

RE: Potential Point of Privilege

From: "Bromm, William (CAB)" </o=govon/ou=ontario public sector - iserv
ems/cn=recipients/cn=brommwi">
To: "Singh, Jagtaran (GHLO)" <jagtaran.singh@ontario.ca>
Date: Tue, 17 Apr 2018 07:59:08 -0400

Speaker would need to decide whether it was "the earliest opportunity" - the date of the letter may not be determinative if they show they got it later - the other thing is whether this needs to be raised in Cttee as it relates to the AG report on Fair Hydro. My initial reaction is not because it is about statements made in the House rather than arising from a Cttee proceeding, but if they raise the POP, it is worth considering.

Sent with BlackBerry Work (www.blackberry.com)

From: "Singh, Jagtaran (GHLO)" <Jagtaran.Singh@ontario.ca>
Sent: Apr 17, 2018 7:52 AM
To: "Bromm, William (CAB)" <William.Bromm2@ontario.ca>
Subject: RE: Potential Point of Privilege

Excellent. Thank you.

Also, if the document was available on April 11th, and they only brought the POP now, wouldn't it be too late?

Jagtaran Singh, LL.M., B.C.L., LL.B.
Senior Advisor to the Government House Leader
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From: Bromm, William (CAB)
Sent: April 17, 2018 7:50 AM
To: Singh, Jagtaran (GHLO)
Subject: RE: Potential Point of Privilege

Here are several examples. The important thing for this POP is that there is a very strict test because it is considered to be one of the most serious allegations you can make against a Minister. You basically have to show the statement was incorrect, that the Minister knew the statement to be incorrect, and that the Minister intended to mislead the House by making it.

From: Singh, Jagtaran (GHLO)
Sent: April 17, 2018 7:24 AM
To: Bromm, William (CAB)
Subject: RE: Potential Point of Privilege

Thanks very much for the note.

Would you be able to send me any relevant speaker's rulings on this point?

Thanks very much.

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From: "Bromm, William (CAB)" <William.Bromm2@ontario.ca>
Sent: Apr 17, 2018 7:00 AM
To: "Singh, Jagtaran (GHLO)" <Jagtaran.Singh@ontario.ca>; "Codd-Downey, Beckie (GHLO)" <Beckie.Codd-Downey@ontario.ca>
Subject: Potential Point of Privilege

You are probably aware of this already, but I wanted to alert you to a potential Point of Privilege for misleading the assembl based on the following media summary. Note the reference to the Minister lying to the House. It may be that they only intend to pursue this via QP, but wanted you to be aware just in case.

W

Minister Thibeault Asked About Audit Firms' Opinions Of The Accounting Of The Fair Hydro Plan – (TBS/ENERGY) Today in the House and in a release, the PCs accused Minister Thibeault of lying to the House about audit firms' opinions of the accounting of the Fair Hydro Plan, citing a letter from the Auditor General. In the letter, the AG notes that "Deloitte LLP and Ernst & Young LLP have confirmed to us that they provided no formal opinions approving the accounting for the Fair Hydro Plan that the government planned to use for its consolidated financial statements" and "KPMG told us that it has not provided an opinion on the accounting for the Fair Hydro Plan in the government's consolidated financial statements." The PCs highlighted those statements in their release. In pages 2-3 of the letter, the AG says the sum of the work she highlights that the firms did "does not equate to approval of the accounting in the consolidated financial statements of the Province of Ontario