confidentiality Warning: This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system. Thank you.

Information confidentielle: Le présent message, ainsi que tout fichier qui y est joint, est envoyé à l'intention exclusive de son ou de ses destinataires; il est de nature confidentielle et peut constituer une information privilégiée. Nous avertissons toute personne autre que le destinataire prévu que tout examen, réacheminement, impression, copie, distribution ou autre utilisation de ce message et de tout fichier qui y est joint est strictement interdit. Si vous n'êtes pas le destinataire prévu, veuillez en aviser immédiatement l'expéditeur par retour de courriel et supprimer ce message et tout document joint de votre système. Merci.

03000367

03000368



Nigel Wright <nigel.s.wright@gmail.com>

Fwd: Follow up

1 message

Nigel Wright <nigel.s.wright@gmail.com>

30 April 2013 06:36

To: "Rogers, Patrick" <Patrick.Rogers@pmo-cpm.gc.ca>

The "specific issue" was Mike not looking for any kind of repayment.

—— Forwarded message ——

From: **Goldy Hyder** <Goldy.Hyder@hkstrategies.ca>

Date: 29 April 2013 23:20

Subject: Follow up

To: Nigel Wright <nigel.s.wright@gmail.com>

Nigel,

Checking to see if you still use this email.

Just got off phone with him. I believe we'll be fine on the specific issue we discussed. Have got him focused on closing this chapter and focusing on future (doesn't mean media will).

Plan is to draft a statement in response to the report then leave for constituency.

There are three related issues I will need to discuss with you so we get on same page. Let me know when you want to speak in coming days.

Goldy

Cell: 613 725-7020

03000369

03000370



Nigel Wright <nigel.s.wright@gmail.com>

Re: Draft statement

03000371

1 message

Goldy Hyder <Goldy.Hyder@hkstrategies.ca>
To: Nigel Wright <nigel.s.wright@gmail.com>

2 May 2013 07:54

Ok.

From: Nigel Wright
Sent: Thursday, May 02, 2013 6:49:50 AM
To: Goldy Hyder
Subject: Re: Draft statement

I think it is fine Goldy. He might also be able to say that the \$1000 (I had heard it was about \$1500) in expenses were claimed "inadvertently" or through administrative inattention, or something like that - because the optics of claiming while on a Caribbean cruise aren't great.

On 1 May 2013 23:45, Goldy Hyder <Goldy.Hyder@hkstrategies.ca> wrote:

Am meeting him Thursday at 10am to present this first draft to him as he is leaving for PEI Thursday and away until Sunday. Any thoughts you have on this are welcome and between us. I expect it will be tweaked here and there and a better concluding line likely about getting back to work or something to that effect - I just wanted you to see the content, direction and tone.

CAVENDISH, PEI – Senator Mike Duffy issued the following statement, regarding the Deloitte audit of the expenses of a number of senators released today.

"In recent months, I have heard and understood the concerns from people across Canada about expense controversies among some senators, including me. When questions like these arise, involving those entrusted with the wise use of tax dollars, Canadians deserve nothing but the highest standards of transparency and clarity in response. These questions go beyond mere rules and administration, and strike at the high standards of integrity Canadians expect of Parliament.

"The Deloitte audit of expenses claimed by me and other senators has been a fair, impartial effort by a credible third party to deliver that level of transparency and clarity. This audit has indicated that rules and definitions with regard to residency and housing allowances, set by the authorities in the Senate, are ambiguous and prone to misinterpretation. In this respect, the audit is consistent with the position I have maintained since this controversy first arose.

"But while the rules themselves may be unclear, my duty as a senator and as a custodian of Canadian tax dollars is not. The Deloitte audit revealed a small number of expenses, totaling just over \$1000, for which my claims were deemed inappropriate, and which I would rightly be expected to repay. But I believe it is incumbent upon me as a parliamentarian to put any and all questions about my expenses to rest. To that end, prior to the release of this audit I paid back just over \$90,000 in housing expenses I claimed due to effectively having to maintain two residences; one in Ottawa and one on Prince Edward Island. I will not be seeking any portion of this reimbursement to be returned, even if the Deloitte audit would suggest these expenses were claimed in good faith due to ambiguity in the rules.

"I can only effectively represent the interests and values of the people of Prince Edward Island if I have earned

their trust and respect. I am honoured and humbled to serve the people of my home province, and with the actions I have taken, I feel confident I can look them in the eyes and assure them I am doing so with integrity. With these matters now dealt with, my focus going forward will remain as it has been: to bring Prince Edward Island's perspectives to Ottawa, and to be the most effective representative I can be on their behalf.

"As a former journalist, I know if questions like these had arisen while I was on the parliamentary beat, my colleagues and I would have justifiably pursued answers to them with the same vigour we see among media today. While I respect their continued interest in this issue, I have responded to these questions with the actions I have outlined, and will be declining any further media requests."

03000372

03000373

Wright, Nigel

From: Woodcock, Chris
Sent: May 2, 2013 2:46 PM
To: Wright, Nigel
Cc: Rogers, Patrick
Subject: Re: Audit

Yes, that is what she told me this morning. She just added that Beth Marshall expects the libs or ndp to refer instead. This is obviously out of our hands

Sent from my iPad

On May 2, 2013, at 2:44 PM, "Wright, Nigel" <Nigel.Wright@pmo-cpm.gc.ca> wrote:

By fight, I assume she means that the Conservative Senators will vote that down, and quickly (not after weeks of debate).

From: Woodcock, Chris
Sent: May 2, 2013 2:32 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Fwd: Audit

FYI.

Sent from my iPad

Begin forwarded message:

From: "Stewart Olsen, Carolyn"
<Carolyn.StewartOlsen@sen.parl.gc.ca>
Date: May 2, 2013, 2:16:37 PM EDT
To: "Woodcock, Chris" <chris.woodcock@pmo.gc.ca>
Subject: Audit

Liberals putting pressure to send them out to RCMP. May be a fight if we can't diffuse. Will update you as I know. I said no. They will brief Justin next week apparently.

Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

03000374

03000375



Nigel Wright <nigel.s.wright@gmail.com>

RE: Follow up

1 message

Goldy Hyder <Goldy.Hyder@hkstrategies.ca>

3 May 2013 02:42

To: Nigel Wright <nigel.s.wright@gmail.com>, "Rogers, Patrick" <Patrick.Rogers@pmo-cpm.gc.ca>

Latest draft statement – comment welcome. Plan is to release after the report is released and the Senate leadership has responded with its own statement about eliminating the ambiguities.

He will be in PEI going about his business as Senator. No news conference but also no back door exits with hand in camera's face. His response to any and all questions is to refer back to the statement and that as far as he is concerned the matter is closed. We have advised against any engagement or taking bait on questions – just stick to statement script.

He'll be in PEI a lot between now and Fall session of Senate.

Sincerely,

Goldy

From: Nigel Wright [mailto:nigel.s.wright@gmail.com]

Sent: Tuesday, April 30, 2013 6:36 AM

To: Goldy Hyder; Rogers, Patrick

Subject: Re: Follow up

Thanks Goldy,

I am copying Patrick Rogers of our office, whom I would ask to call you on the related issues.

Regards,

Nigel

03000376

On 29 April 2013 23:20, Goldy Hyder <Goldy.Hyder@hkstrategies.ca> wrote:

Nigel,

Checking to see if you still use this email.

Just got off phone with him. I believe we'll be fine on the specific issue we discussed. Have got him focused on closing this chapter and focusing on future (doesn't mean media will).

Plan is to draft a statement in response to the report then leave for constituency.

There are three related issues I will need to discuss with you so we get on same page. Let me know when you want to speak in coming days.

Goldy

Cell: 613 725-7020



CAVENDISH v4.docx

17K

03000377

Statement
By
Senator Mike Duffy

CAVENDISH, PEI –

"In recent months, I have heard and understood the concerns of Canadians about Senators' expenses. When questions like these arise, involving those entrusted with the use of tax dollars, Canadians deserve nothing but the highest standards of transparency and clarity in response. These questions go beyond mere rules and administration, and strike at the high standards of integrity Canadians expect of Parliament.

"The Deloitte audit of expenses claimed by me and other senators has been a fair, impartial effort by a credible third party to deliver that level of transparency and clarity. This audit has indicated that there is a 'lack of clarity' in the rules and definitions with regard to residency and housing allowances, set by the authorities in the Senate. In this respect, the audit is consistent with the position I have maintained since this controversy first arose.

"But while the rules themselves may have been unclear, my duty as a Senator and as a custodian of Canadian tax dollars is absolutely clear. I believe it is incumbent upon me as a parliamentarian to put questions about my expenses to rest.

"The Deloitte audit revealed a single claim, totaling \$1050.60, which I erroneously claimed due to an administrative oversight I should have noticed at the time, but did not. That claim was repaid in March, prior to the release of this audit. In addition, I made a total reimbursement at that time of just over \$90,000 in expenses claimed as a result of having to maintain two residences; one on Prince Edward Island, another in Ottawa. I will not be seeking the return of any portion of this reimbursement even if these expenses were claimed in good faith, as the Deloitte audit suggests.

"After discussing the decision to repay these expenses with my wife in February, we came to the conclusion that it was the right thing to do, regardless of the outcome of the audit that was to come. It was the right decision then, and it is the right decision now. I can only effectively represent the interests and values of the people of Prince Edward Island if I have earned their trust and respect. I am honoured and humbled to serve the people of my home province, and with the actions I have taken, I feel confident I can look them in the eye and assure them I am doing so with integrity. With these matters now dealt with, my focus going forward will remain as it has been: to be the most effective representative I can be on my fellow Islanders' behalf.

"I am pleased the Senate has decided, in light of Deloitte's findings, to now clarify the rules and definitions with respect to residency and housing allowances. This is a positive outcome emerging from a regrettable set of circumstances, and I am pleased that a new set of Senate rules will be in place for the benefit of Canadian taxpayers.

"As a former journalist, I understand the motivation of the media. And in the day, I too would have been seeking answers. While I respect their interest in this issue, I have responded to these questions with the actions I have outlined, and am declining any further media requests."

03000378

03000379

Re: Follow up

1 message

Nigel Wright <nigel.s.wright@gmail.com>

3 May 2013 11:44

To: Goldy Hyder <Goldy.Hyder@hkstrategies.ca>

Cc: "Rogers, Patrick" <Patrick.Rogers@pmo-cpm.gc.ca>

Goldy,

Thank you. This is good, and addresses the issue that I had with the earlier draft. I have no suggestions to make.

Nigel

On 3 May 2013 02:42, Goldy Hyder <Goldy.Hyder@hkstrategies.ca> wrote:

Latest draft statement – comment welcome. Plan is to release after the report is released and the Senate leadership has responded with its own statement about eliminating the ambiguities.

He will be in PEI going about his business as Senator. No news conference but also no back door exits with hand in camera's face. His response to any and all questions is to refer back to the statement and that as far as he is concerned the matter is closed. We have advised against any engagement or taking bait on questions – just stick to statement script.

He'll be in PEI a lot between now and Fall session of Senate.

Sincerely,

Goldy

From: Nigel Wright [mailto:nigel.s.wright@gmail.com]

Sent: Tuesday, April 30, 2013 6:36 AM

To: Goldy Hyder; Rogers, Patrick

Subject: Re: Follow up

Thanks Goldy,

03000380

I am copying Patrick Rogers of our office, whom I would ask to call you on the related issues.

Regards,

Nigel

On 29 April 2013 23:20, Goldy Hyder <Goldy.Hyder@hkstrategies.ca> wrote:

Nigel,

Checking to see if you still use this email.

Just got off phone with him. I believe we'll be fine on the specific issue we discussed. Have got him focused on closing this chapter and focusing on future (doesn't mean media will).

Plan is to draft a statement in response to the report then leave for constituency.

There are three related issues I will need to discuss with you so we get on same page. Let me know when you want to speak in coming days.

Goldy
Cell: 613 725-7020

03000381

03000382

Wright, Nigel

From: Woodcock, Chris
Sent: May 8, 2013 1:58 PM
To: Rogers, Patrick; Wright, Nigel; van Hemmen, David
Subject: Re: Report on Duffy

She tried that on me earlier! "Dave really wants this..."

----- Original Message -----

From: Rogers, Patrick
Sent: Wednesday, May 08, 2013 01:56 PM
To: Wright, Nigel; Woodcock, Chris; van Hemmen, David
Subject: Re: Report on Duffy

You are correct. It was all Tkachuk's fault.

----- Original Message -----

From: Wright, Nigel
Sent: Wednesday, May 08, 2013 01:54 PM Eastern Standard Time
To: Rogers, Patrick; Woodcock, Chris; van Hemmen, David
Subject: RE: Report on Duffy

Thank you Patrick. Sorry I didn't execute anything at caucus today. I am sure that she blamed someone else for the inflammatory language.

-----Original Message-----

From: Rogers, Patrick
Sent: May 8, 2013 1:54 PM
To: Woodcock, Chris; Wright, Nigel; van Hemmen, David
Subject: Report on Duffy

The meeting is about to begin at 2pm.

I just met with CSO. I gave her our changes. She agreed with them 100%.

I reinforced with her that the implementing of all of the changes to the report was the fulfillment of her commitment to Nigel and our building. She indicated she understood this.

03000383

03000384

Wright, Nigel

From: Woodcock, Chris
Sent: May 8, 2013 2:37 PM
To: Rogers, Patrick; Wright, Nigel
Subject: Re: Meeting
What!!!

From: Rogers, Patrick
Sent: Wednesday, May 08, 2013 02:35 PM
To: Wright, Nigel; Woodcock, Chris
Subject: Fw: Meeting

Here is the latest from the committee. This is unbelievable.

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 02:34 PM Eastern Standard Time
To: Rogers, Patrick
Subject: Re: Meeting

So I was too optimistic. Montgomery says we as Senators should not compromise ourselves.
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 01:12 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Cc: Lory-Leroux, Barb: SEN
Subject: Re: Meeting

I will be there.

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 01:09 PM Eastern Standard Time
To: Rogers, Patrick
Cc: Lory-Leroux, Barb: SEN <Barb.Lory-Leroux@sen.parl.gc.ca>
Subject: Re: Meeting

My office? Barb can you send him number??? At 13:45??
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 12:59 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject: RE: Meeting

Where should we meet?

03000385

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]

Sent: May 8, 2013 12:24 PM

To: Rogers, Patrick

Subject: Re: Meeting

K will be in touch soon as I can. We have a steering meeting at 2 so we have time. Will get to you before and take the changes forward.

Carolyn Stewart Olsen Senator, NB -----

Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]

Sent: Wednesday, May 08, 2013 12:13 PM Eastern Standard Time

To: Stewart Olsen, Carolyn

Subject: RE: Meeting

I'm in Langevin now but I am an email away from meeting you anywhere you'd like.

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]

Sent: May 8, 2013 12:12 PM

To: Rogers, Patrick

Subject: Re: Meeting

Sorry in meeting now with Marj and Cowan then Caucus. Will come out as soon as I can. Where are you?

Carolyn Stewart Olsen Senator, NB -----

Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]

Sent: Wednesday, May 08, 2013 12:09 PM Eastern Standard Time

To: Stewart Olsen, Carolyn

Subject: Meeting

Senator,

I am available to meet as soon as you are.

Patrick

Patrick Rogers

Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

03000386

613-957-5566
Cellular | cellulaire 613-219-1360
Patrick.Rogers@pmo.gc.ca

03000387

03000388

Wright, Nigel

From: Woodcock, Chris
Sent: May 8, 2013 3:04 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Re: Meeting

I can stop by her office as soon as I'm done with the pm post-QP. If Chris is operating on the Minister's instructions, she needs to know. If he is not, she definitely needs to know.

From: Wright, Nigel
Sent: Wednesday, May 08, 2013 03:00 PM
To: Rogers, Patrick; Woodcock, Chris
Subject: RE: Meeting

Do I need to call Marjory? They think they are hurting Duffy, but they will end up hurting the Prime Minister.

From: Rogers, Patrick
Sent: May 8, 2013 2:47 PM
To: Wright, Nigel; Woodcock, Chris
Subject: Fw: Meeting

Latest.

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 02:41 PM Eastern Standard Time
To: Rogers, Patrick
Subject: Re: Meeting

I am fight my way. No fun
 Carolyn Stewart Olsen Senator, NB -----
 Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 02:37 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject: Re: Meeting

Further, the changes are changes that you had beforehand.

From: Rogers, Patrick
Sent: Wednesday, May 08, 2013 02:35 PM Eastern Standard Time
To: 'Carolyn.StewartOlsen@sen.parl.gc.ca' <Carolyn.StewartOlsen@sen.parl.gc.ca>
Subject: Re: Meeting

This is the direction. You're not compromising yourself. You're fulfilling the commitments that were made.

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]

03000389

Sent: Wednesday, May 08, 2013 02:34 PM Eastern Standard Time
To: Rogers, Patrick
Subject: Re: Meeting

So I was too optimistic. Montgomery says we as Senators should not compromise ourselves.
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 01:12 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Cc: Lory-Leroux, Barb: SEN
Subject: Re: Meeting

I will be there.

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 01:09 PM Eastern Standard Time
To: Rogers, Patrick
Cc: Lory-Leroux, Barb: SEN <Barb.Lory-Leroux@sen.parl.gc.ca>
Subject: Re: Meeting

My office? Barb can you send him number??? At 13:45??
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 12:59 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject: RE: Meeting

Where should we meet?

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: May 8, 2013 12:24 PM
To: Rogers, Patrick
Subject: Re: Meeting

K will be in touch soon as I can. We have a steering meeting at 2 so we have time. Will get to you before and take the changes forward.
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]

03000390

Sent: Wednesday, May 08, 2013 12:13 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject: RE: Meeting

I'm in Langevin now but I am an email away from meeting you anywhere you'd like.

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: May 8, 2013 12:12 PM
To: Rogers, Patrick
Subject: Re: Meeting

Sorry in meeting now with Marj and Cowan then Caucus. Will come out as soon as I can. Where are you?
Carolyn Stewart Olsen Senator, NB -----
Sent using BlackBerry

From: Rogers, Patrick [mailto:Patrick.Rogers@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 12:09 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject: Meeting

Senator,

I am available to meet as soon as you are.

Patrick

Patrick Rogers
Manager, Parliamentary Affairs | Gestionnaire, Affaires parlementaires
Office of the Prime Minister | Cabinet du Premier ministre
613-957-5566
Cellular | cellulaire 613-219-1360
Patrick.Rogers@pmo.gc.ca

03000391

03000392

Wright, Nigel

From: Wright, Nigel
Sent: May 8, 2013 3:42 PM
To: Woodcock, Chris; Rogers, Patrick
Subject: RE:

Nice work guys. Thank you very much.

-----Original Message-----

From: Woodcock, Chris
Sent: May 8, 2013 3:42 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Re:

We're done. Patrick made it happen.

----- Original Message -----

From: Wright, Nigel
Sent: Wednesday, May 08, 2013 03:40 PM
To: Rogers, Patrick; Woodcock, Chris
Subject: RE:

Should I come over?

-----Original Message-----

From: Rogers, Patrick
Sent: May 8, 2013 3:30 PM
To: Wright, Nigel; Woodcock, Chris
Subject: Re:

I am in a meeting with

Montgomery,
LeBreton

Sandy
CSO

This is epic. Montgomery is the problem.

----- Original Message -----

From: Rogers, Patrick
Sent: Wednesday, May 08, 2013 03:15 PM Eastern Standard Time
To: Wright, Nigel; Woodcock, Chris
Subject: Fw:

I think you should call LeBreton.

----- Original Message -----

From: Stewart Olsen, Carolyn [mailto:Carolyn.StewartOlsen@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 03:08 PM Eastern Standard Time
To: Rogers, Patrick
Subject: Fw:

See below

Carolyn Stewart Olsen Senator, NB ----- Sent using BlackBerry

----- Original Message -----

From: Montgomery, Christopher
Sent: Wednesday, May 08, 2013 03:06 PM Eastern Standard Time
To: Stewart Olsen, Carolyn
Subject:

03000393

Talked to the boss. Says the report has to be consistent with the other two, that you need a claim to the money and that those paragraphs are crucial to the end.

03000394

03000395

Wright, Nigel

From: Wright, Nigel
Sent: May 8, 2013 7:11 PM
To: Woodcock, Chris; Rogers, Patrick; MacDougall, Andrew
Subject: RE: Any sign of products for tomorrow?

I think that this is really quite good.

From: Woodcock, Chris
Sent: May 8, 2013 7:08 PM
To: Wright, Nigel; Rogers, Patrick; MacDougall, Andrew
Subject: FW: Any sign of products for tomorrow?

I think this statement captures the key messages for tomorrow. This would be Senator LeBreton's statement outside the Senate, followed by a short Q&A. Let me know if you have any comments or changes. I have a statement from Duffy I am also reviewing.

DRAFT– May 9, 2013

- We made a commitment to ensure that expenses are appropriate, that the rules governing these expenses are appropriate and to report back to the public on these matters. Today this promise has been met.
- Today we received the report of the Senate Committee on Internal Economy on travel and expense policies as well as the reports on expenses claimed by Senator Harb, Senator Brazeau and Senator Duffy. The independent audits conducted by Deloitte are included in these reports.
- Deloitte found that the Senate's rules governing expenses were unclear. In response to this finding, the Senate adopted today a number of meaningful changes that will improve internal controls over the claiming of expenses and ensure that these costs are accounted for in a manner that provides Canadian taxpayers with the transparency and accountability they deserve. We did so against the objections of Liberal Senators who wanted to protect the current rules.
- Senator Duffy approached the Committee a few number of months ago in order to voluntarily repay all of his expenses. This repayment has been accepted and the Senate considers the matter closed.
- In the remaining two cases, the Committee has found that Senator Harb and Senator Brazeau claimed expenses to which they were not entitled. The Senate will take the necessary steps to immediately recover these funds on behalf of taxpayers.
- I would be happy to take your questions.

Q. There is a quarter of a million dollars in question: why aren't you calling in the

03000396

RCMP?

A. We asked an independent auditor to look at these claims. The audits found that the Senate's rules weren't clear and we are fixing those rules. We will be taking the necessary action to recover the money from Senators Harb and Brazeau.

Q. What steps will the Senate take to recover the money?

A. The last time a Liberal Senator had issues with expenses, the Senate garnished his salary. That would be one of the options in this case if it came to that.

Q. Why would you let the Senate investigate itself?

A. The Committee looked to Deloitte to provide expert, independent findings on this matter. Deloitte found that the rules are unclear and we are fixing those rules in response.

Q. When can we expect Senator Wallin's audit to be made available to the public?

A. That's something that is being looked at by the Committee. I'm not going to speculate.

Q. Is this just a whitewash to protect Senator Duffy?

A. Senator Duffy approached the Committee a few months ago in order to voluntarily repay all of his expenses. This repayment has been accepted and the Senate considers the matter closed. Deloitte found that the rules are unclear, and we are fixing those rules.

From: Quinney, Johanna [mailto:Johanna.Quinney@sen.parl.gc.ca]
Sent: May 8, 2013 6:21 PM
To: Montgomery, Christopher; Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

DRAFT- May 9, 2013

- We committed to ensuring that all expenses are appropriate, that the rules governing these expenses are appropriate and to report back to the public on these matters. Today this promise has been met by the committee.
- The audits indicate that the rules governing expenses were unclear and Internal Economy has taken significant steps to strengthen these rules.
- Senator Duffy respects taxpayers and did the right thing by repaying money to ensure that his expenses are appropriate.
- The committee will now recover the living expenses claimed by Senators Harb and Brazeau.

03000397

- The auditors made it clear there is no need for these matters to be referred to a third party.
- We committed to tightening the rules in an effort to make the Senate more accountable and today the committee has fulfilled this obligation.

From: Montgomery, Christopher
Sent: Wednesday, May 08, 2013 6:19 PM
To: 'Woodcock, Chris'
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

No. will ask for that now.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:19 PM
To: Montgomery, Christopher
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

Ok. Have you seen Tkachuk's proposed statement for the Senate?

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:18 PM
To: Woodcock, Chris
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

My understanding is not but we can push her. In fairness to her, we don't know where the Liberals are at the moment and the committee cannot issue anything publicly unless both sides sign off. Tkachuk could on his own but...

I'll ask her to work pull something together in any event.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

03000398

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:11 PM
To: Montgomery, Christopher
Subject: RE: Any sign of products for tomorrow?

Is there still a background/summary document coming? That's a key part of the rollout tomorrow. I'd write it myself, but don't have access to the reports.

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:10 PM
To: Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

Yes and for your use. I gather CSO has abandoned everything else.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:09 PM
To: Montgomery, Christopher
Subject: RE: Any sign of products for tomorrow?

Thx. Is this for Min Lebreton's comments outside the Senate?

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:08 PM
To: Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

Johanna is flipping you lines momentarily.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:06 PM
To: Montgomery, Christopher
Subject: Any sign of products for tomorrow?

Chris Woodcock

03000399

Director of Issues Management / Directeur de la Gestion des enjeux
Office of the Prime Minister / Cabinet du Premier ministre
+1 (613) 992-4211

03000400

03000401

Wright, Nigel

From: Woodcock, Chris
Sent: May 8, 2013 8:44 PM
To: Wright, Nigel; Rogers, Patrick
Subject: RE: Duffy Statement

I wasn't sure and am glad I asked. I will suggest that change to him.

From: Wright, Nigel
Sent: May 8, 2013 8:42 PM
To: Woodcock, Chris; Rogers, Patrick
Subject: RE: Duffy Statement

Ooops Chris. This is the statement that I saw from Goldy last weekend and I told him I thought was fine (it reflects a couple of changes I asked for). I wanted him to make clear that the egregious claim of the \$1050 was made erroneously. Otherwise, it was potentially a fraud (claiming per diems while on a cruise) – as it turns out it was an administrative error. I do think that he made the other claims in good faith, believing it to be the standard practice. Good faith is the opposite of fraud, but it is not the opposite of mistake. I would not mind if you were able to add “albeit mistakenly” or something like that after the good faith words.

From: Woodcock, Chris
Sent: May 8, 2013 8:35 PM
To: Wright, Nigel; Rogers, Patrick
Subject: Duffy Statement

Here is the statement Duffy wants to issue tomorrow. I'm fine with everything but the fourth and fifth paragraphs which proclaim his innocence. I'm worried that this implausible statement will prompt some kind of retaliation from CSO or Tkachuk. Nigel am I able to say that this goes against the deal we have had to date? The best possible reaction from Senator Duffy tomorrow would be to remind people that he voluntarily repaid and say nice things about transparency.

Statement by Senator Mike Duffy

CAVENDISH, PEI – In recent months, I have heard and understood the concerns of Canadians about Senators' expenses. When questions like these arise involving those entrusted with the use of tax dollars, Canadians deserve nothing but the highest standards of transparency and clarity in response. These questions go beyond mere rules and administration, and strike at the high standards of integrity Canadians expect of Parliament.

The Deloitte audit of expenses claimed by me and other senators has been a fair, impartial effort by a credible third party to deliver that level of transparency and clarity. This audit has indicated that there is a 'lack of clarity' in the Senate's rules and definitions with regard to residency and housing allowances. In this respect, the audit is consistent with the position I have maintained since this controversy first arose.

But while the rules themselves may have been unclear, my duty as a Senator and as a custodian of Canadian tax dollars is absolutely clear. I believe it is incumbent upon me as a parliamentarian to put questions about my expenses to rest.

03000402

The Deloitte audit revealed a single claim, totaling \$1050.60, which I erroneously claimed due to an administrative oversight. I should have noticed the error at the time, but did not. That claim was repaid in March, prior to the completion of the Deloitte audit, as part of a total reimbursement of just over \$90,000. This covered all of the expenses I was paid as a result of having to maintain two residences; one on Prince Edward Island, another in Ottawa. I will not be seeking the return of any portion of this reimbursement even though these expenses were claimed in good faith.

When I discussed these issues with my wife in February, we came to the conclusion that repaying the \$90 thousand was the right thing to do, regardless of the outcome of the audit that was to come. It was the right decision then, and it is the right decision now.

I can only effectively represent the people of Prince Edward Island if I have earned their trust and respect. I am honoured to serve the people of my home province, and with the actions I have taken, I feel confident I can look them in the eye and assure them I am doing so with integrity. With these matters now dealt with, my focus going forward will remain: to be the most effective representative I can be for my fellow Islanders.

I am pleased the Senate has decided in light of Deloitte's findings, to now clarify the rules and definitions with respect to residency and housing allowances. This is a positive outcome emerging from a regrettable set of circumstances, and I am pleased that a new set of Senate rules will be in place for the benefit of Canadian taxpayers.

As a former journalist, I understand and respect the media's interest in this issue. I have responded to these matters with my actions, as outlined above. I am declining any further media requests.

Contact: Mélanie Mercer (613-947-4163)

03000403

03000404

Wright, Nigel

From: Wright, Nigel
Sent: May 9, 2013 6:00 AM
To: Woodcock, Chris; Rogers, Patrick
Subject: Re: Any sign of products for tomorrow?
 I got nothing from Duffy.

From: Woodcock, Chris
Sent: Thursday, May 09, 2013 05:54 AM
To: Wright, Nigel; Rogers, Patrick
Subject: FW: Any sign of products for tomorrow?

Update from the other place. Were either of you copied on Duffy's note following his appearance? I can share it. Note I agreed to some minor adjustments to Min LeBreton's statement in the conversation below.

From: Montgomery, Christopher [mailto:Chris.Montgomery@sen.parl.gc.ca]
Sent: May 8, 2013 10:34 PM
To: Woodcock, Chris
Cc: Quinney, Johanna
Subject: Re: Any sign of products for tomorrow?

Just got off the phone with Tkachuk. He said it was a tough slog but went fine. They got through Harb and Brazeau and although there was no vote the report was "unanimous". Both will be adopted tomorrow after they go through the Duffy report.

Tkachuk, based on conversations with Furey, believes the Liberals will abstain from voting on the reports (how that jives with their support tonight?) And that Cowan will say tomorrow that the committee has done what was asked of it and did a good job but that they should be referred to independent outside body without using the words police or rcmp.

To that, we can respond that the issues were referred to an outside authority - the reputable firm of Deloitte - and that we have their reports and have responded accordingly.

From: Woodcock, Chris [mailto:Chris.Woodcock@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 09:29 PM Eastern Standard Time
To: Montgomery, Christopher
Subject: Re: Any sign of products for tomorrow?

Thanks

From: Montgomery, Christopher [mailto:Chris.Montgomery@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 09:27 PM
To: Woodcock, Chris; Quinney, Johanna <Johanna.Quinney@sen.parl.gc.ca>
Subject: Re: Any sign of products for tomorrow?

Awesome. Thanks. The committee is still going at it I'm told. Based on the tenure this afternoon I think that may be positive but who the hell knows. Ill give you any updates as I receive them.

From: Woodcock, Chris [mailto:Chris.Woodcock@pmo-cpm.gc.ca]

03000405

Sent: Wednesday, May 08, 2013 09:25 PM Eastern Standard Time
To: Montgomery, Christopher; Quinney, Johanna
Subject: Re: Any sign of products for tomorrow?

Thanks. Your comments make sense. The line on the Liberals will need to be adjusted based on events. I'm fine with saying the Committee considers the matter closed (this should also be clearly stated by Tkachuk). On Harb and Brazeau, I replaced "inappropriate" with "not entitled" for the same reason you cite. I'm ok with whichever doesn't carry a legal risk.

From: Montgomery, Christopher [mailto:Chris.Montgomery@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 09:21 PM
To: Woodcock, Chris; Quinney, Johanna <Johanna.Quinney@sen.parl.gc.ca>
Subject: Re: Any sign of products for tomorrow?

Sorry for the delay.

I generally quite like what you've produced here but will just make a couple of points.

I like the line "We did so against the objections of Liberal Senators who wanted to protect the current rules." If it ends up being accurate. Despite what CSO mentioned to us, the Liberals hadn't landed on an approach at that time. We will know more on this late tonight or tomorrow but may have to drop it.

The line "This repayment has been accepted and the Senate considers the matter closed." Will not be accurate when she goes out as, even if the Liberals accept the report, it will not have been adopted. We can work something though and can use this language later in the day once/if the report is adopted. We could for example, early in the afternoon say "the committee" instead of "the Senate" and adjust later in the day if possible. I don't want to be a stickler but also want to protect her re privilege etc.

In a similar vane, with Harb and Brazeau, I think she needs to be careful about lawsuits and would suggest changing "claimed expenses to which they were not entitled" to "claimed expenses which were inappropriate." That follows the line we've been using to date and reflects the views of the committee in a way that also doesn't make as large a jump from the audits which were inconclusive.

Other than that, I'm good. I think she'll be more comfortable doing this without notes but she will work with it and get the message out.

On Tkachuk's statement, they just have a shell at this point and are waiting for decisions of the committee. I'll press first thing in the am.

On the highlights/background, I asked CSO and she gave only a curt answer. I think she's a bit overwhelmed this afternoon/evening but I'll go back at her in the morning. I'm in a similar position to you not having seen all of the material...

From: Woodcock, Chris [mailto:Chris.Woodcock@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 07:59 PM Eastern Standard Time
To: Montgomery, Christopher; Quinney, Johanna
Subject: Re: Any sign of products for tomorrow?

What do you think about this version:

DRAFT- May 9, 2013

03000406

• We made a commitment to ensure that expenses are appropriate, that the rules governing these expenses are appropriate and to report back to the public on these matters. Today this promise has been met.

• Today we received the report of the Senate Committee on Internal Economy on travel and expense policies as well as the reports on expenses claimed by Senator Harb, Senator Brazeau and Senator Duffy. The independent audits conducted by Deloitte are included in these reports.

• Deloitte found that the Senate's rules governing expenses were unclear. In response to this finding, the Senate adopted today a number of meaningful changes that will improve internal controls over the claiming of expenses and ensure that these costs are accounted for in a manner that provides Canadian taxpayers with the transparency and accountability they deserve. We did so against the objections of Liberal Senators who wanted to protect the current rules.

• Senator Duffy approached the Committee a few number of months ago in order to voluntarily repay all of his expenses. This repayment has been accepted and the Senate considers the matter closed.

• In the remaining two cases, the Committee has found that Senator Harb and Senator Brazeau claimed expenses to which they were not entitled. The Senate will take the necessary steps to immediately recover these funds on behalf of taxpayers.

• I would be happy to take your questions.

Q. There is a quarter of a million dollars in question: why aren't you calling in the RCMP?

A. We asked an independent auditor to look at these claims. The audits found that the Senate's rules weren't clear and we are fixing those rules. We will be taking the necessary action to recover the money from Senators Harb and Brazeau.

Q. What steps will the Senate take to recover the money?

The last time a Liberal Senator had issues with expenses, the Senate garnished his salary. That would be one of the options in this case if it came to that.

Q. Why would you let the Senate investigate itself?

The Committee looked to Deloitte to provide expert, independent findings on this matter. Deloitte found that the rules are unclear and we are fixing those rules in response.

Q. When can we expect Senator Wallin's audit to be made available to the public?

That's something that is being looked at by the Committee. I'm not going to speculate.

Q. Is this just a whitewash to protect Senator Duffy?

Senator Duffy approached the Committee a few months ago in order to voluntarily repay all of his expenses. This repayment has been accepted and the Senate considers the matter closed. Deloitte found that the rules are unclear, and we are fixing those rules.

03000407

From: Montgomery, Christopher [mailto:Chris.Montgomery@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 07:17 PM
To: Woodcock, Chris; Quinney, Johanna <Johanna.Quinney@sen.parl.gc.ca>
Subject: Re: Any sign of products for tomorrow?

None

From: Woodcock, Chris [mailto:Chris.Woodcock@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 07:16 PM Eastern Standard Time
To: Montgomery, Christopher; Quinney, Johanna
Subject: Re: Any sign of products for tomorrow?

Ok. Does the Minister speak any french? Just wondering if we could work in a line or two.

From: Montgomery, Christopher [mailto:Chris.Montgomery@sen.parl.gc.ca]
Sent: Wednesday, May 08, 2013 07:14 PM
To: Woodcock, Chris; Quinney, Johanna <Johanna.Quinney@sen.parl.gc.ca>
Subject: Re: Any sign of products for tomorrow?

Honestly, I would suggest not despite the policy. The only one we can go to is Carignan and, while he doesn't go off message per se he can't keep to short concise answers reflective of the lines which I would worry about in this case. And, Buzzetti et co who cover us like the boss and quote her.

From: Woodcock, Chris [mailto:Chris.Woodcock@pmo-cpm.gc.ca]
Sent: Wednesday, May 08, 2013 07:09 PM Eastern Standard Time
To: Quinney, Johanna; Montgomery, Christopher
Subject: RE: Any sign of products for tomorrow?

Thanks. I have some thoughts on this and will get back to you shortly. Should we be appointing a French spokesman to handle questions in French tomorrow?

From: Quinney, Johanna [mailto:Johanna.Quinney@sen.parl.gc.ca]
Sent: May 8, 2013 6:21 PM
To: Montgomery, Christopher; Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

DRAFT– May 9, 2013

- We committed to ensuring that all expenses are appropriate, that the rules governing these expenses are appropriate and to report back to the public on these matters. Today this promise has been met by the committee.
- The audits indicate that the rules governing expenses were unclear and Internal Economy has taken significant steps to strengthen these rules.

03000408

- Senator Duffy respects taxpayers and did the right thing by repaying money to ensure that his expenses are appropriate.
- The committee will now recover the living expenses claimed by Senators Harb and Brazeau.
- The auditors made it clear there is no need for these matters to be referred to a third party.
- We committed to tightening the rules in an effort to make the Senate more accountable and today the committee has fulfilled this obligation.

From: Montgomery, Christopher
Sent: Wednesday, May 08, 2013 6:19 PM
To: 'Woodcock, Chris'
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

No. will ask for that now.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:19 PM
To: Montgomery, Christopher
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

Ok. Have you seen Tkachuk's proposed statement for the Senate?

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:18 PM
To: Woodcock, Chris
Cc: Quinney, Johanna
Subject: RE: Any sign of products for tomorrow?

My understanding is not but we can push her. In fairness to her, we don't know where the Liberals are at the moment and the committee cannot issue anything publicly unless both sides sign off. Tkachuk could on his own but...

I'll ask her to work pull something together in any event.

Chris Montgomery

03000409

Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:11 PM
To: Montgomery, Christopher
Subject: RE: Any sign of products for tomorrow?

Is there still a background/summary document coming? That's a key part of the rollout tomorrow. I'd write it myself, but don't have access to the reports.

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:10 PM
To: Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

Yes and for your use. I gather CSO has abandoned everything else.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:09 PM
To: Montgomery, Christopher
Subject: RE: Any sign of products for tomorrow?

Thx. Is this for Min Lebreton's comments outside the Senate?

From: Montgomery, Christopher [<mailto:Chris.Montgomery@sen.parl.gc.ca>]
Sent: May 8, 2013 6:08 PM
To: Woodcock, Chris
Subject: RE: Any sign of products for tomorrow?

Johanna is flipping you lines momentarily.

Chris Montgomery
Director of Parliamentary Affairs/Directeur des affaires parlementaires
Office of the Leader of the Government in the Senate/Cabinet du Leader du gouvernement au Sénat
Room 259-S Centre Block/Pièce 259-S Édifice du Centre
Tel/Tél: 613.947.4365
Fax/Télécopieur: 613.943.1493
Cell: 613.797.6395

From: Woodcock, Chris [<mailto:Chris.Woodcock@pmo-cpm.gc.ca>]
Sent: Wednesday, May 08, 2013 6:06 PM

03000410

To: Montgomery, Christopher

Subject: Any sign of products for tomorrow?

Chris Woodcock

Director of Issues Management / Directeur de la Gestion des enjeux

Office of the Prime Minister / Cabinet du Premier ministre

+1 (613) 992-4211

03000411

03000412

Wright, Nigel

From: Woodcock, Chris
Sent: May 9, 2013 6:00 AM
To: Wright, Nigel; Rogers, Patrick
Subject: FW: Notes from Thursday BOIE FYI
Attachments: BOIE 8 May 2013.rtf

From: MDDuffy@aol.com [mailto:MDDuffy@aol.com]
Sent: May 8, 2013 10:33 PM
To: janice.payne@nelligan.ca; christopher.rootham@nelligan.ca
Subject: Notes from Thursday BOIE FYI

BOIE 8 May 2013

Notes on Board of Internal Economy 6:30 pm 8 May 2013

MD started by telling the committee that he objected to being given only two and a half hours' notice of the meeting. My lawyers were busy, but would be available in the AM. The Liberals immediately jumped to MD's defence, suggesting the hearing be delayed. As the Liberals finished, I responded that I was prepared to start tonight and they could hold questions for me until Thursday am.

1: The Liberals tried to browbeat Deloitte, Bob Peterson saying they had "copped out" by not declaring a Senator in violation of the residency rules. The Libs pushed the CRA designation of "primary residence" but Deloitte admitted the CRA had many definitions and they didn't apply. The auditors held their ground well.

2: The Libs went after travel patterns." I.e. flights Ottawa-PEI-Ottawa suggested the person lived in Ottawa. Not PEI.

The Deloitte audit showed I drove PEI to Ottawa in the fall.

03000413

That meant the natural pattern is to then fly Ottawa- PEI- Ottawa until the summer break when the Senator drives the car back to PEI, and the cycle begins again.

Deloitte said they were 90+ (97%) sure I was in PEI when I claimed to be there.

The Libs tried to make points by pointing out that I had declined to supply Deloitte with some of the info they demanded. I stopped giving them info when they demanded my wife`s bank acct etc. She`s a retired nurse, not a target of this probe. They had my phone records, travel claims, Amex bills, why did they need my cable bill and my wife`s Visa, bank accounts and RRSP info.

I offered to answer any questions they might have but they declined.

The audit shows a couple of unanswered questions.

Was I the only user of the Senate cell phone. Yes.

Where was I for about 10 `missing days`

I was in England and Ireland on vacation at my own expense.

The committee resumes at 8:30am Thursday.

BOIE 8 May 2013

Notes on Board of Internal Economy 6:30 pm 8 May 2013

MD started by telling the committee that he objected to being given only two and a half hours' notice of the meeting. My lawyers were busy, but would be available in the AM. The Liberals immediately jumped to MD's defence, suggesting the hearing be delayed. As the Liberals finished, I responded that I was prepared to start tonight and they could hold questions for me until Thursday am.

1: The Liberals tried to browbeat Deloitte, Bob Peterson saying they had "copped out" by not declaring a Senator in violation of the residency rules. The Libs pushed the CRA designation of "primary residence" but Deloitte admitted the CRA had many definitions and they didn't apply. The auditors held their ground well.

2: The Libs went after travel patterns." I.e. flights Ottawa-PEI-Ottawa suggested the person lived in Ottawa. Not PEI.

The Deloitte audit showed I drove PEI to Ottawa in the fall. That meant the natural pattern is to then fly Ottawa- PEI- Ottawa until the summer break when the Senator drives the car back to PEI, and the cycle begins again.

Deloitte said they were 90+ (97%) sure I was in PEI when I claimed to be there.

The Libs tried to make points by pointing out that I had declined to supply Deloitte with some of the info they demanded. I stopped giving them info when they demanded my wife's bank acct etc. She's a retired nurse, not a target of this probe. They had my phone records, travel claims, Amex bills, why did they need my cable bill and my wife's Visa, bank accounts and RRSP info.

I offered to answer any questions they might have but they declined.

The audit shows a couple of unanswered questions.

Was I the only user of the Senate cell phone. Yes.

03000415

Where was I for about 10 `missing days`

I was in England and Ireland on vacation at my own expense.

The committee resumes at 8:30am Thursday.

-30-

03000416

03000417

Wright, Nigel

From: Woodcock, Chris
Sent: May 9, 2013 11:16 AM
To: Rogers, Patrick; Wright, Nigel
Subject: RE: Duffy

I spoke to Duffy. He won't do any media and will stay away from the Chamber today.

From: Rogers, Patrick
Sent: May 9, 2013 10:59 AM
To: Wright, Nigel; Woodcock, Chris
Subject: Re: Duffy

I will call Goldy.

From: Wright, Nigel
Sent: Thursday, May 09, 2013 10:57 AM Eastern Standard Time
To: Rogers, Patrick; Woodcock, Chris
Subject: Fw: Duffy

I am unable to follow up on this right now. Goldy might be able to.

From: Wright, Nigel
Sent: Thursday, May 09, 2013 10:54 AM
To: 'Marjory.LeBreton@sen.parl.gc.ca' <Marjory.LeBreton@sen.parl.gc.ca>
Subject: Re: Duffy

We are on it.

From: LeBreton, Marjory [mailto:Marjory.LeBreton@sen.parl.gc.ca]
Sent: Thursday, May 09, 2013 10:38 AM
To: Wright, Nigel
Subject: Duffy

Hi Nigel – Is there any way we can get Duffy to stay away and most importantly avoid any media contact. By his appearance at Internal Economy he has really complicated our day! Thanks Marjory

03000418

03000419



Nigel Wright <nigel.s.wright@gmail.com>

(no subject)

1 message

Gmail <chriswoodcock1@gmail.com>

14 May 2013 22:52

To: Nigel Wright <nigel.s.wright@gmail.com>

Janice: 20 Feb 2013

Before we chat Thursday, an update on today.

Mary and I copied and redacted my 4 years of diaries; added a summary of my days in PEI, and pics of the cottage under construction etc. and sent it to Nigel by Purolator. We were having freezing rain. But barring a storm delay, he should have it Thursday morning. Nigel called last night. I have more details below, but there are two headlines:

- 1: He said he had heard that Deloitte might make a ruling on me next week, based on what they had seen from The Senate, without hearing from us.
- 2: He said the steering committee of Internal Economy was preparing to issue their own report early next week on the issue of "residency." I.e.: They would trump Deloitte by saying that their analysis of my health card etc. showed I was in violation if the rules and I wasn't eligible to sit as a Senator from PEI.

During the day I had several calls.

Sen. Vern White, former Ottawa Police Chief called, and said he wanted to chat. I said I was on deadline. Too busy.

David Tkachuk called to say that if I would write a letter saying I had made an error, and offering to re-pay, the committee would agree to pull my case from Deloitte. I told him I had not made a final decision, but as they had sent me to Deloitte over my string objections, they would have to wear it.

I'm sure he reported this to Nigel.

Then my old personal friend Angelo Persichilli, who is expecting an appointment called, urging the same thing. You will be all alone. Your party against you, the Libs against you, the media against you. I said; I admire Harper, but I have to be able to look myself in the mirror, etc.

Then Nigel called tonight. I told him what I had sent. He was expansive, saying we (PMO) had been working on lines and a scenario for me, that would cover all of my concerns, including cash for the repayment.

He then mentioned days on PEI, and I read him the totals from my document. I said any busy MP or Senator would be pressed to have more days in their ridings. ("I'll look at your diaries with care when they arrive. Maybe you're right. But my sense is Deloitte will find against you". I then said; if that happens, I'll call my bank. I did NOT say I would re-pay.

Somewhere in the midst of this he said the steering committee of Internal Economy was preparing to issue their own report on the issue of "residency." I.e.: They would trump Deloitte by saying that their analysis if my file showed I was in violation if the rules and I wasn't eligible to sit as a Senator from PEI.

I asked, where does this committee get the power to pronounce on these things? Sounds to me like they are way out of their depth. No one gave them authority to make these findings on their own. He said David Tkachuk, and Carolyn Stewart Olsen were the majority on the steering committee and they wanted to do this.

I said nothing.

So that's the hammer. He didn't make a threat, he said he was trying to protect me from this rogue subcommittee. But the threat seems obvious. You take the dive or this sub-committee will throw you out on the residency issue before you've had any kind of hearing.

He also said you had not seen the diaries, and seemed to imply that he was thus in a better position than you to determine whether or not I was entitled to the housing allowance.

Sent from my iPad

03000420

03000459



CANADA

February 14, 2013

CONFIDENTIAL

Janice B. Payne, Partner
Nelligan O'Brien Payne LLP
50 O'Connor Street, Suite 1500
Ottawa, ON K1P 6L2

BY COURIER AND E-MAIL: janice.payne@nelligan.ca

Dear Ms. Payne:

Re: The Honourable Senator Michael Duffy
Your File No. 16138-2

I am in receipt of your letter dated February 8, 2013, in which you advise that Nelligan O'Brien Payne LLP has been retained by Senator Duffy for advice and representation on the issues that have arisen concerning his travel and living expenses.

In that letter you also raise some concern about the authority of a subcommittee of the Standing Committee on Internal Economy, Budgets and Administration ("Internal Economy Committee" or "Committee") to refer the matter concerning Senator Duffy's residency declarations and related expenses to an external auditor.

You cite correctly the authority, found in rule 12-7 of the *Rules of the Senate*, of the Internal Economy Committee "(a) to consider, on its own initiative, all financial and administrative matters concerning the Senate's internal administration; and (2) subject to the *Senate Administration Rules*, to act on all financial and administrative matter concerning the internal administration of the Senate and to interpret and determine the propriety of any use of Senate resources."

The *Parliament of Canada Act*, R.S.C., 1985, c. P-1, which provides for the function of the Internal Economy Committee "to act on all financial and administrative matters respecting (a) the Senate, its premises, its services and its staff; and (b) the members of the Senate", at subsection 19.3, also provides for the exercise of any of these powers by the Steering Committee where the chair of the Internal Economy Committee deems that there is an emergency, at subsection 19.1(5).

.../2

- 2 -

The Internal Economy Committee is responsible for the good administration of the Senate, which includes ensuring that Senate resources are used properly for carrying out parliamentary functions and in accordance with the law, rules and policies of the Senate. There is an obvious overarching public interest in carrying out this responsibility: the dignity and reputation of the Senate, and the public's trust and confidence in Parliament.

While the Internal Economy Committee could carry out all aspects of its authority and power, the demands of the parliamentary calendar and parliamentary functions of its member senators require it to work through its Subcommittee on Agenda and Procedure ("Steering Committee") and subcommittees that it may establish from time to time.

On December 6, 2012, amidst concerns in the media on the legitimacy of housing allowance claims made by certain senators, the Internal Economy Committee ordered the Senate Administration to conduct an internal audit to assess whether senators' declarations of primary and secondary residence are supported by appropriate documentation. The oversight of this internal audit mandate fell on the Audit Subcommittee, which oversees and directs the internal audit function by virtue of the Senate *Policy on Internal Audit*.

During the course of the audit process, the Audit Subcommittee determined that an independent external review and opinion with respect to Senator Duffy would be beneficial to the Committee and the Senator. The external auditors would provide an independent audit opinion on the matter, which would assist the Subcommittee in its work and in preparing the resulting report to be made to the Internal Economy Committee, if necessary. This course of action was the most appropriate in the circumstances as Senator Duffy would be invited to meet with the external auditors and given an opportunity to be heard.

The decision to refer the matter to external auditors at Deloitte was supported by the Steering Committee on Thursday, February 7, 2013. The concerns involving Senator Duffy were deemed to be of such importance and urgency that both immediate consideration and expedient action were required. This decision was reported on today and ratified by the Internal Economy Committee at its meeting.

In closing, Senator Duffy, if he so wishes, may meet with the Internal Economy Committee to make representations and provide information that could assist the Committee in the furtherance of its mandate with respect to his situation. I wish to point out that it was always my view that Senator Duffy would be provided opportunities to be heard at the various stages of this process, including before the Internal Economy Committee when the report of the auditors is received.

Sincerely,

The Honourable David Tkachuk, P.C., Senator
Chair, Standing Committee on Internal Economy, Budgets and Administration

c.c. The Honourable Marjory Lebreton, P.C., Leader of the Government in the Senate
(via email: lebrem@sen.parl.gc.ca)

03000460

03000461