



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Standing Committee on Justice and Human Rights**

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JUST • NUMBER 129 • 1st SESSION • 42nd PARLIAMENT

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**EVIDENCE**

**Wednesday, February 13, 2019**

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**Chair**

**Mr. Anthony Housefather**



## Standing Committee on Justice and Human Rights

Wednesday, February 13, 2019

• (1305)

[English]

**The Chair (Mr. Anthony Housefather (Mount Royal, Lib.)):** Welcome, everyone, to the Standing Committee on Justice and Human Rights. It is wonderful to see the interest in our committee.

[Translation]

I very much appreciate everyone's presence here today.

[English]

This is actually a wonderful lesson on the House of Commons, because a lot of people watch question period and they only see the interaction of parties at question period where there is a lot of gamesmanship, and this committee actually does really good work. We worked together on a study on the court challenges program, which helped bring back the court challenges program. We worked together on a legal aid study. We worked together on a study to help Canadian jurors, which led to the private member's bill of my colleague Mr. Cooper, which will be coming to committee in another week. It will make it easier for jurors to disclose information to psychotherapists and analysts about their jury deliberation experience.

Where we haven't agreed on issues, we've done so with great courtesy.

[Translation]

I hope this will continue today. We welcome several new people. Everyone is welcome.

[English]

Definitely this is a time when Canadians are watching us, and they are expecting to see a committee that functions very well.

The issue that brought us here today is that my opposition colleagues have asked for a special meeting to be held, which we happily have convened, to discuss a very serious issue before Canadians. Canadians are rightly concerned right now about the issues related to the former attorney general. Definitely on our side as well, we want to make sure that Canadians understand what has occurred.

We were a little disappointed that the opposition went ahead and drafted a motion without consulting us or working with us, but I get it. That's the way politics works.

We're hoping to find a consensual way to bring the subject to Canadians, and I'd like to ask my colleague Mr. Boissonnault to perhaps put forward something that I think will draw the consensus of everyone.

**Mr. Randy Boissonnault (Edmonton Centre, Lib.):** Thank you, Mr. Chair.

It's nice to see so many people here today taking an interest in Canada's justice system.

I think it is clear that there is concern among Canadians in terms of how we got to where we are today. I also think it is clear that the Prime Minister has been very clear in his interactions. I think the justice committee has the responsibility to reassure Canadians that our justice system is not only intact but also robust, that our government follows the rules, and that we take pride in doing so.

I think there is some concern on our side about the *sub judice* rule. We as the justice committee have to be very careful to make sure that anything we would undertake here as a committee would not affect any court proceedings related to SNC-Lavalin or any other parties that may be subject to court proceedings in the future.

This motion today is designed to address the confidence of Canadians, to reassure them, and to shine a light on what remediation agreements are, what the Shawcross doctrine is, and what the discussions were between the office of the attorney general and government colleagues. I believe, and my colleagues believe at this point, that this is an appropriate motion at this time.

Copies of the motion in both English and French should have been distributed. If not, we will make sure that is done right now.

**The Chair:** Do we have the French version yet?

**Mr. Randy Boissonnault:** Yes, it's right here.

**The Chair:** Could you read it into the record?

**Mr. Randy Boissonnault:** I'll read the motion now, Mr. Chair.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Chair, if I may, just while they are being distributed—

**The Chair:** Absolutely, Mr. Cullen.

**Mr. Nathan Cullen:** Thank you for your introduction.

Just on this small point, you raised some concern that the motion brought by us and the Conservatives was brought without consultation. I think the same concern could be brought with regard to the motion that we're about to read now. If we're being consistent in terms of what we're doing here today, I would just like to understand how you imagine going through this, because I believe—and I'll refer through you to the clerk—according to the order of precedence in which the motions were submitted, the committee is obligated to deal with the motion for which notice was given first. We only got this motion seconds ago as Mr. Boissonnault has introduced it, with no time for us to reference it.

We have a motion that has been tabled by the opposition and that is also due consideration and shouldn't be replaced.

**The Chair:** Mr. Cullen, my understanding is that whoever is recognized first can put forward the motion and that the request was to have a meeting, which we have convened. The goal here was not to be in any way non-consensual. If we get to talking about the motion, the goal was to actually be consensual and try to work together to come up with the appropriate timetable and witness list and everything else.

The motion is appropriately put forward.

[*Translation*]

Has the French version been distributed?

**An hon. member:** This one is in French.

**The Chair:** You don't have an English copy?

[*English*]

I'm sorry.

I'd like to ask Mr. Boissonnault, for the moment, to read it into the record, and then we'll be happy to entertain any questions at all, either on procedure or on the substance of the motion, and debate. Then, of course, as the opposition knows, if this motion is amended or refused, that other motion can be put forward, a hundred per cent. It's not out of order in any way.

Mr. Cullen.

**Mr. Nathan Cullen:** I just want to be put on the speakers list for when Mr. Boissonnault reads the motion.

**The Chair:** Of course. I have four people now. We will get everybody on the speakers list. I have Mr. Cullen, Mr. Fraser, Ms. Raitt and Mr. Cooper.

Mr. Boissonnault still has the floor to deliver the motion.

**Mr. Randy Boissonnault:** Thank you, Mr. Chair. It is:

That the Justice and Human Rights committee hold meetings to examine remediation agreements, the Shawcross Doctrine and the discussions between the Office of the Attorney General and Government colleagues, and that witnesses list include, but not be limited to:

Minister of Justice and Attorney General David Lametti;

Deputy Minister of Justice and Deputy Attorney General Nathalie Drouin;

Clerk of the Privy Council Michael Wernick; and

that the Committee meet in camera on Tuesday, February 19, 2019, at a time set by the Chair to discuss obtaining a legal opinion on the *sub judice* rule, potential additional witnesses and a timeline for the meetings.

[*Translation*]

Thank you, Mr. Chair.

• (1310)

**The Chair:** Thank you, Mr. Boissonnault.

Mr. Cullen, you have the floor.

[*English*]

**Mr. Nathan Cullen:** Thank you, Mr. Chair.

Thank you to you as well, Mr. Boissonnault.

In small passing, I note the absence of Ms. Wilson-Raybould on your witness list. That clearly is somebody Canadians would be very keen to hear from. As she has been obviously a central figure to this, her omission on your list is more than interesting to me. I'm comparing the two motions, because I think that's fair to do. This is your response, I essentially assume, to what the Conservatives put forward. There are a number of key people who may be absent.

Mr. Chair, if I may, as I've expressed to you, I found the current Attorney General's comments this past weekend in the public, in the media... Without having spoken to Ms. Wilson-Raybould, as he admitted, or to anybody, really, about this, only hearing the Prime Minister's public comments, he has decided that there was nothing to investigate here. That's troubling for me. As Canada's chief prosecutor, his remarkable lack of curiosity over a potential obstruction of justice occurring in the Office of the Prime Minister, for him to essentially pass judgment... With great respect to my Liberal colleagues on this committee, I could not help but see how his comments were an attempt not to influence what happened at this committee. Suggesting that he saw no grounds for investigation before we had even met and had our conversation I found to be incredibly unhelpful and inappropriate.

With regard to what we are talking about, I hope all my colleagues would agree that the matter at hand here goes to the very heart of our democracy—how the halls of power work and how they interact, if they do and when they do, with the independent judiciary that we pride ourselves on as Canadians. I think this case, Vice-Admiral Norman's case, and others have started to call into question the commitment from this government to the independence of that judiciary.

To Mr. Boissonnault's motion and his argument, in the preamble he suggested—or perhaps that was you, Chair—that the public comments from the Prime Minister were solid and verifiable. My trouble with this is that the central proof that the Prime Minister of Canada used as to why there was nothing to see here evaporated within 24 hours. When asked directly by a member of the media if any undue influence was put on Ms. Wilson-Raybould, his comment was that her continued presence in cabinet speaks for itself. That was the proof offered up. I would assume, then, that the opposite is also true, that her decision to resign from cabinet is also telling as to what is occurring in front of us.

I will try to end here, Mr. Chair. All I will say is that I'm not satisfied with the motion as it's written. I think there may be a combination, perhaps. I think an understanding of *sub judice* rules... that other committees have dealt with before, by the way, when there's been something before the court that the committee wants to investigate: How do we make sure we don't negatively affect the court process? I think that's important. I think understanding solicitor-client privilege is also important. But I am not interested, and I doubt Mr. Rankin—for whom I'm doing a poor job filling in today—would be interested, in some seven-month wandering expedition into the deep bowels of Canadian law and jurisprudence to understand minutiae. That wouldn't be helpful to us. We need to get to the substance of the matter, because that's what Canadians expect of us. I wholly concur on the quality of the work done by this committee and its collegiality.

I will end with this. With all due respect to my Conservative colleagues, I thought the use of social media directed at my Liberal colleagues across the way, with phone numbers and emails, was inappropriate. I understand there has been a fair amount of hate expressed toward some of my Liberal friends. If there is any attempt to do right by Canadians here, we need to rise as best we can above the partisan interests that each of us brings to the table, to acknowledge them and yet stand above them.

What we see here, the case that we have in front of us, is one of the most troubling I've seen in my years of politics. The allegations in *The Globe and Mail* were serious and the fallout that has occurred since then has only increased my worry. I think I reflect the worry of many Canadians, wondering what exactly is happening and why this has been allowed to happen.

I think this motion, if it were to be considered, would need amendment. Perhaps there's a combination between the two that committee members would find acceptable.

**The Chair:** Thank you very much, Mr. Cullen.

The motion on the table is what's being debated.

In response to your question about the witnesses, we've included the list of people who we know will attend, who are prepared to attend. Nobody has spoken to Ms. Wilson-Raybould in any way.

I'm monopolizing the time, but we tried to say on Tuesday that we will all get together and talk about the timetable and witnesses. I'm in entire agreement with Mr. Cullen that there's absolutely no need to have multiple meetings to establish the legal framework, but I think it would be helpful to have one meeting, at least, to understand the Shawcross doctrine from people who really understand it very well.

• (1315)

**Mr. Nathan Cullen:** Just to confirm what you said, Chair, the three witnesses you have put forward—the Clerk of the Privy Council, the Deputy Minister of Justice and Deputy Attorney General, and the current Minister of Justice and Attorney General—have all agreed, so far, to appear.

**The Chair:** This is my understanding at this time.

**Mr. Nathan Cullen:** Okay, thank you.

**The Chair:** Thank you very much, Mr. Cullen.

I was wrong before when I said Mr. Fraser and Ms. Raitt. I saw Ms. Raitt first, and she should be recognized anyway because I haven't recognized the opposition yet.

Ms. Raitt.

**Hon. Lisa Raitt (Milton, CPC):** Thank you very much, Mr. Chair.

I appreciate the comments of Mr. Cullen, and of course I appreciate the comments of Mr. Boissonnault.

I had prepared comments for today, which I will read, but before that, Mr. Chair, I do want to make a few points.

First of all, in your preamble opening the meeting today, you indicated that Canadians are rightly concerned, and I agree, and that we do want to make sure that Canadians understand. But you've also said in the past, Mr. Chair, that you believe the Prime Minister, and you believe that you don't need to speak to the Prime Minister personally—because I don't believe you have—in order to judge whether or not what the Prime Minister says is an accurate description of what exactly is happening.

What is happening is the contention that allegations have been made that the Prime Minister's Office has politically interfered with the office of the attorney general. That is why we're here today.

Mr. Boissonnault, in opening up today, said that there is a clear concern among Canadians, and I agree. Then he went on to say that the Prime Minister has been clear, and I fundamentally disagree with that. The Prime Minister has not been clear. That is exactly why we're sitting here today.

The justice committee does have a responsibility, but it's to get to the bottom of what's going on, not to do what Mr. Boissonnault said, which is to assure Canadians that what the government is doing is okay. That is not our job here. Our job is to ask tough questions of witnesses to determine whether or not there has been some kind of wrongdoing, and that's exactly the spirit in which we approach this meeting today.

I agree that we need to shine a light, as Mr. Boissonnault said. I agree that we don't want to impact court proceedings, but I don't see how having a conversation about the interior workings of the government vis-à-vis the attorney general's office is going to have an impact, because it's all about political interference and whether or not there was inappropriate political interference put on the attorney general.

I also appreciate, Mr. Chair, that you fully understood and knew that we were bringing the motion together today. You'd have to live under a rock not to know that we were going to be doing that. I also know, because you said it today, that you recognized Mr. Boissonnault first. It is in your purview, but I think it's important to understand that despite the fact you knew we were coming forth with the motion, you decided to recognize the Liberal member before, in order to make sure that we were not going to be able to put forward our motion. That has been noted by me. As I said before, Mr. Chair, having read your comments to the press in the past number of days, I would have to question whether or not you have bias on the issue since you have already said that you believe the Prime Minister and the Prime Minister's office in this matter. That's what we're here to get to the bottom of.

With that, I would like to outline, of course, that this is a very important issue and that media reports have revealed very troubling allegations with respect to possible interference by the Prime Minister's Office in the criminal prosecution of SNC-Lavalin. I further believe that instead of fulfilling his duty to provide clarity to Canadians and to live up to his lofty campaign rhetoric around openness and transparency, the Prime Minister has obfuscated and he has dodged.

First his story was that the media report was false. Then when the position became untenable, his story changed. He admitted that while there were conversations among the senior staff and the PMO and the attorney general, there was no direction given. But then, through anonymous sources in media reports, the smear campaign began. The story became about how Jody Wilson-Raybould was difficult to get along with and only in it for herself.

I can tell you that as a female leader in this country, from business and politics, I think that standard gendered criticism of female leaders is absolutely unacceptable. I'm so disappointed that neither the Prime Minister nor anybody from his office came out to say that these were wrong and that nobody should be making these comments.

I take Mr. Cullen's point of view that we shouldn't have gone and made the social media comments that we did. But where is anybody on this side saying that those comments about Jody Wilson-Raybould, which came from within the PMO, are acceptable in this land? We know they're not acceptable. We know they shouldn't have been said, and we know what they were meant to say.

Then it changed further to become about the meetings the Prime Minister had last fall, to tell the attorney general that the decisions related to the Public Prosecution Service at the time were hers alone. The Prime Minister even went so far as to say that Jody Wilson-Raybould's presence in the cabinet should actually speak for itself.

Then yesterday it all changed again when Jody Wilson-Raybould resigned from cabinet. In his press conference last night, the Prime Minister changed his story again, essentially this time accusing Jody Wilson-Raybould of turning a blind eye to misconduct in his own office.

There's been an extraordinary evolution of the Prime Minister's story, but what it does is it shows Canadians that this is not a government under control. It shows Canadians that this is a

government in total chaos, and it raises critical questions of ethics and conduct from the highest-ranking staff in his office.

What we know, thanks to the reports from The Globe and Mail, is that pressure was applied to the attorney general to overrule the director of public prosecutions and to advocate for a deferred prosecution agreement for SNC-Lavalin.

● (1320)

What form did this pressure take? We need to know when and how. Did Katie Telford speak to Jody Wilson-Raybould about SNC-Lavalin? We need to know when and how often Gerald Butts spoke to Jody Wilson-Raybould about SNC-Lavalin. We need to know when and how often Mathieu Bouchard spoke to Jody Wilson-Raybould about SNC-Lavalin. We do know that he met with SNC-Lavalin a frequent number of times. We need to know when and how often Elder Marques spoke to Jody Wilson-Raybould about SNC-Lavalin. We need to know when and how often the Clerk of the Privy Council, Michael Wernick, spoke to Jody Wilson-Raybould about SNC-Lavalin.

Further, we have learned from court proceedings that there has been a high degree of co-operation between the Privy Council Office and the Public Prosecution Service in the matter of Vice-Admiral Mark Norman. The judge even said in open court, "So much for the independence of the PPSC". That is a grave statement by someone holding the esteemed position of judge in this country. That is something parliamentarians should take note of and do absolutely everything we can to get to the bottom of.

Canadians deserve to hear from the director of public prosecutions as to what her standard practices are. How often has she spoken with PCO about ongoing matters, including SNC-Lavalin, and did PCO act to launder the communications from the PMO? Did the director of public prosecutions speak to the PMO directly, and if so, when and with whom?

Canadians also deserve to hear from Jessica Prince. Ms. Prince is an accomplished attorney who has been serving as the chief of staff to Minister Wilson-Raybould, as she then was.

As a former minister, I know there is frequent and significant contact between what's known as the centre, in other words the PMO and PCO, and the minister's chief of staff. Ms. Prince can tell us if anyone pressured her into taking any action or into relaying directions for action to the minister and, if such pressure was applied, who did it, when did it happen and what form did it take.

To really get to the crux of the matter, we need to hear from former minister Jody Wilson-Raybould herself so she can provide clarity on this matter, as the primary person involved.

I would also call on Prime Minister Trudeau to waive any notion of solicitor-client privilege so that there can be full transparency and accountability.

Mr. Chair, you said in the last few days that you're concerned about the partisanship of the committee and that you were not going to support a motion because it was too partisan, but the reality is that the truth is not a partisan issue. Canadians do expect the truth, and we have the power here to make sure that they get it. I sincerely hope all members of the committee will recognize that.

I'm not satisfied with the motion either, as Mr. Cullen has said, but I look forward to hearing from the other members as to what they have to say.

I thank you for your time.

**The Chair:** Thank you, Ms. Raitt.

Mr. Fraser.

**Mr. Colin Fraser (West Nova, Lib.):** Thank you, Mr. Chair. Good afternoon, everyone.

Obviously, I take exception to some of the things that have been outlined already, but I think we are here today to try to move forward on this matter.

The motion advanced by Mr. Boissonnault, I believe, is a reasonable motion and I will be supporting it. It is designed to reassure Canadians and show how Parliament can work and do good work at this committee, which we have shown time and time again on very important issues for Canadians.

The decorum with which we conduct ourselves at committees, such as this justice committee, will be noticed by Canadians. I think we can reflect the best of ourselves if we work together in a way that seeks to reassure Canadians and find out what has occurred in this situation.

The motion submitted by Mr. Boissonnault mentions that there is potentially an issue regarding the *sub judice* rule, and it is incumbent on our committee, as Mr. Cullen said, to examine, possibly, that issue to ensure there is fairness on a matter currently before the courts. That is an important feature of this motion.

I also believe that examining the Shawcross doctrine, which actually lays out the standard by which an attorney general can interact with cabinet colleagues and others, is an important way to show Canadians what that standard is and to reassure them that there are principles on this and that discussions surrounding the former attorney general, with matters currently being prosecuted, are adequate and okay. We need to understand what that doctrine says so that Canadians can be reassured about what the proper standard is.

Those are my submissions, Mr. Chair. I thank you very much for convening the meeting. I agree with Mr. Boissonnault and will be supporting his motion unamended.

Thank you.

•(1325)

**The Chair:** Thank you very much.

Mr. Cooper.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Thank you very much, Mr. Chair. Let me, first of all, acknowledge your comments at the start of this meeting that we, as a justice committee, have worked well together. I have had the privilege of serving on this

committee for the past three and a half years, and I can say that while we've had policy disagreements, we have worked well when we have studied issues each and every time. In fact, we've come back with unanimous reports. That's rather unusual, but I think it does speak to the fact that the members of this committee have integrity and have put aside partisan politics. Let me acknowledge that, but let me also say that this is not a partisan issue, inasmuch as what this issue relates to goes to the heart of the rule of law when we're talking about interference in an independent criminal prosecution, an attempt to potentially interfere with the independence of the Public Prosecution Service of Canada, the PPSC.

While I agree with Mr. Fraser that Canadians deserve to be reassured, let me say that this motion put forward by Liberal member Mr. Boissonnault does little to reassure Canadians. For a Prime Minister who has talked about sunshine being the best disinfectant, I would have thought the members on this committee, the Liberal members, whom I respect, would have been eager to get on with sunshine so that we could hear as quickly as possible from witnesses who may be involved in political interference.

You asked, Mr. Chair, how we came to this point of an emergency meeting. We came here because when The Globe and Mail story broke, the most basic questions asked of this government related to this matter were not answered. Instead, we received non-answers. The Prime Minister's story, as Ms. Raitt outlined, has changed. He first of all denied the story completely. He then shifted to speaking about whether or not there had been direction. He then, just two days ago, said that the fact that Jody Wilson-Raybould remained in cabinet spoke for itself. We know that the first thing Minister Wilson-Raybould did in response was resign from cabinet.

This motion provides no assurance that we'll get answers any time soon. It contemplates a long-drawn-out process that I believe is intended to further cover up the serious issue at hand. It's rather interesting that so many of the key players are omitted from this motion, including the Prime Minister's Quebec adviser, as well as Gerald Butts, who met with SNC-Lavalin officials on matters that pertain to justice and legal matters. I don't think it's a coincidence that those individuals are omitted from this list.

I regret to say that the only conclusion I can draw is that there isn't an interest in getting to the bottom of this matter. I'm troubled by the fact that this motion would provide for an in camera meeting to discuss a potential list of witnesses. So much for openness. So much for transparency. So much for providing the opportunity for Canadians to hear the arguments about why certain individuals should be called.

•(1330)

If members of this committee object to Mr. Butts coming before this committee, they should make their case, and they should make it publicly, not behind closed doors.

The fact is, I think it's important that we talk a little bit about some of the facts in this situation, because I've been disappointed that members of this government have said, "Well, these are just general allegations." Let's talk about what these allegations relate to.

They are supported by a number of key facts, starting with when, in October 2015, SNC-Lavalin indicated that they wished to enter into a deferred prosecution agreement. The only problem that SNC-Lavalin had was that there was no provision in the Criminal Code to allow for a deferred prosecution agreement. What did SNC-Lavalin do? Well, they proceeded to meet with officials at the highest levels of the PMO dozens and dozens of times. There were 14 meetings on legal and law enforcement issues—this from an engineering firm. What a coincidence.

What a further coincidence it was when the government snuck into the Budget Implementation Act substantive amendments to the Criminal Code relating to deferred prosecution agreements. There was no consultation held by Justice Canada. There was no meaningful consultation on the part of this committee. It was snuck in, in the hope that Canadians wouldn't know the difference.

Then, as we know, in October of this year the director of the Public Prosecution Service of Canada announced that they would not proceed to negotiate a deferred prosecution agreement with SNC-Lavalin. Immediately following that, the former attorney general, Jody Wilson-Raybould, was fired at the first opportunity available to the Prime Minister. Then, of course, there were her comments about speaking truth to power and, of course, her decision to resign from cabinet altogether.

There are a lot of facts that underline these serious allegations. It speaks to the need for transparency and openness, something that this motion utterly fails to do. It needs to be defeated out of hand.

**The Chair:** Thank you very much.

Next we have Ms. Khalid.

**Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.):** Thank you, Chair. I welcome the new members to the justice committee as we talk about this. I must say that I have a lot of issues with the speculation that Mr. Cooper has put forward in his remarks.

Mr. Chair, I really appreciate that you started off by assuring everybody how non-partisan and how cordial we have been able to act here as a committee. We are independent and have not been influenced in any way in what we are deliberating here today.

I would remind Mr. Cooper that the words of the motion do not limit the witness list to what is here proposed. These are, as the Chair said, the witnesses who have agreed to come forward. It's not a complete list of witnesses.

The way we've really conducted our committee over the past number of years has been to have discussions. In camera discussions are very normal in how we come up with our witness lists, so I really encourage my friends opposite to not make political hay out of this. Putting up our phone numbers on the Liberals' platforms and social media is really not the way to go. I think that amounts to bullying. We have been and continue to be a very independent committee, and I think the discussion today is really as independent as it gets.

I stand by the integrity of this committee. I know that in the past we have had many robust discussions about how we conduct ourselves, about the various bills and studies that have passed through this committee, and we've done well in how we've been able to have those discussions and to understand exactly what it is we're

doing for Canadians. Absolutely, Canadians have a right to know how their government functions. Absolutely, we run on a platform and I, as the member for Mississauga—Erin Mills, absolutely agree that the government should be open and transparent, and we have been.

I think the motion before us today really speaks to how open and transparent we are. We're willing to look into this. We're willing to look into the relationship among the attorney general and the Prime Minister's Office and our colleagues in general. As we delve into this, I think we'll have a clear picture that Canadians really deserve to know what the nature of that relationship is. We, as a committee, have that duty and obligation, and I stand by my colleagues in making sure that Canadians have the right to know and will ensure that they do have that.

At the same time, I don't appreciate the political posturing that is going on here, the hay that is being created out of nothing. I would look forward to hearing what our permanent members of the justice committee have to say about witnesses and how we can come to a consensus as to how we move forward with this study and provide the clarification that Canadians deserve on this issue. I am very happy to support the motion that is before us today and I look forward to providing that clarification.

● (1335)

**The Chair:** Thank you very much, Ms. Khalid.

I would also point out as a factual matter that I don't recall one time over the last three years when we've agreed on our list of witnesses in anything but an in camera meeting. That is the normal course of this committee.

Mr. Cullen.

**Mr. Nathan Cullen:** While that may be true, Chair, this is obviously a unique situation. I think you'd agree that this isn't your typical committee study. I think even calling it a study.... This is clearly an investigation.

I was listening intently to Ms. Khalid's point. I think she might want to reconsider the expression about making a lot of hay out of nothing. Colleagues have expressed, the chair of this committee, certainly many, many legal experts, the former Liberal attorney general in Ontario...suggested that charges have been brought against Canadians for obstruction of justice with much less evidence than we already have in place today. I think the experience that Ms. Wilson-Raybould has gone through in the last week is not nothing. Also, there's the experience of watching the Prime Minister stand up in front of Canadians and say that there's nothing to see here and the proof he has is that Jody-Wilson Raybould is still in cabinet, but less than 24 hours later, his proof evaporates.

Ms. Wilson-Raybould has not only left cabinet, but there's the spectacle of the Prime Minister referring to her in the first person while referring to male colleagues with their legal titles. I agree wholeheartedly with my colleague Ms. Raitt. I thought that spectacle was unbecoming of a prime minister, frankly, towards a woman who has held herself with some great integrity. I think the comments of Minister Philpott would do much better on this government than those by the Prime Minister himself.



Now, to this, we've actually made some suggestions that I have not heard any of my Liberal colleagues respond to. They just say they're going to support this. I'm sure my friends would like to reassure Canadians. We can't reassure Canadians, because we don't know what happened here yet. To suggest that we can reassure them, reassure them, and reassure them with this motion is to suggest that there's nothing to find. I would humbly submit that the last week, or less than a week, has told us that there's clearly something here. There are the most grave allegations, as the chair himself and others have commented on.

We keep talking about the Shawcross principle. I think it would be helpful for those trying to follow along to know what we're talking about. It is not the "Shawshank" principle, as some on Twitter have referred to it, once again confirming that that particular site isn't always great for information. It's about the role of the attorney general and particularly independence. I think it bears some understanding as to why I'm going to make a suggestion that we include more witnesses than the Liberals have put forward so far. I'd like to make a second suggestion as to the limitation of how deep we go into the weeds on some of these other legal principles.

The Shawcross principle on attorney general independence states that cabinet consultation is as follows:

confined to informing him [or her] of particular considerations, which might affect his [or her] own decision, and does not consist, and must not consist in telling him [or her] what that decision ought to be. The responsibility for the eventual decision rests with the Attorney-General, and he [or she] is not to be put, and is not put, under pressure by his [or her] colleagues in the matter.

This is what we're talking about. This is the fundamental thing. I understand that some committees often don't include all of their witnesses, but we've started. We've started naming some witnesses that Liberals, through your words, Chair, have reached out to. The first three you've mentioned here are also three who appeared on the Conservatives' list.

We have to include an invitation for Ms. Wilson-Raybould to speak. It baffles me that this isn't the most obvious thing in this entire conversation. Now, whether she chooses to or not.... We can't subpoena her, of course, nor would we. She has the privilege that's extended to all of us to not appear. She's also getting the highest-quality advice on that. Also on those allegations that have been brought forward, the principal secretary to the Prime Minister seems to also be an obvious witness who must testify, and so too does the senior adviser to the Prime Minister, Monsieur Bouchard.

It might be unusual, Chair. These might not be the precedents normally taken by the committee. This entire thing is unusual. This is not of the opposition parties' doing. This is a story that first came to us through Mr. Fife's reporting in *The Globe and Mail*. I don't want to call this a scandal yet, because that infers guilt and we're not there yet, but what I've often experienced is that it's not just the act itself; it's the attempt to cover up the act that Canadians so often find infuriating in our politics.

If the committee is sincere about reassuring Canadians that the system is working—that this system is working—then respond to some of the suggestions we've made as opposition parties. If collegiality and consensus-based decision-making are at interest here, we've made some suggestions.

● (1340)

I have put three extra witnesses forward. I haven't heard my Liberal colleagues respond to that.

Second is that if we are going to look at *sub judice* and if we are going to look at the Shawcross principle, we commit a day or a meeting, at your discretion, which the committee agrees to, to look at those.

My point is to put some time limitation on that. One could spend their entire legal career studying Shawcross if they wanted to. That's not helpful to anybody and it's not helpful to Canadians in understanding that.

I think if we are seeking to actually reassure Canadians, we can't reassure them on the outcome. This isn't making hay out of nothing. That's a mischaracterization of everything we've seen here so far.

I respect my colleagues. You're under a lot of pressure. None other than the Attorney General of Canada went on television this weekend and told you there is nothing to see here. That's unfortunate. I sympathize with the pressure you're under. As you've also said, your duty is to Canadians, not to the Prime Minister's Office, nor to the Attorney General.

We can come and collaborate on this. I think inviting Ms. Wilson-Raybould, the principal secretary, and at least the senior adviser to the Prime Minister, Monsieur Bouchard, seems obvious to everybody looking at this case. Why it wouldn't be obvious to all members on this committee is perplexing to me, and I think would invite the allegations of an attempt to limit and cover up what is actually happening here. My Liberal colleagues haven't said that in so many words, but I am sure that an interest they share with us is that Canadians do feel reassured that we're getting at this, understanding all the limitations we're faced with, with so many trials taking place.

The central argument, though, is that a very well-connected international company was able to lobby and successfully secure a change to our Criminal Code. It was placed into the very last pages of a 535-page omnibus bill. There are now allegations that the measure was then pushed upon the former attorney general, and that perhaps when she resisted she was fired. The Prime Minister then said that they were all on the same page and the evidence was that she was still in his cabinet. The next day she quit. If anyone wants to say that's not concerning to them, boy oh boy, they're living in another reality than the one I occupy.

I think we owe it to Canadians to do this, to consider the three extra witnesses that have been proposed, and to consider the suggestion to limit the study of these other legal principles so we don't go on some fishing expedition.

● (1345)

**The Chair:** Are you putting that forward as a formal amendment right now or are you putting it forward for discussion?

**Mr. Nathan Cullen:** Let's put that as a formal amendment, Chair, because folks aren't commenting on the suggestion from the opposition.

What we've heard so far is that the Liberals put forward a motion and the Conservatives have said they're going to reject it out of hand.

I'm wondering if there is a potential to combine the key elements, because the core differences are that there is not a limitation on the study, and that the witness list prescribed by the Liberal motion is very limited.

**The Chair:** Perhaps I could make a suggestion, Mr. Cullen, because we have other people who haven't intervened yet.

Can I come back to your amendment when we get to the end of the people who have asked to speak here? We will then come back and put your amendment as the next item, and while you have the time, maybe you'd like to draft it.

**Mr. Nathan Cullen:** That's very sage counsel.

**The Chair:** Perfect.

We now have Mr. Poilievre.

**Hon. Pierre Poilievre (Carleton, CPC):** Thank you very much, Mr. Chair.

The members across the way keep talking about innuendo, so let's go back to the agreed-upon facts and list them in chronological order.

Fact: The Prime Minister slipped into an omnibus budget amendment to the Criminal Code, allowing large-scale corporate criminals to escape conviction and trial by signing a deal.

Fact: That legislation was not introduced by the justice minister even though it amended the Criminal Code, which is the purview of that minister.

Fact: This committee had no role in studying that legislation. It went to the finance committee, something that should concern you, Mr. Chair, and all members of this committee.

Fact: After that legislation became law, the director of public prosecutions decided not to offer a deal to SNC-Lavalin, which is charged with over \$100 million for bribery and fraud.

Fact: According to the lobbyists registry, the company changed its tune away from a legal approach to a political one, going to the PMO to seek political support to allow for a special side deal that would remove the possibility of conviction or trial for this 100 million dollars' worth of corruption.

Fact: Fourteen meetings happened in the Prime Minister's Office, including with PMO boss Gerald Butts.

Fact: Mr. Butts in December and the Prime Minister on another occasion spoke about such a special deal with the minister of justice and attorney general.

Fact: Not so long after that, the Prime Minister fired the attorney general and moved her to another portfolio. Apparently, the conversations with her didn't go so well.

Now, they say there's no political pressure: "Do something or you might lose your job, but, hey, no pressure. Please make your own decision."

Since that time, the Prime Minister has gone out publicly and claimed that he had assurances from his former attorney general that he had told her the decision was entirely hers. After he made that public declaration, something caused her to resign—apparently no

longer able to remain part of the Trudeau cabinet—so he attacked her. He directly attacked her by saying it was her job to stop wrongdoing from happening in his office. What is most despicable and cowardly about this attack is that he was attacking someone who is legally incapable of defending herself. She believes she is subject to solicitor-client privilege. In other words, she can't fight back. She can't speak.

There's one person who could allow her to speak, of course. That is the Prime Minister. You would think that a man who attacks someone in public would want to allow that person to respond, but so far, he has used his power of privilege to silence her. And the members across the way talk about bullying.

It's time that we let her speak. Isn't it interesting that this motion the government has put forward does not include her name? It does not—

● (1350)

**The Chair:** The government did not put forward the motion, Mr. Poilievre. The motion came forward from people who are Liberal members of this committee. I have to correct you on that. I would have corrected you on multiple other points, but I'm trying to restrain myself.

**Hon. Pierre Poilievre:** Sure. You actually said "we" put it forward, so I presume that you're speaking with the rest of the "we" over there, but the reality is—

**The Chair:** I mean the Liberal MPs on the committee. You haven't been to the committee before, so obviously I know that.

**Hon. Pierre Poilievre:** I appreciate that you're getting very defensive, Mr. Chair.

**The Chair:** Your intervention is—

**Hon. Pierre Poilievre:** I appreciate that you're getting very defensive, and I don't blame you because, frankly—

**The Chair:** Our committee gets along very well, sir. Your interventions are, at this point, just a little much. I will restrain myself at this point.

**Hon. Pierre Poilievre:** I welcome that restraint.

Mr. Chair, the reality is that this motion excludes the key actors. It prevents them from speaking. It does not include former attorney general Jody-Wilson Raybould. It does not include Gerald Butts. It does not include Katie Telford.

The single meeting the motion allows or identifies is in camera. For those listeners who don't know what that means, it means in secret: no media, no transcripts, no public information, nothing. Total silence. And for what? It is the promise that we might be allowed to have a legal symposium about some theoretical principles which, while they might be important to the overall case, do not speak to the facts in this particular situation. That is what we are here to discuss. We're not randomly picking one of the many thousands of legal principles that have been debated in law schools by scholars for many years; we are talking about a specific case. For us to know the answer to that case, we need to have the key players.

I'm calling on the government to amend its motion to include all the witnesses the Conservatives have put forward so that all the truth and all the facts become known by Canadians. If the government has nothing to hide, it will allow these witnesses to be added and for examination of their testimony to proceed without any further delay.

Thank you very much.

**The Chair:** Thank you very much.

We now have Mr. Boissonnault.

**Mr. Randy Boissonnault:** Mr. Chair, I think it's important to remind colleagues and Canadians that the Ethics Commissioner is undertaking a probe of this matter. The role of the justice committee is not as an investigative body. I think today's testimony and comments, particularly from the Conservative opposition, demonstrate that, at best, committees of the House of Commons are political theatre that can occasionally achieve good studies. We don't have the tools, the budget or the mechanism to go through the fishing expedition and the kind of witch hunt the Conservatives would like to see.

Let's be clear. The Ethics Commissioner is looking at these issues. That is the impartial body of the Parliament of Canada empowered to look into these matters. Our job is to take a look at issues that will shine a light on exactly what is appropriate behaviour. Quite frankly, it's completely legitimate for the attorney general's office to have conversations with government colleagues about legal matters. The Shawcross doctrine, as Mr. Cullen quite rightly read out, provides very clear parameters for that.

Let's understand what remediation agreements are. I can state that the reason we made a change to the Criminal Code to deal with remediation agreements was to harmonize with our trading partners. The other side is engaging in rank speculation as to why we would make a change to our laws, when the United States has had remediation agreements, called deferred prosecution agreements, since 1999. The United Kingdom has had deferred prosecution agreements since 2014. Australia is studying deferred prosecution agreements now. This is a normal course of business with trading partners around the world. For the other side to engage in some sort of rank amateur speculation that somehow one corporation is going to move the Government of Canada to change our laws is specious. Quite frankly, it's not parliamentary.

Our job here is to help Canadians understand remediation agreements, to look at the Shawcross doctrine and to have these three people on this witness list come.

To my colleagues across the way, it is completely legitimate for this committee to have a conversation about the witness list. To Mr. Cullen's point, we are going to have meetings, but we want to discuss next week the number of meetings and the witnesses we would have come forward. Quite frankly, to your point about Ms. Wilson Raybould, she can't speak. Colleagues here know that she can't speak about her time as the former attorney general. She has invoked solicitor-client privilege, and she has one of the best lawyers in the land advising her. To have her come before this committee would be to invite her to speak about things that she simply cannot talk about. I think it's important for Canadians to understand that as well.

●(1355)

**The Chair:** Thank you.

Mr. Paul-Hus.

[*Translation*]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Thank you, Mr. Chair.

First, my colleague said that the Conservatives are on a witch hunt, and I would like to answer him that in this case, the truth lies beyond any sort of partisanship. We aren't interested in a witch hunt. The story was published in *The Globe and Mail*, and new facts have been accumulating daily since.

That said, the Liberal motion states that three people are ready to testify. I'd like to know who asked the Attorney General of Canada and the other witnesses to come and testify.

I'd also like to remind the members that we live in a country that is subject to the rule of law. Canadians who are listening to us right now must understand that this is a very worrisome situation. The objective is to find out whether there was political interference by anyone in the Prime Minister's Office in the functions of the former attorney general of Canada.

There is something I find quite disappointing. We had a motion at the ready. It was tabled when the request was made for the committee to meet. However, by using committee procedures, the Liberals managed to introduce the motion we are discussing at this time. This motion is a kind of law class. They want to explain to us how things work. I thank my NDP colleague for the excerpts he read to us to explain the Shawcross doctrine. We don't need a law class. I think that through these actions, the members of the Standing Committee on Justice and Human Rights are being treated like fools.

We really need to get to the heart of the matter. The process being used by the Liberal members of the committee proves that they want to cover up the situation. That is clearly what is going on. For our part, all we want is to shed light on the events. As I said, it was *The Globe and Mail* that published an article on this situation, which, as we can see, is getting worse day by day.

I think that in the interest of all Canadians and of justice, the committee should go back to the motion that was tabled by the Conservatives and supported by the New Democrats.

Thank you.

**The Chair:** Thank you very much, Mr. Paul-Hus.

I'd like to inform everyone that the number of Conservative members is higher than usual, because there are two witnesses. They are not members of the committee, but they have the right to speak. There are actually three Conservative committee members, not five. As a courtesy, we give guests the right to speak. We will also grant Mr. Rhéal Fortin that right if he requests it.

[*English*]

**Ms. Iqra Khalid:** Thank you, Chair.

I just want to clarify. To Mr. Cullen's point, I really appreciate his comments and I do want to clarify that when I said "nothing", I did mean "nothing substantiated". We are basing all of this on recent events, and I'm sure that events will change.

Quite honestly, we've had really good interaction with all colleagues on this committee, and I look forward to discussing the complete witness list with the permanent members of the committee, and those include Murray Rankin and Dave MacKenzie, and with Mr. Barrett and Mr. Cooper, who are here today. I think that will be a very healthy exercise in democracy. Canadians do need to know what the nature of that relationship is, which this motion is addressing.

I can understand that the Conservatives must have gotten their sound bites out today, and that's really what it seems their objective is, and why they're here. The objective of this committee is to get to a conclusion as to what Canadians are looking for, which is a clarification and an understanding of the nature of the relationship between these two bodies.

As I said before, the list of witnesses that is proposed in the motion is not a complete list. The motion clearly says "and that witnesses list include, but not be limited to". I think my colleagues across the way need to understand and appreciate that. We are hoping we can have a more robust discussion, as is regular committee business, in camera to discuss the full list of witnesses for this proposed study.

I do want to clarify for Mr. Cullen that the role of our committee is not investigative. We really don't have the tools or it's really not the scope of what our committee does. We study issues that are important to Canadians. We study bills and then propose and really study the impact of those bills and legislation on Canadians, but we are not here to look into what basically the Ethics Commissioner has now undertaken to do. We're not here to replace what the Ethics Commissioner will do. We are here to provide an understanding and a clarification to Canadians as to what the nature of the role is between the Attorney General and the Prime Minister's Office and cabinet colleagues in general.

Really, I hope my colleagues across the way will support this motion, which is really a non-partisan version of the motion that the Conservatives have proposed. It is really the bare bones and substance of what everybody around the table and all of Canada really want, that clarification as to the role between how government functions and how decisions are made.

• (1400)

**The Chair:** Thank you so much.

The next person on the list is Mr. Cooper.

**Mr. Michael Cooper:** Thank you, Mr. Chair.

I have a few comments, but I do have a question, picking up on the point that Mr. Paul-Hus raised, which is in respect of the motion that has been put forward by Mr. Boissonnault. There are three individuals on the list and, of course, a number of the key actors coincidentally excluded.

I was wondering who called these witnesses in advance. Was it you, Mr. Boissonnault? Was it you, Mr. Chair? Who called them?

**The Chair:** Who called them? My understanding was that...

Mr. Boissonnault, do you have that answer?

**Some hon. members:** Oh, oh!

**Mr. Randy Boissonnault:** Well, I do have an answer.

My colleagues in the government reached out to these people, and they indicated that they will be able to—

**Hon. Lisa Raitt:** Is that the PMO?

**The Chair:** No, it is not PMO.

**Mr. Michael Cooper:** Have they called Mr. Butts?

**The Chair:** Again, we have not...and we purposely, just to be clear—

**Mr. Michael Cooper:** Did Mr. Butts refuse?

**The Chair:** We have purposely, the members of this committee, because of the enormous allegations that were coming and that you guys were putting out that the PMO would somehow kibosh this and would tell the people on the committee how to act...we deliberately—very, very deliberately—have not in any way contacted anybody in the PMO, which is why you would never see Mr. Butts' name there. We have not done that.

It's funny. You guys on social media have gone all over saying—

**Mr. Michael Cooper:** I asked—

**The Chair:** —the Liberals on the committee are going to kill this —

**Mr. Michael Cooper:** Mr. Chair, I asked a very straightforward question, which was: Who called these three witnesses? There was no clear answer provided. I asked, of the other individuals on the list of our motion, were they contacted too? I haven't received an answer to that. I simply ask it again. It's a straightforward question.

**The Chair:** My understanding is nobody else has yet been contacted.

**Mr. Michael Cooper:** Just those three individuals.

**The Chair:** Yes, and [*Inaudible—Editor*]

**Mr. Michael Cooper:** It's very interesting that the key actors, Mr. Butts, Ms. Telford and others, were not contacted. It says a little bit about maybe where the Liberal members on this committee want to go.

I have to say in response to Mr. Boissonnault that before I came here today, I was really hopeful, given the work we have done together as a committee, that Liberal members on this committee would be as concerned as I and my Conservative colleagues are, as well as New Democrats—Mr. Rankin—and I think most Canadians, about the very serious allegations which, if proven true, speak to corruption at the highest levels of the PMO.

I was hopeful that in light of that, the Liberal members on the committee would want to put the public interest ahead of the interests of the PMO and the interests of the Liberal Party. What we see today, in fact, is just the opposite.

Mr. Boissonnault, in his comments, spoke about the need to dig in and hear about the remediation agreements and deferred prosecution agreements. Well, you know what? I have to say that it's quite ironic, because I wish our justice committee had had the time to examine deferred prosecution agreements. I wish that had come to our committee, where we could have heard from witnesses, where we could have looked at the merits of deferred prosecution agreements, but guess what? That didn't happen.

Why didn't it happen? The finance minister, through the budget omnibus bill, decided to sneak it in, so there was no debate. There was no consultation. There was no consideration, and now we know it was because SNC-Lavalin was busy begging and pleading and lobbying officials in the PMO.

The fact that Mr. Boissonnault wants to go on at length studying these remediation agreements I think speaks to the fact that Liberal members aren't interested in getting answers. They're not interested in getting to the bottom of this, because guess what? The policy around deferred prosecution agreements has nothing to do with the issue at hand. The issue at hand relates to whether officials in the PMO put pressure on the former attorney general, Ms. Wilson-Raybould, to interfere in an independent prosecution, a criminal prosecution of SNC-Lavalin. That is what the issue is.

Let me cite, need there be any clarity, the Krieger decision of the Supreme Court, which says:

It is a constitutional principle that the Attorneys General of this country must act independently of partisan concerns when exercising their delegated sovereign authority to initiate, continue or terminate prosecutions.

Let me also cite the Supreme Court in the Hinse decision, where the court says, at paragraph 40:

The decision to initiate or continue criminal proceedings lies at the core of the Crown prosecutor's powers, and the principle of independence of the prosecutor's office shields prosecutors from the influence of improper political factors.... Prosecutors must be able to act independently of any political pressure from the government and must be beyond the reach of judicial review.... This independence is so fundamental to the integrity and efficiency of the criminal justice system that it is constitutionally entrenched....

That is the issue before us, not the policy issue about deferred prosecution agreements that the government didn't bring before Parliament in a transparent way. It snuck it through.

Mr. Boissonnault talked about solicitor-client privilege. Well, we've said it before, and I'll say it again: The Prime Minister can simply lift the solicitor-client privilege. He has the power to unleash Ms. Wilson-Raybould so that she can come forward and speak the truth, but he doesn't want to do that. Do you know why? I think when she does, and if she does, he's not going to like what she says.

•(1405)

To the point that was made that we've always had these discussions about witnesses in camera, we normally had these discussions in camera, but guess what? This is not a normal matter. This is about corruption at the highest levels of the PMO, and if Liberal members on this committee want to whitewash it, want to cover it up, want to shut down the opposition and our ability to bring these individuals forward to committee so that we can ask the questions and try to get the answers that Canadians deserve, they're going to have to do it in public. And they can be answerable to their constituents, and they can be answerable to Canadians.

With respect to the point about having a meeting to discuss witnesses, I see the Liberal motion. It has three witnesses on the list. We can talk about witnesses. We don't need to wait until another meeting. Why don't we just discuss the witness list today? Let's get on with it. Let's get on with it now. Canadians deserve to have us get on with it so that we can bring these individuals before us at the earliest possible opportunity, something that this motion doesn't provide for, something that our Conservative motion does provide for.

•(1410)

**The Chair:** Thank you very much.

Mr. Fraser.

**Mr. Colin Fraser:** Mr. Chair, I think there are a few things here that are extremely important to highlight.

First of all, as the chair mentioned, the way that witnesses are generally agreed upon by the various members of a committee and the timetable for studies are all done in camera. We also have the added element of the *sub judice* rule, which may possibly, as the motion alludes to, require us to obtain a legal opinion. There are real issues at play here with regard to a matter dealing with SNC-Lavalin that is currently before the court. We have to be very sure that we are not improperly encroaching on an area that is properly under litigation in the courts. We have to make sure that we are doing the right thing.

I hear about independence of the judiciary from my friends opposite, but this strikes at the heart of that. If we're going to be encroaching on a matter currently before the court that is the subject of litigation, we have to be really sure that we are not doing something improper as a committee, so the discussion, under the terms of this motion, will happen in camera, and that's perfectly normal. That's the way this usually would go.

I agree with Mr. Cooper that this is certainly an unusual circumstance. Obviously, having this matter come before our committee in this fashion is an unusual tool to use. We are trying to find a way as committee members to work with them on finding an avenue forward. I believe the motion is clear that we're going to deal with it relatively quickly in camera on Tuesday, February 19, as the motion says. It's the perfectly normal way that those discussions would happen among committee members.

I want to also make clear that the purpose of this motion is to stipulate that future meetings would be in public. We're talking about an in camera meeting to discuss those issues that are normally dealt with in camera, with the added element of a legal principle, the *sub judice* rule, that we as a committee have to consider to ensure that we are not doing something improper.

I want to turn to Mr. Poilievre's statement. He talked about lobbying with SNC-Lavalin. We know there are oftentimes discussions with politicians and lobbyists. That's normal. We know that Andrew Scheer met with SNC-Lavalin. We know that other politicians met with them to discuss a remediation agreement. We know, as Mr. Boissonnault said, that remediation agreements or deferred prosecution agreements, as the members opposite have been calling them, are perfectly usual in other countries that we deal with on a regular basis. I think it is important to put in the whole context of this situation the purpose of remediation agreements, which is why, as I understand it, it is in this motion. I don't think it's just an aside that we should ensure that Canadians understand what the Shawcross doctrine is and what remediation agreements are, but we have to make sure that we are doing it in a thoughtful way.

I would note as well that Mr. Poilievre sits on the finance committee, which would have dealt with the issue of remediation agreements, and I don't recall there being a discussion from Mr. Poilievre at that time about how the matter should come to our committee.

I think there are a number of issues at play here that we do need to take seriously. I think the members on this side of the committee are willing to take these matters seriously and work with our friends in the opposition. To go back to the the chair's original comments, if there is truly an interest in determining these items, then we need to do so in a way that will have the confidence of Canadians.

●(1415)

What I've seen here today I'm not sure would carry the confidence of Canadians. I will leave my comments there and say that I will be supporting this motion unamended.

**The Chair:** Thank you very much.

We will now come back to Mr. Cullen, who has the floor for proposing an amendment.

**Mr. Nathan Cullen:** Are we on the amendment now?

**The Chair:** Yes.

**Mr. Nathan Cullen:** How exciting—

**The Chair:** Oh, excuse me.

[*Translation*]

Mr. Fortin, your name is in fact on the list...

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Yes. Will it be after the amendment is put forward?

**The Chair:** ... but so are the names of several other people. I did tell Mr. Cullen that when we got to the end of the list, I would give him the floor.

**Mr. Rhéal Fortin:** No problem. I thought the amendment would be put forward at the end.

[*English*]

**The Chair:** Mr. Cullen.

**Mr. Nathan Cullen:** To my friends, of course committees have the power to investigate. We're doing that right now on Cambridge Analytica and Facebook at the ethics and access to information committee. Of course we have the power. The question is whether we want to use the power or not. This committee can subpoena

witnesses. This committee can deliver findings to the House of Commons, and in the full public light of day.

The Ethics Commissioner will do very good work, and you'll only see the report. You won't see the interviews. You won't see the questions. You won't see the cross-examination.

It bears some suspicion, my Liberal friends, that the only people you put on your witness list are people who—two out of three—have already publicly said that they don't think there is anything to see here. It's somehow a coincidence that your witnesses....

Randy, you've offered up witnesses already. We're talking witnesses, so we're going to talk about them today. The people who are alleged to have been involved in what is one of the most serious cases that I've seen in my life in politics are not on your list. The people who are on your list have publicly said, "We feel that everything was done properly."

In terms of the independence of the judiciary, my friend, that note should have been passed around the Prime Minister's Office some months ago, and if we do respect that, then these allegations that we're now seeing printed in our national newspaper wouldn't have come to light because they wouldn't have happened. That we have very clear rules delineating the ability to try to influence the independence of the Attorney General, to then influence the prosecution counsel...it seems disturbing to me.

To the point around this amendment that SNC-Lavalin lobbied your government exhaustively...and they spent a lot of money doing it, as they did by spending \$500,000 in donations to your party and another \$100,000 that was illegally donated to your party from SNC-Lavalin.

Here is what your Liberal member on the committee said about this amendment:

What strikes me as being wrong is that these remediation provisions seem to be focused on white-collar crime, or at least limited to white-collar crime.

Further on the member said:

It leaves a bad taste in my mouth in the sense that it seems we're going to let off people who commit a very serious economic crime, which has very serious effects against those who are not capable of negotiating these agreements in other crimes they might be victims of or are perpetrators of. We seem to be letting off people in white-collar crimes with a little slap on the wrist.

Here is what the Liberal chair of the finance committee said:

[T]here is a huge question of whether this should be in a budget bill. Even I will say that.

It was slipped into an omnibus budget bill. It was not a financial measure. Who are we kidding? It was lobbied for by a multinational company. They secured that. The allegation now is that they then lobbied the Prime Minister's Office to then put pressure on the former attorney general, Jody Wilson-Raybould, to give them a plea deal so that SNC-Lavalin could keep bidding on lucrative federal government contracts. That's what this is about. They've been banned from World Bank contracts, and if they were found guilty in court of fraud and corruption, bribery, they would be excluded from bidding on lucrative federal government contracts.

That's what this is about: two sets of rules. As your Liberal members at the finance committee said, it gave them great concern: special rules for those who are well connected and other rules for those who aren't, who are average Canadians, the middle class and those working hard to join it, I think is the popular phrase.

The power of this committee to actually find out what happened here is substantial. We are given this role on behalf of Canadians. To simply say that this is a sophisticated legal book club—that we can explore and study and contemplate these things—would be to forgo our responsibilities when we see something like this.

The witnesses you've offered are suspect, in the sense that they've already made themselves and their opinions on this known. The other principal actors.... I'm going to say this now and I'll say it again. We should perhaps stop trying to speak for Jody Wilson-Raybould. We can invite her. We can offer her the opportunity and she can use her counsel and her very good knowledge of law to decide what it is that she will and will not say. The fact that Liberal committee members don't even want to hear from her is telling.

If you do want to hear from her, Mr. Fraser, put her on the list.

You've phoned some other people. You had somebody phone some other people. You didn't phone Gerry Butts. Well, why not? It bears asking.

What I will suggest is this:

That the Justice and Human Rights committee hold meetings to examine the role of the Attorney General in Canada's system of justice and other pertinent legal matters, and that witnesses list include but not be limited to:

—the three that have been mentioned already, and including:

former minister of veterans affairs, Jody Wilson-Raybould;

principal secretary to the Prime Minister, Gerald Butts;

senior advisor to the Prime Minister, Mathieu Bouchard

and that the Committee meet on Tuesday, February 19th, 2019, at a time set by the Chair

—and it continues as per the original motion.

● (1420)

If my Liberal colleagues think that hearing from Jody Wilson-Raybould isn't of interest to Canadians, if my Liberal colleagues think that not hearing from the principal secretary to the Prime Minister, who's implicated in this affair, is not of interest to Canadians, and that his senior adviser, Mr. Bouchard, is not of interest to Canadians, I'll let you try to explain that. You can't circle around this whole problem and then suddenly say we're just not interested in hearing from the principal actors. It makes no sense. Please don't say that other witnesses may be considered as we....

We're talking about witnesses today, Randy. Let's do it. If you don't want to do that, if you don't want to have those people invited, we're about to have a vote, and you can describe that. But to say that we'll meet in camera and we'll discuss it in private....

It's as obvious as the nose on my face that this is something we have to do—and the nose on my face is pretty obvious.

**Some hon. members:** Oh, oh!

**Mr. Nathan Cullen:** I think we should get on with it.

**The Chair:** Just so I'm clear, Mr. Cullen, your amendment is to add three additional people to the existing motion. Is that correct?

**Mr. Nathan Cullen:** I also suggest a rewording in the very first sentence. I can read it again more slowly, if you like.

**The Chair:** Okay.

**Mr. Nathan Cullen:** It states:

That the Justice and Human Rights Committee hold meetings to examine the role of the Attorney General in Canada's system of justice and other pertinent legal matters,

The attempt there is to allow for Shawcross and *sub judice*, for those ones that we've all agreed are important—

and that the witnesses list include, but not be limited to

Here it's the three who are mentioned in the original motion, plus the three I just added—

and that the committee meet on Tuesday, February 19th

I've struck “in camera” from the motion so that we can have an open conversation. I know it's a little unprecedented for this committee. This whole thing is unprecedented. The light of day is our best ally in all of this.

**The Chair:** As I understand it, there are basically three parts to the amendment, but it's all one amendment that you're proposing.

**Mr. Nathan Cullen:** That's correct.

**The Chair:** It would add three additional witnesses. In the first paragraph, it would revise the wording. We'll all get a copy of what you have proposed. As well, it would remove the words “in camera” from the second paragraph.

**Mr. Nathan Cullen:** From the very last one. That's it.

**The Chair:** Okay. Hopefully, we'll be able to get copies shortly.

I guess we're now on the subject of the amendment. I have a speakers list on the main motion. Do we now create a new speakers list on the amendment, or will everybody who wants to speak to the main motion turn to the amendment now?

We have Ms. Raitt.

**Hon. Lisa Raitt:** Thank you very much, Mr. Chair.

I will speak to the motion, and I will let the member know that we'll be voting in favour of it. We do think that's getting to the point, and for two reasons. Number one, it does deal with the issue of the witnesses who do need to be heard in this situation. Number two, we will reject any motion that has the proviso that this committee will meet in camera. That will be the clear line for the Conservative side of this committee, for the reason that it is imperative we have light shone on this and that we ensure that Canadians get to see what's going on, specifically as the witnesses come forward.

Mr. Chair, you said yourself that if there was a problem, the attorney general would resign. You said that many times in the media. And indeed she has resigned. Therefore, there is a situation here that does need to be studied. That's why including her on the list of witnesses, as Mr. Cullen has done, makes sense and is actually imperative to our success in getting to the bottom of what happened.

Second, Mr. Speaker...or Mr. Chair—sorry—I'm intrigued by what seems to be a difference of opinion on the purpose of the meeting. I understand that the Liberal side will be voting in favour of their motion as unamended, as Mr. Fraser has said. I'll wait to hear what they have to say about the amendment that has been proposed by Mr. Cullen now. But from the way in which it's been characterized on the Liberal side, they have indicated that Canadians want clarification on the relationship between the Attorney General and the cabinet, whereas our point of view, and the point of view of most of the editorials in the Canadian newspaper world, is that we want to get to the bottom of political interference in the attorney general's office.

I'll quote from a decision that my colleague Mr. Cooper brought along from Alberta. The part of this decision that caught my attention is the following:

The quasi-judicial function of the Attorney General cannot be subjected to interference from parties who are not as competent to consider the various factors involved in making a decision to prosecute. To subject such decisions to political interference, or to judicial supervision, could erode the integrity of our system of prosecution.

I think that's exactly why we want to hear from the witnesses, Mr. Chair. We want to determine what were the conversations that happened with the attorney general and whether or not, according to the Supreme Court of Canada, this was something of concern.

Finally, Mr. Speaker, my colleague—

• (1425)

**The Chair:** I'm not the Speaker; I'm just the chair.

**Hon. Lisa Raitt:** I'm so sorry about that, Mr. Chair. Aspirations are always good. That's good.

**The Chair:** I don't know if I could match our Speaker, but thank you.

**Hon. Lisa Raitt:** Mr. Chair, as my colleague Mr. Cooper has pointed out, we have not received a response to this, and I think we deserve a response to this. Both in the original motion, which has now been amended, as well as in statements made by members on the other side, there's a reference to this unknown group of government colleagues, "our government colleagues". My understanding is that our government colleagues had conversations with the office of the attorney general and discussions, so we want to understand what that is. Maybe there are going to be witnesses coming from our government colleagues. Also, when you were pressed on who contacted the three witnesses—because you told us that they've already agreed to show up and that's why it's okay to talk about them as witnesses—we didn't really receive an answer as to who our government colleagues are in that case. I believe we deserve an answer as to who our government colleagues are who contacted these three, and I will gladly sit here and wait until you give them to me.

**The Chair:** The next person on the list is Mr.—

**Hon. Lisa Raitt:** On a point of order, Mr. Chair, I've asked a question and I'm wondering if you can illuminate for us as the chair, because you're in charge of the agenda, who the government colleagues are who called these three proposed witnesses.

**The Chair:** Number one, I don't think the words "government colleagues" were previously used. I'll turn to Mr. Boissonnault again to answer that question—

**Hon. Lisa Raitt:** Mr. Boissonnault said "our".

**The Chair:** —but on the issue of the words "government colleagues" in the motion, the words "government colleagues" essentially come from the doctrine itself and discussions with people in cabinet and the Prime Minister's Office and the attorney general. They're in all of the literature related to the doctrine. Those are words that are used with respect to where pressure may be applied and what is permitted or not permitted with respect to discussions between the attorney general and prosecutors, so the words in the motion are not the words Mr. Boissonnault previously used.

**Hon. Lisa Raitt:** Who are the government colleagues who called the three witnesses to determine that they were available?

**The Chair:** I will again ask Mr. Boissonnault since I think it was his office that dealt with that.

**Mr. Randy Boissonnault:** What we're talking about here is people who normally appear before this committee. Colleagues working in the House leader's office have been able to work with these three proposed witnesses, and there is openness to appearing before our committee.

**Hon. Lisa Raitt:** Who in the House leader's office made the calls to the three witnesses who are available to attend?

**The Chair:** Are you trying to imply that there's something incorrect with the House leader's office? Your House leader's office is working with you right here. Somebody in the House leader's office called the witnesses. I don't know if Mr. Boissonnault has the exact name of the person. I don't believe he does.

**Mr. Randy Boissonnault:** I've answered the question.

**Hon. Lisa Raitt:** It took me and Mr. Cooper asking the question about 11 times before we got the answer, so forgive me if we are trying to play down as to who did it.

**The Chair:** I don't think that we're at all trying to play down this, because there's nothing to hide. I think it's perfectly appropriate for the House leader's office to reach out on the committee's behalf. We work with the House leader's office all the time.



What we've avoided doing, given all of the comments from the Conservatives over the last few days about how our committee would not support any motion.... You're changing the narrative now. Before we were not going to support anything: we were not going to do it, we were not going to shed light on this. Now that we are, you are saying that it's because the PMO would drive us down. We deliberately didn't contact the PMO because you guys were saying that we were going to be driven down by them. I really do want to assert the independence of the members of this committee. I am very proud of that and I am very proud of my colleague on all sides, to be honest, in the committee deliberations for the last three and a half years.

I'm so sorry. We're still on the amendment. Ms. Raitt has spoken. Just so that everybody knows so they can get ready, we have Mr. Ehsassi, Mr. Boissonnault, Mr. McKinnon, Mr. Paul-Hus, Mr. Poilievre, Mr. Fortin and Ms. Khalid. That is the speakers list. Perhaps at that point we might want to consider the amendment, with Mr. Cullen having the last word on it, if that's okay with colleagues. Then we will move back to whatever happens after the amendment—whether other amendments, the main motion, or whatever—because we have a lot of speakers on the amendment, if that's okay with everybody.

Not hearing any objection to that for the moment, we're going to go to Mr. Ehsassi.

● (1430)

**Mr. Ali Ehsassi:** Thank you, Mr. Chair.

I believe I'm one of the last members to speak today.

● (1435)

**The Chair:** But not least.

**Mr. Ali Ehsassi:** Thank you for that.

I have to say, as I'm sure the other members are well aware, that there are many people who think this committee would be imperfect for the type of exercise we have before us. I was not one of them, but having listened to my colleagues opposite, I have to say that thought does give me some hesitation.

The reason for that is quite simple.

First of all, what we have heard from some of the members so far has been the cherry-picking of selective facts, putting them together and trying to create this impression that something untoward has definitely happened. The reality of the matter is that we have heard from our members on this side, and so far we have indicated that, from what we have seen, there is nothing to be concerned about. That is our personal opinion. However, that should not for a second be taken to mean that we don't understand that this is important, because the test is not whether we're concerned; the test is whether Canadians are concerned.

In good faith, members have come forward. You're pretending that we're trying to drag this out. We are doing the furthest thing from that. We have agreed to an emergency meeting to deal with this issue. That is actually unique.

Mr. Cullen continuously refers to this as something that is unique. Well, it is unique, because we understand full well what our responsibilities are. We have checked our partisan hats at the door.

We understand, and we share with you, the concern that Canadians should come out of this exercise having a much better understanding of how things work. So I would appreciate it if the members would refrain from impugning our motives.

The process we have outlined here is quite clear. It's quite obvious that the motion we have presented demonstrates that we would like to join you in making sure that this exercise is beneficial for Canadians. I have heard too often so far people saying that we have left people off the witness list. Yes, that is very true, because, as you will see, the motion itself indicates that we are not suggesting for a second that the witnesses be limited to the three people who are named there. We want to work with you. We look forward to working with you.

In addition to that, I understand that Mr. Cullen has never appeared before this committee before. I understand that Mr. Poilievre has never been here. I understand that Ms. Raitt has never been here. I can assure you that every single meeting we have had to discuss witnesses has been in camera. I think if you check with Mr. Cooper, he will confirm that for you. That is the process we have followed in the past—

**Hon. Pierre Poilievre:** Let's do it right now.

**Mr. Ali Ehsassi:** That is the process we have followed in the past, and we're quite comfortable doing that as well.

If you think we're trying to drag this out, I would point out that not only have we come to an emergency meeting, we have provided a date in our motion—for next week—to go over this, to hear your concerns, to share our concerns, and to make sure this is a fulsome exercise.

Another thing I've seen the members do today is to cite legal principles. I can assure you that we're just as concerned about those principles. We want to get to the bottom of this, and we will not be dragging it out. I would ask the members opposite to please actually co-operate with us, to come together with us, to go over potential witnesses, and to meet with us next Tuesday to make sure that Canadians are satisfied that we are doing our utmost to bring some clarity to this. There is a lot of ambiguity out there; there's no question about it. You, I am sure, have read as many accounts as we have, so it's incumbent upon us to not act in a partisan fashion and to try to make sure that this committee actually gets down to work.

Thank you.

**The Chair:** Thank you, Mr. Ehsassi.

Given that was your first opportunity to speak today, I won't draw out that we're talking about the amendment. If all future speakers on the current speaking list would also address the amendment in their comments, that would be great.

I very much appreciate your intervention.

Next we have Mr. Boissonnault.

**Mr. Randy Boissonnault:** I'm looking forward to meeting with the regular members of the committee next week.

If you take a look at our side, it's the Liberal members who are normally at the justice committee who are here. There's a change in the political dynamic on the other side. I think snow delayed our NDP colleague. I don't know what prevented the regular colleagues on the Conservative side from being here today, but we'll leave it at that.

**Hon. Lisa Raitt:** I am the shadow minister.

**Mr. Randy Boissonnault:** It's nice to have you here at the committee. It's great.

In terms of witnesses, it is our custom to have this done in camera. I think it would be important, if we're talking witnesses.... Do you want us to talk in public about how the conversations went between SNC-Lavalin and Mr. Singh and Mr. Scheer? Because it was clear.

**An hon. member:** Yes.

**Another hon. member:** Bring it on.

**Mr. Randy Boissonnault:** Great.

**Hon. Pierre Poilievre:** Motion to concur.

**Mr. Randy Boissonnault:** In terms of the speculation from the other side, we're talking about a downgrade in Mr. Fife's article from two anonymous sources to one. If you listened to the CBC last week with Carol Off, it was very clear in her interview with Mr. Fife in which he said there was no link whatsoever between legitimate conversations between the attorney general and government colleagues and the fact that Ms. Wilson-Raybould's cabinet responsibilities changed. He could make no link whatsoever. So anyone who is making that link is engaging in rank speculation.

I will also reiterate that the Ethics Commissioner is looking into this issue, and the people you would like to add to this list are perfectly within the purview of the Ethics Commissioner to investigate and to call to account, to use your language. Our job here is to take a look at the substance of the matter, which is clearly the Shawcross doctrine and the remediation agreements.

Let's take a look at what you're wanting Canadians to see as a smoking gun. If SNC-Lavalin had ended up in remediation, then okay, you'd have something. But guess what? They're going to trial. Are you really serious? Are you trying to make Canadians make that kind of link?

It didn't work the way you'd like the fiction to play out, folks, so I will be voting against this amendment and looking forward to meeting with people next week.

**The Chair:** Thank you very much.

I'll just say, Ms. Raitt, that we certainly are happy to have you here—always happy.

**Hon. Lisa Raitt:** Thank you. I've been called better.

**The Chair:** I just want to bring back the camaraderie. These are hard discussions, and sometimes everybody, including me, is a little angsty, so I think it's good to bring the temperature down.

Mr. McKinnon.

**Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.):** Thank you, Chair.

I'm listening to a conflation of a lot of unrelated matters to weave a fanciful tapestry of intrigue here. The fact is that we don't have any real hard evidence of any wrongdoing to speak of.

Regarding the witnesses, Mr. Cullen said that the people who are alleged to be involved are not on our list. Alleged by whom? We have no one who has come forward, who has self-identified as being privy to the kinds of discussions that are under way here, and who has made, as far as I'm aware, allegations regarding any individuals. So the notion that the people who are alleged to be involved.... The opposition certainly has made allegations of this kind, but these are self-serving to their position.

Mr. Cullen also mentioned that SNC-Lavalin made \$500,000 worth of contributions. That's very bizarre to me, because for at least 15 years, that has been impossible. That's been illegal. So I don't know how or where that—

• (1440)

**Mr. Nathan Cullen:** They still managed to do it.

**Mr. Ron McKinnon:** Then they're all illegal.

**Mr. Nathan Cullen:** You see, they were caught in court.

**Mr. Ron McKinnon:** Then they're all illegal, right? You mentioned \$100,000 as being illegal. These are not legal, and they need to be—

**Mr. Nathan Cullen:** They did it anyway.

**Mr. Ron McKinnon:** Well, then, they need to be prosecuted by the elections commissioner, right?

**Mr. Nathan Cullen:** They were.

**Mr. Ron McKinnon:** Fine, and—

**The Chair:** Both Conservatives and Liberals returned money for this. That said, nothing has been alleged for the last 10 years; they can't donate now. But let's move on from that one.

Go ahead, Mr. McKinnon.

**Mr. Ron McKinnon:** Okay. I stand corrected on that point.

There are also allegations that Ms. Wilson-Raybould was fired as attorney general. There is no foundation to that. She went from a senior position to another senior position. She went to a senior position as veterans affairs minister in charge of a multi-billion dollar file and thousands and thousands of veterans who are critically important to Canadians. As well, as associate Minister of Defence, she's briefed on all the matters pertinent to defence and aware of our defence posture and our defence matters all around the world. It's a great opportunity. It's a coup, frankly, for her experience. I can't see how in any way this could be construed as being fired. But the notion that she was fired weaves back into this tapestry that the opposition likes to portray, that there is some sort of intrigue going on here, but I don't think there is any foundation for that whatsoever.

We're here today because of this article that was written by Bob Fife and others on the seventh, in which they alleged heavy pressure, urging, and so forth. They left the impression that any interaction between the cabinet, the PMO, and the attorney general was illegitimate, and yet on the following day, the same authors quoted also unnamed officials as saying the following:

...Canadians should not conflate or confuse a "vigorous debate" in the Prime Minister's Office or among the PMO and members of cabinet over how to handle SNC-Lavalin's charges with an effort to put pressure on Ms. Wilson-Raybould. A robust discussion is not pressure, one official said. Another official said the PMO had every right to raise the prosecution case with the justice minister, because a conviction could destroy the company and hurt thousands of workers at SNC-Lavalin.

I think one of the problems here is that the impression is out there in the public eye, because of these kinds of statements, that there has been something illicit going on. We have no foundation for that. We have allegations based on somebody's interpretation of discussions, and we don't know who they are or whether they're even privy to any discussions. I think it's very clear that we must make it clear that it is both legal and customary for there to be discussions between the minister of justice and attorney general and colleagues in the government on issues such as the prosecution of SNC-Lavalin in order for the minister of justice and the attorney general to obtain information and advice.

The real question here is not whether such discussions occurred but whether such discussions involved direction to the former minister of justice and attorney general to proceed in a particular way and whether that exceeded the Shawcross doctrine. That's why it's so important that we study the Shawcross doctrine, so we can know what those boundaries are and have some idea of what it would take to cross those boundaries. The question has been raised about whether or not we should even be talking about the remediation agreement concept.

The original article also speaks of these alleged interactions trying to influence the attorney general to abandon the prosecution. That's absolutely not what remediation agreements are about. Remediation agreements are basically a form of plea bargain, which are available to the accused in all manner of aspects of law—of criminal law, anyway. It's absolutely not an escape from consequences for their wrongful action, but they have to admit to the wrongfulness of the action, they have to pay a substantial penalty, and they have to make real and significant changes in their operations to ensure it doesn't happen again. This is not in any way escaping prosecution or escaping the consequences of bad actions.

On balance, I don't see anybody who actually is privy to these discussions, who is alleged to have been making these allegations, coming forward. How can we deal with random people as just a fishing expedition to try to figure out whether or not there is any foundation for this and then track it down?

● (1445)

That is why I think it is important that we delve into the nature and purpose of the Shawcross doctrine, and the nature and purpose, and the history perhaps, of the remediation agreements. I'm very interested in hearing from the current Minister of Justice and the other people mentioned in our motion with regard to these broad issues. If they are able to throw light on other matters, fine, that

would great, and perhaps that would lead us into a further understanding of who else might need to be talked to as well.

I will be voting against the amendment and in favour of the original motion. Thank you.

**The Chair:** Thank you very much.

Mr. Paul-Hus.

[*Translation*]

**Mr. Pierre Paul-Hus:** Thank you, Mr. Chair.

For two hours, we've been beating around the bush. Our Liberal colleagues are critical because my eminent colleagues have joined us at this meeting of the Standing Committee on Justice and Human Rights. We are here today because this matter is of capital importance for Canadians. For some time now, Ms. Khalid has been saying that we are doing this for the benefit of the media and that we are grandstanding. I think that fundamentally, our objective goes far beyond that. As I stated earlier, we are in a country that respects the rule of law.

I want to go back to the motion and to my colleague's amendment. We are being criticized for the motion we tabled but were not able to introduce, which contains the names of witnesses we wanted to call. We were told that that should be done in camera. We were told that witnesses that may be called are discussed in camera and called afterwards. However, the motion that is before us and that the Liberals have rammed down our throats today includes some names. So the Liberals held an in camera meeting. We don't know who took part in it, but these names were submitted. There is the Minister of Justice and Attorney General of Canada, who agreed to appear before the committee and to have his name appear in the famous motion. There is also Ms. Nathalie Drouin, the Deputy Minister of Justice, and Mr. Michael Wernick, the Clerk of the Privy Council. The Liberals decided amongst themselves, in camera, to include those names in a motion.

Now we are being told today that in order to discuss other names, the meeting has to be held in camera. When my NDP colleague proposed some names, he was told that it was impossible to discuss them. We were just told that this motion would be voted down because it has to be discussed in camera. Why was there no discussion about these names before?

As you can see, what is happening today is really a farce. The situation is very serious. I don't remember if it was Mr. Boissonnault or Mr. McKinnon who mentioned that Mr. Robert Fife and Mr. Steven Chase, two professional *Globe and Mail* journalists, may have created fake news by writing this article. People are trying to direct our attention elsewhere. Finally, we are being told about the Shawcross doctrine and the remediation agreement. All of the topics being raised today are in the motion. We have been talking about this for two hours and we have covered the matter. I am not trying to put on a show. I am a good Quebecker and this is my way of expressing myself.

In my opinion, we are making Canadians a laughingstock today. The motion that was tabled by the two opposition parties, mainly by the Conservatives, was consistent with the principles of a country subject to the rule of law. There is a problem. The former attorney general of Canada was indirectly dismissed from her position and yesterday she resigned. This is serious. You are trying to create a diversion by using a host of procedures. I think we have to go to the heart of the issue and resolve these matters as soon as possible.

Thank you.

**The Chair:** Thank you very much.

Mr. Poilievre, you have the floor.

[*English*]

**Hon. Pierre Poilievre:** Mr. Chair, committee members across the way have claimed that I'm on the finance committee and that they've never heard any discussion at that committee about the need to move this new deferred prosecution agreement provision over to the justice committee. Well, the member should have read the transcripts, because that is exactly what members of multiple parties suggested should happen—in fact all three parties.

My friend Mr. Cullen has said that Greg Fergus, a Liberal member from the Gatineau region, raised concerns, which my colleague has quoted. I will quote further. He said of the agreements, “In a sense, then, if I steal \$10, I'm in trouble, but if I steal \$10 million, I can work this out—to be crude, sorry.” Furthermore, the chairman of the committee suggested that finance was not the appropriate place in which such a provision should be discussed.

Finally, Conservative member of Parliament Dan Albas said, “Regardless of whether it was in the budget document, I think that this is not a good provision to have as part of an omnibus piece of legislation, especially to have it in the last section.” He went on, “Mr. Chair, I don't know what to say other than maybe we should probably consider hiving this off and sending it to the justice committee.” Those were his words. That was his conclusion: It was an amendment to the Criminal Code, and it ought to have been discussed here.

I find it very interesting that all of a sudden the Liberals want to discuss the intricacies of deferred prosecution agreements. They want us to fall into comas, deep irreversible comas, as they drone on about legal theories rather than talking about the facts of the case before us. The facts are that a massive corporate giant with deep pockets lobbied the Prime Minister's Office at least 14 times that we know of, that the Prime Minister's Office and the Prime Minister himself then raised the issue of a special deal for that same corporation with the justice minister, and then only a month later, she was suddenly removed from the position, following which she wrote a letter saying that she had spoken truth to power.

It's time she had the chance to speak truth to the people. Canadians want to know. The Prime Minister has the ability to let them know. He can allow his members to vote for this amendment to bring all the witnesses, including his former attorney general, to appear, and he can waive solicitor-client privilege because he is the client. If he refuses to do that and if members of the committee vote against having additional witnesses, they will be voting for a cover-up, as that is exactly what this is. If the members across the way claim

nothing that happened in the Prime Minister's Office was improper, then, fine, bring the witnesses before us, and have them testify under oath to say exactly that. Put all the facts before Canadians, and let everyone decide.

Instead, what we get are contradictory excuses. One is they say they can't talk about witnesses when Canadians are watching. They say those discussions need to happen in secret, in camera, as the parliamentary parlance goes. Funny then that their motion talks about witnesses. It lists witnesses that they would authorize to speak before the committee. If they can put forward a motion that lists witnesses, why can't we put forward a motion that lists witnesses? Let's have ourselves a big group of witnesses. They don't want to vote for that because there are certain witnesses they don't want to hear from, certain things that might be said that they don't want said when Canadian eyes and ears are watching and listening. Those things have to be kept secret.

The journalists, according to government officials, have to leave the room; the transcripts have to be turned off, and nobody outside of that dark room should have the ability, according to the government, to find out what is said. That is, by definition, a cover-up.

● (1450)

The committee members representing the Liberal caucus at this committee have the ability to vote in favour of transparency by allowing everyone to speak. Are they going to help the Prime Minister cover this up or are they going to help Canadians find out what happened here?

**The Chair:** Thank you very much.

It's powerful, but it's interesting that the narrative is that we were going to not support any study on this issue and we were going to cover it up. Now that we've put forward a motion on the study, we're said to be covering up as well.

**An hon. member:** [*Inaudible—Editor*].

**The Chair:** It's not what you said; I agree. But you are pretty much alone on that one.

Mr. Fortin.

● (1455)

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Mr. Chair.

I've been listening to our discussions for the past while. I have before me the agenda for today's meeting, which states that we're here to discuss the request to study the reports of political interference in a criminal prosecution by the Prime Minister's Office.

The Prime Minister or a member of his office allegedly politically interfered with the former attorney general of Canada. I wonder how we can shed led on this situation without hearing from the person who held the position of attorney general of Canada at the time of the events in question.

I have two things in mind.

I see that you're having a discussion, Mr. Chair. Would you prefer to suspend the meeting?

**The Chair:** Sorry.

**Mr. Rhéal Fortin:** I can wait, if you want.

**The Chair:** No, I should have been listening to you. Mr. Cullen and I were talking about something else. Sorry.

What was your question?

**Mr. Rhéal Fortin:** I don't have a question. I was explaining a situation.

**The Chair:** Sorry. You have my full attention.

**Mr. Rhéal Fortin:** Okay.

A meeting was called today so that we could study the reports that the Prime Minister's Office politically interfered with the former attorney general of Canada.

With all due respect, the Liberals' proposal seems to be a red herring. As one of my Conservative colleagues said, the Liberals want to provide law courses on the Shawcross doctrine and explain the remediation agreements to us. I understand that this came into effect in the fall, but I think that everyone can read and learn about it. They're proposing that we hear from three witnesses who won't be able to speak about the issue at hand, namely, the reports of political interference.

In this whole matter, I have two concerns in mind. First, I can picture the nearly 4,000 Quebec workers whose jobs are at stake as a result of discussions between the attorney general's representative in court and counsel for SNC-Lavalin. These 4,000 workers and their families are indirect, and perhaps even direct victims of the situation. The situation may not be resolved because our Prime Minister acted in a somewhat amateurish way with regard to the former attorney general and because he doesn't want to release her from her solicitor-client privilege obligations so that we can hear from her.

Of all the witnesses on the list, the one witness we should hear from is Jody Wilson-Raybould. I don't see how else we can start. I was reading the names of the witnesses and listening to our discussions. I felt as if I were preparing for a trip without anyone telling me where I'm going. Since I don't know where I'm going, I'm bringing my swimsuit, shorts, jeans, suit and everything I need for fishing and hunting. We'll hear from a number of witnesses, but we'll always be beating around the bush.

Why don't we have Jody Wilson-Raybould here? She was the attorney general of Canada. According to reports, she was the victim of political interference by the Prime Minister's Office. Once we've heard from Ms. Wilson-Raybould and she has told us that certain people have said, done or requested one thing or another, we can prepare a more relevant list of witnesses.

Currently, it's a real hunting trip. In my humble opinion, the Liberal motion is a red herring. The Conservative motion gives me the impression that we want to put SNC-Lavalin on trial. However, that's not the committee's role.

SNC-Lavalin committed fraud. Some executives have even already paid for it. If there are others, they'll continue to pay, and that's fine. The people who committed fraud must be penalized. Should the company be penalized? Yes. That said, a remediation process exists. We'll see whether an agreement will be reached. Last

week, Mr. Lametti said that an agreement was still possible. I'm keeping my fingers crossed, not for me or SNC-Lavalin, but for the workers and their families who need these jobs. We're talking about 4,000 families who will be affected by unemployment because we can't reach an agreement to maintain their jobs.

The Prime Minister acted in an amateurish way. He's refusing to allow the former attorney general of Canada to explain the situation. I find this shocking and worrisome.

I don't want to carry out the work of the prosecutor in this case, counsel for SNC-Lavalin or the Ethics Commissioner. They each have their mandate. I think that the Standing Committee on Justice and Human Rights must study the reports of political interference by the Prime Minister's Office. To do so, we should hear from Jody Wilson-Raybould first.

● (1500)

**The Chair:** Thank you.

Thank you for your comments on the SNC-Lavalin workers. This is a very important matter for us in Quebec. It's a very important company.

Before I put the amendment to a vote, Ms. Khalid and Mr. Boissonnault would like to speak. Mr. Cullen will then take the floor to wrap up the discussions on his amendment. After the amendment has been put to a vote, we'll go back to the main proposal.

[English]

Ms. Khalid.

**Ms. Iqra Khalid:** Thank you, Chair.

[Translation]

Thank you for your comments, Mr. Fortin.

[English]

Although I don't agree with the premise, I would appreciate it if you would come to our committee a lot more and shed light on the important issues we discuss. I really would love to have this kind of attention in our committee to the very important issues we have studied, such as human trafficking, our latest study, and recommendations on dealing with this very important and tragic issue our country, and ensuring that Canadians, middle-class families, have access to justice.

That comes to the crux of the issue: what does an in camera meeting really do for a committee? It takes away the partisanship. It takes away the political posturing, which we have been privy to today. It allows us to have frank discussions to see who can come forward to have the most fruitful discussions on issues.

Canadians have a right to know and to seek clarification through our committee. I think our committee owes it to Canadians not to be so partisan, not to be here looking for sound bites to embarrass persons, our Prime Minister or the Prime Minister's Office. We need to put that partisanship aside.

We need to come to the table, hopefully with the permanent members of the committee, to discuss at length who will really speak to the issues before us today, to have the most fruitful discussions. Canadians voted for us to represent them, to speak for them. I hope we can give them what they have voted for, which is impartial, honest representation of their needs, their demands and their wants through this impartial committee. I hope that members across the way can really support that.

I don't think we should be changing the way we conduct ourselves just because the cameras are on. We need to have that impartial discussion. My fear is that if the cameras are on, my colleagues across the way will not be able to shut off their partisanship. That's why I don't support the amendments proposed by Mr. Cullen.

Thanks, Chair.

**The Chair:** Thank you so much, Ms. Khalid.

The last speaker is Mr. Boissonnault. Then we will go to Mr. Cullen to finish up his closing remarks on the amendment, and then we'll vote on the amendment.

[*Translation*]

**Mr. Randy Boissonnault:** Thank you, Mr. Chair.

I think that we should go back to Mr. Fortin's comments. I fully agree that we have neither the mandate nor the means to conduct the SNC-Lavalin trial here. There are other places to conduct the trial.

In my opinion, certain facts regarding the exact content of the amendment must also be clarified. The attorney general didn't resign, nor was she dismissed. A cabinet member who was Minister of Veterans Affairs resigned. That person, the former attorney general, can't talk about what she experienced as attorney general because it isn't her most recent mandate in cabinet. This is very important.

Regarding the point raised by Mr. Poilievre, I want to say that, on November 7, 2018, the Standing Committee on Justice and Human Rights addressed the issue of remediation agreements. Mr. Nicholson, Mr. Rankin, Mr. McKinnon, Mr. Fraser and the chair spoke about the issue at the time. It's not accurate to say that this issue has never been addressed here at the Standing Committee on Justice and Human Rights.

Out of respect for my colleagues, I want to point out that, when our Conservative colleagues asked the important question regarding our witnesses, my answer wasn't accurate. I took a comment from the chair, as I was supposed to do. I checked. Obviously, Mr. Lametti will appear before our committee. He has publicly stated that, if the committee were to call him, he would come. No one from the head of government's office has called these witnesses. However, since Mr. Wernick and Ms. Drouin are public servants, when they're called to appear before a committee, it's normal for them to do so. In this case, the committee is the Standing Committee on Justice and Human Rights. According to the procedure, these official calls must be issued after our committee has made the decision. I'm sorry that I misspoke.

• (1505)

**The Chair:** Thank you, Mr. Boissonnault.

I'll now give the floor to Mr. Cullen, so that he can wrap up the discussion on his amendment.

[*English*]

**Mr. Nathan Cullen:** I tried in this amendment to combine the interests of hearing from the relevant people. So far I've heard from Liberals that they're not interested in inviting Ms. Jody Wilson-Raybould to talk—

**Ms. Iqra Khalid:** That's not true.

**Mr. Nathan Cullen:** Well, you're about to vote against my motion, which asks her to come as a witness. That is true then. You can say something is not true, but then you—

**Mr. Randy Boissonnault:** Next Tuesday, Nathan—

**Mr. Nathan Cullen:** Okay, so my Liberal friends are trying to help me here I think, Chair. The suggestion is that next Tuesday, in camera, we're going to put Ms. Jody Wilson-Raybould on the list.

**Mr. Ali Ehsassi:** We will discuss it.

**Mr. Nathan Cullen:** Oh, we will discuss it. We're discussing it right now, and yet, with the cameras on and people witnessing our conversation, you won't commit to it. You understand the difference between discussing something and committing to something, and you also understand the difference that “just trust me” isn't going to work in this particular conversation, because “just trust me” was what the Prime Minister was doing. Also, to the comment that we're here to try to embarrass the Prime Minister, he's doing that all on his own. He doesn't need my help. He doesn't need the help of any of us. He's conducting himself in the way he thinks is best, and frankly, as I commented before, I think his comments have been beneath the office of the Prime Minister when he literally stood in front of buses to talk about how terrible Jody Wilson-Raybould was in her role and how she disappointed him— my goodness—misunderstanding the role of the attorney general entirely. That's fine; I'm sure he'll have a briefing.

I have one quick comment, Chair, to you, because with regard to *sub judice*—something before the court that we would worry about impinging upon—thankfully, 35 years ago we had a ruling by the Speaker of the House of Commons. I'll read it just to assure committee members that we can investigate this case while it's going on in court:

The House has never allowed the *sub judice* convention to stand in the way of its consideration of a matter vital to public interest or to the effective operation of the House.

Does anyone want me to repeat that?

**Hon. Lisa Raitt:** Yes, I do.

**Mr. Nathan Cullen:** Again: The House has never allowed the *sub judice* convention to stand in the way of its consideration of a matter vital to public interest or to the effective operation of the House.

We've had 35 years in which we've lived under this rule as parliamentarians. We're quite comfortable with it, so the motion that I put forward today was an attempt to combine the concerns raised.

For my friend Mr. McKinnon, if the only witnesses we ever invited to committee were only those who self-identified in the middle of a fraud, we'd never have witnesses at committee. We can't necessarily wait for them to put their hand up and say, "Oh, yes, I put pressure on the former attorney general of Canada. Please invite me to your committee." Sometimes we have to go out and seek them.

Mr. Bouchard met 15 times with SNC-Lavalin. What did he talk about? It was justice and law enforcement. This company met over and over again with senior members of the Prime Minister's Office to discuss justice and law enforcement. That is an incredible interest in justice and law enforcement by a construction and engineering company.

If there is nothing untoward here, which is what you Liberal members keep telling us, the first accusation you have made is that opposition members are making accusations without evidence. Then you go on to say that the evidence can't be true because of your unfounded allegations that somehow the Prime Minister said this, and so then everything must be clear. The Prime Minister's arguments have not worked out well. If you want to alleviate the suspicions of Canadians that there is the potential of any effort to cover up—I'm not suggesting the PMO is instructing you to do it. You might just be doing it on your own. If you want to alleviate that suspicion, then allow Ms. Wilson-Raybould to come forward. Allow the principal secretary to come forward. Allow Mr. Bouchard, who met 15 times with SNC-Lavalin, to come forward.

It's frustrating for me.

On Mr. Ehsassi's point, I'm not going to give you too much credit for showing up; you had to show up. The opposition members have the authority under Standing Order 106(4) to call a meeting like this. I'm glad you're here. I'm glad we're talking about this, but in the attempt to find some joint resolution that would allow us to do a proper investigation into this, which is what committees do from time to time, the Liberals seem to have dug in and said we are going to invite only these three witnesses—

**Ms. Iqra Khalid:** That's not true though.

**Mr. Nathan Cullen:** Yes it is, because when I've suggested other witnesses, you're just about to vote against my suggestions, so it is true. If later, on Tuesday in camera, you decide that the witnesses I have suggested or my colleagues from the Conservatives have suggested are now important to you because they're at the centre of this matter, then, wonderful, we'll go from there, but we have this opportunity here today and you haven't even bothered to phone them, or have someone phone them or whatever the case may be.

It is interesting that we want to study remediation now after it's already passed into law.

In terms of the offer, I think Mr. Boissonnault made the offer to discuss... I certainly won't speak for the Conservatives, but if you would like to hear what we heard at the SNC-Lavalin meeting with some of my colleagues, I'd be happy to show you ours if you'd show us yours. We will, in fact, come forward and tell you everything that was discussed at that meeting. I know the result of that meeting. When SNC-Lavalin asked for the special plea deal to be worked into a budget agreement, we told them no, and then we voted against it. You folks put it into an omnibus bill, which your own members

sitting on the finance committee found inappropriate, and you still pushed it through Parliament. Actions speak just as loudly as words do here.

● (1510)

Last I will say that this committee in particular has a solid and well-deserved reputation for trying to find common ground over sometimes very tricky and difficult issues with regard to justice. It is held up as one of the higher committees. The amendment to the motion that I put forward today, Chair, was in respect to that tradition. I don't know if the accusations of partisanship and whatnot were also directed at me. It doesn't really matter, but to vote against what most Canadians would see as a pretty reasonable amendment... If you're open to hearing from Ms. Wilson-Raybould, then vote for it. If you're open to hearing from Mr. Butts, then vote for it, as well as from Mr. Bouchard. If you're not, then you'll vote against it and those actions will speak louder than your words.

With that, I move my amendment to the central motion brought by the Liberal Party.

**Mr. Michael Cooper:** Chair, I'd ask for a recorded vote and let the record show that anyone who votes against Mr. Cullen's very reasonable amendment is voting in favour of a cover-up.

**Some hon. members:** Oh, oh!

**The Chair:** That statement is unbecoming of you, Mr. Cooper.

**Some hon. members:** Oh, oh!

**The Chair:** I'll just leave it at that.

Mr. Clerk, we'll proceed with a vote on the amendment.

[*Translation*]

(Amendment negated: nays 5; yeas 4)

[*English*]

**The Chair:** Now we are back on the principal motion, colleagues.

The meeting was originally scheduled for two hours. We've now passed that point. My question for you is whether or not everybody is prepared to limit the remaining speakers to those on the list and whoever puts up their hand right now. Then we will move to a vote on the main motion.

The people who are now on the list are Mr. Barrett, Ms. Khalid and Mr. Fraser. I will add Mr. Cooper and Mr. Poilievre.

Is there anyone else? Mr. Cullen and Mr. Boissonnault.

Speak now or forever hold your peace, everyone.

[*Translation*]

Mr. Fortin, I suppose that you'll be the last one. I hope that you'll finish with wise words.

**Mr. Rhéal Fortin:** Wise words are all that I have. I don't always say them wisely, but they're nothing more than wise words.

**The Chair:** Absolutely.

[*English*]

Next is Mr. Barrett.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Thank you very much, Mr. Chair.

The opposition parties put forward a motion to be considered here today and two hours and 15 minutes into the meeting, it's not the motion that we are discussing. As is your prerogative, you recognized a Liberal member of the committee and the motion that member put forward.

As a new but regular member of the Standing Committee on Justice and Human Rights, and with consideration of your comments at the outset about the common ground that members of this committee have traditionally been able to find in furthering the business and the good work of this committee, I would have hoped that with the motion put forward by the Liberal members, at the outset saying that they were looking for some common ground to be built around that, the very reasonable amendment put forward by Mr. Cullen would be given more consideration than just outright refusal, which is essentially what happened. This was a clear cut, right down the middle of the room, as far as support for and against.

However, there still is an opportunity. Though the Liberal members do hold the majority on this committee, they have an opportunity with the motion they have put forward to make an amendment and not to hold the consideration and selection of witnesses in secret next week. Though it may be a convention or tradition that those deliberations are held in camera, there is an opportunity in these exceptional circumstances to avoid the perception that there is something to hide. If they amend their motion to hold those discussions in public, they give themselves the opportunity to not position themselves in a light that it is pretty clear they have something to hide.

The witnesses put forward are very reasonable and germane to the subject matter, so with a view to the motion put forward by the Liberal members, I suggest that that very simple adjustment ought to be made.

• (1515)

**The Chair:** Thank you very much, Mr. Barrett.

The next person is Ms. Khalid.

**Ms. Iqra Khalid:** I think we must come to a decision and vote on the motion before us. It really speaks to the substance of what the parties opposite and our impartial members on the Liberal side, as well as Canadians, hope to look into, in order to understand the nature of the relationship between the attorney general, the government and the Prime Minister's Office, including cabinet ministers, etc. I think we should go ahead and move to a vote immediately. If I had more faith in the members across the way with respect to their political posturing, we'd be happy to have this discussion in public, but I really fear that they will use their tactics, as they've shown over the past number of days, to make this a very heavy political issue and to impede the truth-finding exercise we are about to embark upon.

I hope we can move to a vote on this motion immediately.

**The Chair:** Thank you so much.

Mr. Fraser.

**Mr. Colin Fraser:** I know this has been the subject of a lot of discussion today. I think we should vote on the main motion. I just want to be clear on a couple of things.

First of all, I respect Mr. Cullen's point on going in camera to discuss a potential legal issue, but on the *sub judice* principle, we don't have that information at our fingertips right now to make a decision on that. Those are normally things that would be discussed in camera—that would be perfectly normal—along with a timetable to look at other issues this committee may or may not be dealing with. We would always have those discussions in camera, as well as discussions on other witnesses. I think it's important that people understand that we need to hold that meeting to have those discussions about things that are very important for this committee to consider before we embark on this study. Then, of course, any meetings flowing from that will be in public. I don't want to leave the false impression that we're talking about having meetings in camera on this study.

I think that's an important point and I'll leave it at that.

• (1520)

**The Chair:** Next is Mr. Cooper.

**Mr. Michael Cooper:** In the three and half years I've had the privilege of serving on this committee, we've had a number of good days. We've gotten a lot of good things done when we've been able to put aside partisan differences and look at what is in the best interests of Canadians, the best interests of the law, but I have to say, this is not one of those days. This is the most disappointing day I've had on this committee. I really did believe...and, Mr. Chair, you said that we just dismissed this committee exercise out of hand with respect to our motion. That's not true. I have said many times publicly, on the record, that I have faith in the members on the Liberal side to put aside partisan differences, to put aside what is in the interests of the PMO and to do what is in the interests of Canadians. Sadly, Mr. Chair, I learned today that on this issue I was wrong.

What we learned today is that Liberal members on this issue, which speaks to corruption at the highest levels of the PMO, are nothing more than agents of the PMO, doing the bidding of the PMO. How do we know that? Very simply, when I along with Ms. Raitt asked a very straightforward question about how these three witnesses—the Attorney General, the Deputy Attorney General and the Clerk of the Privy Council—appeared on the list of witnesses to call, to the exclusion of individuals such as Gerald Butts, there was a lot of confusion over there. It was pretty clear that Mr. Boissonnault hadn't drafted the motion, but we got the answer that it was apparently the government House leader's office that was involved.

In other words, the government House leader was directing what Liberal MPs on this committee would bring forward. There we have it for the record. It's very clear. It's very plain. This is not a committee that, on the Liberal side, is acting independently and in the interests of Canadians. That's sad.



Let the record also show that when it came time to vote on Mr. Cullen's amendment, Liberal MPs voted against calling Gerald Butts, who met with SNC-Lavalin on multiple occasions, including on the issues related to justice and law enforcement. When given the opportunity to call Mr. Bouchard, who again met with SNC-Lavalin multiple times on justice and law enforcement issues, the Liberal MPs voted no. When it came time to vote on whether to call the most important witness, former attorney general Jody Wilson-Raybould, Liberal members voted no.

Mr. Boissonnault, parroting the Prime Minister's lines, cited the issue of solicitor-client privilege. The simple answer is that the Prime Minister can waive that privilege. I would hope that, in the interest of getting to the bottom of this, the Liberal MPs would agree that it's important that the Prime Minister stop the cover-up and unleash the former attorney general.

With that, I would like to propose an amendment to the motion. Mr. Chair, I will read my amendment:

That the committee call on the Prime Minister to immediately waive any purported solicitor-client privilege involving the—

**The Chair:** I have a point of order, sorry.

Mr. McKinnon.

**Mr. Ron McKinnon:** We're well past the time that we've allocated for this. This meeting should have ended 15 minutes ago. I'm happy to vote on the main motion.

**Mr. Pierre Poilievre:** It's a cover-up.

**Mr. Michael Cooper:** It's a cover-up and it's becoming clearer by the day.

**The Chair:** I think, number one, Mr. Cooper had the floor. As far as I know he's perfectly allowed to move an amendment while he has the floor, even though I thought we had an agreement beforehand that we were going to have these speakers and to vote on the main motion.

However, absolutely we can have an amendment. We can continue with this list, and then hopefully we can vote on both the amendment and the main motion and actually get through this meeting and come to some conclusion today.

Mr. Cooper, you have the floor.

• (1525)

**Mr. Michael Cooper:** Yes. Well, before I was interrupted.... I will again state my amendment:

That the committee call on the Prime Minister to immediately waive any purported solicitor-client privilege involving the former Attorney General Jody Wilson-Raybould, in respect of the SNC-Lavalin matter, so that Ms. Wilson-Raybould can speak.

**The Chair:** Can we have a copy of that, please?

**Mr. Michael Cooper:** I just have notes, so—

**The Chair:** No, I understand. I'm trying to determine if that is still the motion.

Sorry; once we have it, we'll make that determination.

Yes, Mr. Poilievre.

**Hon. Pierre Poilievre:** On a point of order, Chair, the reason this is in order is that one of the witnesses may, of course, be Jody Wilson-Raybould. She is at the centre at this matter. For her to testify in this committee, it would be good for her to have legal certainty that she is allowed to speak freely. This amendment is simply a friendly amendment to what the government has put forward. Not only is it consistent with having hearings; it's also consistent with the intention of the original motion.

So it is in order.

**The Chair:** Again, I understand the link to the potential testimony of a potential witness before the committee. However, I still need to see how it's formulated and what part of the the motion it proposes to amend, so I will reserve judgment for the moment on whether or not it's receivable.

Mr. Poilievre, were you planning to speak to that issue, or were you planning to speak to—

**Hon. Pierre Poilievre:** I can speak to the main motion.

**The Chair:** Okay. If you go ahead and speak to the main one, we won't slow you down with this, and then I'll try to rule at the end of that. I'll give you a chance to go to...

It would be in order, Mr. Cooper, although I shouldn't be telling you what I think would be, if you suggested that at that meeting the subject be introduced. I don't know about adding that at the end of that line. I mean, it's talking about what we're doing at a Tuesday meeting. I appreciate it, but I don't think it's within the context of the motion. I would tentatively—

**An hon. member:** Put it at the beginning.

**Hon. Pierre Poilievre:** You're fine.

**Mr. Michael Cooper:** Put it before that.

**Hon. Pierre Poilievre:** Just vote against it, if that's how you feel.

**Mr. Michael Cooper:** If you want to cover it up, you just...yes or no.

**The Chair:** Again, I think there will be ample opportunity to introduce that motion at subsequent meetings outside of its being an amendment to this motion. I think it's extraneous to this motion. That's the clerk's belief, and mine, so I'm going to rule it out of order.

However—

**Hon. Pierre Poilievre:** On a point of order, Mr. Chair—

**The Chair:** Mr. Poilievre, I'm making a ruling, so please let me make the ruling.

I will allow you to introduce that as a separate motion at the earliest possible moment. Once we finish dealing with this motion, I will be prepared to let you raise that as a separate motion.

**Mr. Michael Cooper:** Today.

**The Chair:** I have no problem with that as long as we limit the time frame; yes, absolutely. I think that's the fairest thing. I have no problem that we discuss it, but I would rather deal with this motion and then bring yours forward as a separate motion.

Mr. Poilievre.

**Hon. Pierre Poilievre:** Thank you very much.

Listen, I know that the government members on this committee would like to cover this matter up as inconspicuously as possible. That's why, of course, they're asking for the discussions on the future study to happen in a secret meeting. I have heard them. They're heckling and so are their supporters in the gallery whenever we point out that fact, but the reality is that the principal player at the heart of this matter is Ms. Jody Wilson-Raybould. She is the former attorney general. She has resigned to preserve her integrity after a series of highly suspect activities that we now know occurred. Those activities, of course, were 14 meetings between SNC-Lavalin and the PMO, meetings between high-level PMO officials and Ms. Raybould, including discussions involving the Prime Minister himself, all regarding the possibility of a special deal for a large accused corporate criminal. She has, in a highly unusual move, resigned from cabinet and said that one of the reasons she believed she was originally moved from her position was that she spoke truth to power.

The only point of even holding these discussion is so that we can hear from her, and yet the Prime Minister is silencing her. He's using his legal authority to prevent her from speaking because he's afraid of what she has to say. What Conservatives are asking, what Canadians are asking, is to let her speak. Now, the Prime Minister is the client. The client can waive solicitor-client privilege. I don't even know why this is a matter of controversy for members across the way. If they wanted the truth to come out, then they would be willing without hesitation to support a call for the Prime Minister to do that. I conclude my remarks with a motion:

That the committee call on the Prime Minister to immediately waive any purported solicitor-client privilege involving the former Attorney General Jody Wilson-Raybould in respect of the SNC-Lavalin matter so that Ms. Wilson-Raybould can speak.

Thank you.

• (1530)

**The Chair:** We are currently dealing with another motion, so you can't move a motion at the same time we're debating an existing motion. I already ruled that it would have been out of order as an amendment but that I will entertain it as a new motion following the conclusion of the discussion on this motion.

**Hon. Pierre Poilievre:** I believe that with unanimous consent we could allow it to go ahead.

**The Chair:** Do I have unanimous consent?

**Some hon. members:** No.

**The Chair:** We do not have unanimous consent.

**Hon. Pierre Poilievre:** Note that members of the Liberal side refuse to provide unanimous consent for this motion to go ahead.

**The Chair:** As a normal matter, of course, yes.

We are now with Mr. Cullen.

**Mr. Nathan Cullen:** I like the introduction, Chair. That was very enthusiastic.

**The Chair:** I always do an upbeat introduction for you.

**Mr. Nathan Cullen:** I buy my kids those connect-the-dot books where you follow one number to the next. Anybody who has ever done those before knows that you flip the page and you can clearly

see what the thing is, but little kids get the enjoyment of actually connecting all the dots and then realizing at the end what the picture is. It does baffle me that my Liberal colleagues have seen the events of the last six days and say clearly there is nothing untoward here, when every Canadian, many former attorneys general, and many law experts have told us that obstruction charges are brought with less evidence than what we've already seen in this, because the gravity of what we're talking about is so severe.

I appreciate my friends talking about their independence, talking about the need to reassure Canadians that everything is fine. The best way to do that would be in the most transparent manner possible. We clearly know that Ms. Wilson-Raybould should be invited to this committee to tell us her perspective, given the limitations that the Prime Minister's privilege puts upon her ability to speak, and the Liberals just voted against it.

Don't keep saying that you didn't when you just did.

You're entitled to all your own opinions but not your own facts. The facts of the matter are clear. We just offered to invite Ms. Wilson-Raybould to the committee and now we're back to this motion where the current Attorney General has already publicly said that he doesn't believe there's any evidence to allow an investigation, and has also said that he hasn't spoken to Ms. Wilson-Raybould at all or to anybody else who is involved in the allegations that have existed in the newspaper. This is, as one pundit has said, a "*Bird Box*" investigation. You're looking without looking by intention. Let's not place a blindfold on the committee and then say we're doing the good work of the public. Let's not put these limitations down and refuse the principal actors in this play and suggest that we're somehow doing our best due diligence. That's just not true. You can justify it however you want and pacify yourselves, but that's clearly not what's going on.

I came today with the clearest intentions of finding some space in-between what the Conservatives have proposed, the more exhaustive list frankly, which might actually have been more complete and satisfying, and what the Liberals have come forward with, without consultation, with a very limited list of witnesses, some of which have already told us they already think nothing untoward has happened, and then the potential of a very exhaustive study into some things that we already know, such as the *sub judice* rules. I can read the Speaker's ruling again if my friends would like me to, not as an attempt to delay justice, because when you delay justice, you deny justice. We at this committee know that better than most do.

It feels to me like every scandal I've ever watched. There's the incident itself and then there's the attempt to hide from any sort of responsibility, which is sometimes greater than the initial incursion, and Canadians don't stand for it. I know that none of my colleagues were here during the sponsorship scandal or any of those days, but the lines from the Liberals sitting at tables like this were that there was nothing to see there, that nothing untoward had happened, and that they believed the Prime Minister when he said that no money had gone to special interests in Quebec during sponsorship. And it just wasn't true. So it's disappointing. I know I'm not a standing and permanent member of this committee, but knowing the work that you've done, knowing Mr. Rankin's contribution, we came into this meeting with hopes. Those have now become a faint hope that next Tuesday in camera behind closed doors suddenly Liberals will believe that hearing from Jody Wilson-Raybould, hearing from Gerald Butts, and hearing from Mathieu Bouchard and others who met extensively with SNC-Lavalin to talk about criminal affairs will suddenly happen. I hope it does, but that hope has become much fainter today.

I will be opposing this motion because it doesn't do what I believe to be the job and responsibility of this committee, which is to work on behalf of Canadians to put some light on this sordid affair.

Thank you, Mr. Chair.

• (1535)

**The Chair:** Thank you very much, Mr. Cullen.

Mr. Fortin.

[Translation]

**Mr. Rhéal Fortin:** Thank you, Mr. Chair.

I won't repeat what I said earlier, but, as you can imagine, I completely agree with the proposed amendments and the comments we've just heard. Once again, I would refer the committee to what the notice of meeting says. The committee's job is to study reports of political interference. The committee can't do that without hearing what the central figure in the whole affair has to say. We are talking about the alleged victim of said interference. Otherwise, it is simply a waste of taxpayer money and time to skate around the issue.

The committee is going to hear from three, five, 10 or perhaps even 20 witnesses who will all be asked whether, to their knowledge, someone from the Prime Minister's Office attempted to influence Ms. Wilson-Raybould. They will all tell the committee that they do not know and recommend that the question be put to Ms. Wilson-Raybould, herself. Anyone who's ever been involved in a court proceeding knows how these things work. Even in small claims court, the first person heard in a matter is the victim.

During your opening remarks, Mr. Chair, I was glad to hear you encourage the committee members to work together in a collegial fashion and to set aside partisanship. I thought that very wise. You asked me to end the discussion with some words of wisdom, but I am inclined to repeat yours: the partisan games need to stop. They are detrimental. This is about a spade, so just call it that and let us see it.

As for the rest, I'm not sure what else to add. I would just be going around in circles.

Since I was asked to end the discussion on a wise note, I'm going to give my consent, if you will. I was delighted to hear my colleague Mr. Boissonnault suggest that he'd like to see more of me on the committee. Indeed, the Bloc Québécois would welcome having an active role on this committee and being recognized in the House.

If that's what you're offering, we thank you. We want that recognition, so I'm delighted at the member's suggestion. Mr. Boissonnault, you and I are going to end this meeting with a historic agreement.

**The Chair:** Thank you, Mr. Fortin.

It was actually Ms. Khalid who made the suggestion.

• (1540)

**Mr. Rhéal Fortin:** Oh! Well, Ms. Khalid, then.

**The Chair:** Mr. Boissonnault, you have the floor.

**Mr. Randy Boissonnault:** Thank you, Mr. Chair.

I think the committee needs to have a recap and to, once again, consider the main motion before voting.

It's very important for the committee and the country to understand what a remediation agreement is and what it entails. It's equally important for Canadians to understand the Shawcross doctrine—to know what the parameters and boundaries are, what types of conversations are normal for people to have with their cabinet colleagues and what kinds of discussions the different government offices are allowed to have with one another. Understanding those basics is essential, and for that reason, we think it's very important for the committee to hear from experts and those who work in the area.

Despite Mr. Cullen's assertion that the *sub judice* convention is 35 years old, we need to understand what that means in this situation, in 2019. SNC-Lavalin is currently facing not just one, but two, trials. Therefore, we have a duty to examine this very closely so as not to jeopardize a case in the court system. That's one of our fundamental responsibilities.

As for solicitor-client privilege, it's quite clear that the Prime Minister has already asked the current Attorney General, Mr. Lametti, to examine the matter. This is a highly complex and sensitive element of justice that demands in-depth analysis, which our colleague the Minister of Justice and Attorney General of Canada can provide to the Prime Minister. That request has already been made, so we don't need to examine that aspect. I know motions on the issue are forthcoming.

[English]

When it comes to the issue of in camera meetings and the colourful language from the opposition about secrecy, let's be clear and put on the record that with in camera discussions the results are known, the decisions are known, after the meetings. We have to make sure that we're able to talk about these sensitive matters in confidence among members of this committee. I look forward to seeing the regular members once again. To Mr. Cooper's point—

**Mr. Nathan Cullen:** Point of order.

Sorry, Mr. Boissonnault, it's just a small point of order.

To be very brief, what Mr. Boissonnault just said is not entirely correct.

**Mr. Randy Boissonnault:** Which part?

**Mr. Nathan Cullen:** You said that all decisions that are made in camera are known. Only positive decisions are known.

**Mr. Randy Boissonnault:** We will have positive decisions about a witness list. That will be known. We'll have positive decisions about the timeline of the study.

**Mr. Nathan Cullen:** My friend is a very intelligent person. He knows what I'm referring to. If the committee rejects proposals that are put forward in camera, that is not known.

**Mr. Randy Boissonnault:** Well, I'm confident that we will have positive results in the meeting next Tuesday.

To Mr. Cooper's comment, I may be colourful but I'm not a bird—I don't have nearly enough plumage. My comments are my own; I am no parrot. My comments and my work here today are my own.

This motion was crafted by Liberal members of this committee this morning, and if you were thinking there was a cover-up going on, if so, we would have just shut this down at 3:10. Let's be serious. Canadians know that. If there were some desire on our side to not shine a light on this and not look at this, to not have three witnesses, in good faith, on the list today, we would have shut this down at 3:10.

To say anything else is just to continue the memes and the social media bullying that you have had sent to all of our offices. If that's how you want to play this, then go ahead, but we will make sure that we do this sensitively and responsibly, and understand that we can get to the bottom of this on behalf of Canadians—that's our job.

**The Chair:** Thank you very much. I appreciate that.

We'll now go to a vote on the main motion. I'm sure somebody will want it to be recorded.

**Mr. Michael Cooper:** Yes, a recorded vote, and let the record show that a vote in favour of this motion is a cover-up.

**The Chair:** We're not going to do that again. That's out of order for a number of reasons.

Mr. Clerk, please call the roll on the main motion. Those voting in favour support the main motion put forward by Mr. Boissonnault. Those voting against it do not support it.

(Motion agreed to: yeas 5; nays 4)

**The Chair:** Thank you very much.

Now, I promised Mr. Cooper that he could put forward a different motion. I've been told by colleagues that they have some travel issues. Therefore, I'm wondering if we can let Mr. Cooper put forward his motion and agree to come back to it on Tuesday—following whatever part of the meeting we do in camera, and then going out of camera to deal with Mr. Cooper's motion—so that people can make their flights today.

**An hon. member:** No.

● (1545)

**Mr. Michael Cooper:** Mr. Chair, with the greatest respect, this is a very straightforward motion that really shouldn't require a lot of debate. In fact, we can proceed immediately to a vote right here, right now. I would hope that the Liberals would do the right thing and let Ms. Wilson-Raybould speak. That's all.

**The Chair:** Does everybody have a copy of this motion?

[*Translation*]

We don't have the French version.

[*English*]

The motion is:

That the committee call on the Prime Minister to immediately waive any purported solicitor-client privilege involving former Attorney General Jody Wilson-Raybould, in respect of the SNC-Lavalin matter, so that Ms. Wilson-Raybould can speak.

Mr. Boissonnault, do you have any procedural—

**Mr. Randy Boissonnault:** I'll just reiterate what I said in French, Mr. Chair, which is that the Prime Minister has asked the current Attorney General to look into this matter. This is a very serious and specialized issue of law. It requires the right analysis and examination, and the current Attorney General, the Honourable David Lametti, is looking into this on the behalf of the Prime Minister. I think that is where it should reside.

**The Chair:** Thank you, Mr. Boissonnault. I was just wondering if we are allowed to vote without the French version, but we apparently can.

**Mr. Michael Cooper:** I think we should just proceed to a vote and let everyone—

[*Translation*]

**The Chair:** As you can see, the committee normally tries very hard to respect both official languages.

**Mr. Rhéal Fortin:** We're familiar. This fall will mark four years that we'll have been here, in Ottawa. We know what the two official languages are: English and simultaneous interpretation.

**The Chair:** No. On our committee, at least, we really try to be bilingual. I want you to know that.

**Mr. Rhéal Fortin:** Thank you, Mr. Chair.

[*English*]

**The Chair:** On Mr. Cooper's motion, I'm sure it's a recorded vote.

**Mr. Michael Cooper:** Yes, it's a recorded vote, and then everyone can catch their flights and we'll know who's on the side of getting answers and who wants a cover-up.

**Some hon. members:** Oh, oh!

**The Chair:** Oy vey.

(Motion negated: nays 5; yeas 4)

**The Chair:** Colleagues, I'm just going to leave you with the fact that we adopted Mr. Boissonnault's motion. I think that was a step forward and a step that I don't think some of my colleagues expected. I think we're moving forward.

We're going to call a meeting on Tuesday. I will let you know what time that meeting will be; I will check everybody's schedule.

The meeting is adjourned.

I thank everybody for being here.

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