



**Summary of Interview of Jean-Pierre Kingsley
Interview held on April 24, 2009**

Counsel for the Attorney General of Canada, representing Mr. Kingsley:

Paul Vickery, Yannick Landry, Philippe Lacasse, and Amy Joslin-Besner

Counsel for the Commission:

Nancy Brooks and Martin Lapner

The following represents Mr. Kingsley's best recollection of the events surrounding the 1988 agreement between Mr. Doucet and the Government of Canada.

In 1988, Mr. Kingsley was Assistant Deputy Registrar General, Department of Consumer and Corporate Affairs. Responsibilities for this position included maintenance of the Great Seal and administering the Conflict of Interest and Post-Employment Code for Public Office Holders, 1985 (the "1985 Code").

Mr. Kingsley stated that, in August, 1988, he was asked by a senior government official, most probably Gerald Capello, Deputy Secretary, Personnel Policy Branch, Treasury Board Secretariat, to negotiate the terms of a termination agreement with Mr. Doucet for his resignation from the position of Ambassador and Chairman of the Organizing Committee for International Summits. Mr. Kingsley stated that he had previously negotiated some 60 agreements on behalf of the Government of Canada with Governor-in-Council appointees and government employees.

Mr. Kingsley did not know whether Mr. Doucet had been asked to resign, but he recalled that Mr. Doucet had had bypass surgery earlier in the year and that it would have been difficult for Mr. Doucet to carry on in his position. Mr. Kingsley was never aware whether Mr. Doucet or the Government of Canada initiated the discussions for a termination agreement, which led to the agreement signed on August 9, 1988 (the "Agreement").

Mr. Kingsley stated that he was asked to handle the negotiations in the same manner and within the same parameters as he had on the previous occasions. Mr. Kingsley said that as far as he was aware, there was no involvement in the process by the Prime Minister, Prime Minister's Office or Privy Council Office.

Mr. Kingsley recalled that soon after his discussion with Mr. Capello, he received a telephone call from Mr. Doucet to discuss the matter. Mr. Kingsley did not recall anyone besides himself and Mr. Doucet being involved in the negotiations that followed.

Mr. Kingsley advised that Mr. Doucet requested the waiver of the limitation period under the Code. Mr. Kingsley stated that he had negotiated other agreements which included a similar waiver.

Mr. Kingsley recalled that his approach in determining whether the waiver should be agreed to was based on consideration of the conditions in s. 61 of the 1985 Code

applicable to reduction of the limitation period. According to Mr. Kingsley, Mr. Doucet's health issues and his limited knowledge of significant government information weighed in favour of the waiver sought by Mr. Doucet. In accordance with his usual approach, Mr. Kingsley did not inquire into whether there were specific files or matters that would raise concerns. Furthermore, the Government still had the protection afforded by the unlimited in time "interdiction" in the 1985 Code, which prevented a former public office holder from "switching sides".

The confidentiality clause was a standard clause for such agreements.

With respect to the process for approval of any agreement made, Mr. Kingsley stated that the Agreement had to be, and was, approved by the Treasury Board.

Mr. Kingsley stated that he was comfortable that all appropriate procedures and ethical considerations were taken into account. He would not have recommended the Agreement be approved had this not been the case.

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