

POLITICS AS USUAL: The Circus Comes to Town

By Alison Collins-Mrakas

The Duffy trial began in earnest this week, as did the breathless multimedia coverage.

Thus far, what has been revealed? As expected, both the sordid and the silly. Regardless, what permeates the proceedings is the unmistakable and pungent scent of entitlement and huffy defensiveness that the threat to same engenders.

It is early days yet of an expected 41 day trial. However, one thing has already stood out for me as disquieting. And it isn't about Mr. Duffy.

I am not an apologist for the suspended Senator; however, in reading the statements made by the Clerk to the Senate one has to at least entertain the question why Mr. Duffy is being singled out as much as he is. There are potentially many folks who could be in the same boat.

Based on media reports, it seems the crux of the matter for Mr. Duffy is his allegedly questionable expense claims which ostensibly derive from the 'fact' he claims various per-diems and other such expenses for time spent in Ottawa as opposed to his 'primary' residence in PEI.

It appears the crown is arguing Duffy's PEI home is not his primary residence and thus he was not eligible to claim all he did.

Ah, but the defence counters, just what is a primary residence? The Clerk of the Senate 'incredulously' could not answer that. It seems there are no defined criteria for residence. In fact, the Clerk admitted that in the absence of a definition, he had his own 'shorthand' criteria for determining residence. His 'shorthand' criteria venture into Captain Obvious territory but 'just the same' they are not stated anywhere.

Again, not picking on the Clerk here, but that strikes me as somewhat ridiculous. How can there be no stated criteria for determining primary residence? Given the obvious potential for abuse, it would seem this semi-truck-sized loophole in the rules should have been addressed a long time ago.

And thus it begs the question: if the Clerk was aware there was no definition of residency, why did he and his staff not bring this regulatory gap to the relevant authority's attention? Is that not his job to identify and address gaps in process to ensure the fair and effective workings of Senate? Or were he and the ambiguity deliberate so as to afford some extra portions at the public trough by our representatives in the Red Chamber?

Regardless, if the Clerk had a working 'shorthand' set of criteria for determining residency, was this ever conveyed to the new or existing Senators? If not, why not? It would seem the tents of this circus would never have been pitched if such criteria had been made plain. No one could claim ignorance.

They say ignorance of the 'law' is not a defence, but is absence of 'law' a defence?

Representatives 'elected or appointed' - are often faulted for 'micromanaging'; of dabbling in the minutiae; but as Duffy's case well demonstrates; it's the minutiae that gets them every time.

The public expects our fearless leaders to have a full grasp on what's happening; how, when and why they're using our money. They can't use the excuse I don't know, or I didn't know that rule applied to me. The public will never accept that, regardless of whether it is true or not. And quite rightly.

It's in their best interest to understand all aspects of areas under their responsibility - or be prepared to suffer the consequences. Until next week, stay informed, stay involved because this is - after all - Our Town.