



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Procedure and House Affairs

EVIDENCE

NUMBER 085

Tuesday, June 20, 2023

Chair: The Honourable Bardish Chagger



Standing Committee on Procedure and House Affairs

Tuesday, June 20, 2023

• (1005)

[English]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning, everyone. I call the meeting to order.

Welcome to meeting number 85 of the Standing Committee on Procedure and House Affairs. The committee is meeting today to study the question of privilege related to the member for Wellington—Halton Hills and other members.

I see Mr. Cooper.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much, Madam Chair.

Before we begin with the witness, I want to note that I had put on notice a motion that I believe will be taken up during committee business. It has been circulated. I presume that all members have copies with them, and I would just ask, through you, Madam Chair, that before we go in camera, to read into the record the motion. I will also be putting forward a motion that the committee business for the third hour of this meeting and the meeting scheduled for this evening be in public.

The Chair: Thank you, Mr. Cooper.

Just to clarify, we're going to have our first and second panels, and then, when we return from a quick pause for the third hour of today's meeting, you would like the floor in public to put your motion on the record, and you would also like members to consider whether we can not be in camera for the business portion of it.

Maybe we don't have to put forward a motion on that part. We can just get to agreement by the third hour. Is that okay?

Mr. Michael Cooper: I would hope we could reach agreement.

The Chair: Mr. Cooper, I hope we can reach agreement, too, but you've already signalled that you would like to meet tonight. I will maintain my optimism.

Mr. Michael Cooper: I hope we don't have to meet tonight, but if we do, it should be in public.

The Chair: I'd accept that if your motion is that we not meet tonight, I would be seconding that, but we're not there yet.

Mr. Cooper, you will have the floor at the top of the third hour.

With that, we have with us today, from the United Kingdom House of Commons, Eve Samson, clerk of the journals, who is joining us by video conference.

Ms. Samson, welcome to the procedure and House affairs committee. Thank you for taking us up on this offer. We are really excited to be with you today.

I believe you have an opening statement. The floor is yours.

Ms. Eve Samson (Clerk of the Journals, United Kingdom House of Commons): Thank you, Madam Chair.

Thank you for inviting me to appear. As the Clerk of the Journals in the United Kingdom House of Commons, I'm the House's expert on parliamentary privilege. I do also know something about our administrative practices, but other witnesses may be better able to speak about them.

I think I would start by saying that the privileges of the Canadian House are of course very closely linked to the privileges of the House of Commons here, but it's important to remember that your privileges will have evolved in subtly different ways. One thing I find surprising is that the Canadian House of Commons has waived its privilege of freedom of speech to allow courts and inquiries to look at proceedings. We consider that, as article IX of the Bill of Rights is enshrined in statute, it cannot be waived.

I understand from your proceedings that various matters have arisen, namely, whether intimidation of a member is a contempt; committee powers to demand confidential papers; and the power to summon witnesses. Here, if I understand it correctly, the committee is considering such matters as powers against those outside the Canadian jurisdiction. I can go into more detail in answer to questions, but I'll turn to each in turn.

In paragraph 15.2, Erskine May states the following:

any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of their duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.

So, intimidating a member is certainly capable of being treated as a contempt. Erskine May gives numerous examples of when it has been treated as such.

Most committees in the United Kingdom House of Commons have power to call for persons, papers and records. In practice, they do not need to use these powers. They discuss matters with particular witnesses and agree consensually. When this does not work, the committee can agree an order to attend or to produce papers.

If the order is not obeyed, the committee itself has no power to enforce it. It must report to the House, which itself may then make an order. It is, however, difficult for the House to enforce its orders against anyone other than a member of the House. In theory, it has powers to imprison, but as has been explored by our Committee of Privileges quite recently, its procedures do not meet modern expectations of the way in which such punishments should be inflicted. In practice it has confined itself to admonishment. Our Committee of Privileges has made proposals for such contempts to be handled by the courts, but there isn't much progress on that matter.

The House's powers to order documents are, however, effective against government. In recent years, on several occasions the House has agreed motions for returns to force the government to release documents by either laying them before the House, or, when papers were sensitive, laying them before a committee. In 2018 the House found ministers in contempt for their failure to comply with the requirements of the motion for return, passed on November 13 that year, to publish the final and full legal advice provided by the Attorney General to the cabinet concerning the EU withdrawal agreement and the framework for the future relationship. When they passed that motion, the legal advice was provided.

It's notable that one order provided for papers to be made available to committees or members on a confidential basis, and another anticipated that redactions might be made "solely for the purposes of national security". Another set of papers was provided with redactions made to protect the identity of officials in email chains. This was not challenged.

To sum up, yes, intimidation could be considered a contempt. Committees and the House have power to call for papers, but there can be practical barriers to enforcing their orders. The House itself can decide to call for papers in ways that allow for limited access to those papers.

● (1010)

The Chair: Thank you.

With that, we'll get into our six-minute round of questions. We'll start with Mr. Cooper, followed by Mr. Fergus, Madame Gaudreau and Mrs. Blaney, who will end the first round.

Mr. Cooper, through the chair, the floor is yours.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Thank you to the witness.

I'm going to ask some questions that may be slightly outside your realm; however, I presume that you, as a clerk of the House of Commons, would be able to answer in general terms to provide this committee with an understanding of how the U.K.'s Intelligence and Security Committee of Parliament works. Would you be able to do that?

Ms. Eve Samson: I can give you some very high-level indications.

The first thing to—

Mr. Michael Cooper: My questions would be high level.

Ms. Eve Samson: Let us try. If I can't answer, I will say so.

Mr. Michael Cooper: Okay.

I raise this because the member for Wellington—Halton Hills, who was targeted by the Beijing regime, when he came before this committee, cited the U.K.'s Intelligence and Security Committee of Parliament as a committee that is—I don't want to put words in his mouth—essentially a gold standard, at least in comparison to what we have in Canada. It was one of his recommendations to this committee that such a committee modelled on the U.K. be established here in Canada.

We have the National Security and Intelligence Committee of Parliamentarians. Unlike the U.K.'s committee, it is not a standing committee of Parliament and therefore does not have the power to compel witnesses or the power to produce papers. It also does not set its own agenda.

Perhaps as a starting point, could you explain how the committee in the U.K. works, including whether the committee has a right to set its own agenda; who sits on that committee; how they are vetted before they sit on that committee; what powers the committee has; and who is responsible for redactions having regard for national security considerations?

Ms. Eve Samson: The first thing to say is that the Intelligence and Security Committee isn't all hybrid. It is a statutory committee. It is not a normal parliamentary committee. Irritatingly, I've been hastily looking for the statute under which it's set up and that gives it powers. It isn't like an ordinary parliamentary committee where the powers are derived from parliamentary privilege. They are powers derived from statute.

The other thing that should be said is that there is a great deal of government control over the committee. When I say "government control", I don't mean that in any—how shall I put it?—pejorative way. What I mean is that, because the committee has access to very confidential material, it has limitations. It publishes matters only with the consent of the prime minister.

I have found it. Excuse me. I'm sorry about this. I will refresh my memory.

It can request information that does not relate to a particular operational matter or to something the ISC is considering under the act. The person for whom it is requested has power to inform the ISC that the information cannot be disclosed, because the secretary of state has decided it would not be disclosed. Its disclosure powers are not unlimited.

If it receives information in private, it can only publish information by way of reports under section 3 of the act, which sets.... Forgive me, I'm having to dart around a little. It has to be sent to the prime minister first. The prime minister must exclude any matter from any reports to Parliament if the prime minister, after consultation with the Intelligence and Security Committee, considers the matter to be prejudicial to the continued discharge of the functions of the security service. The transparency in there is this: If such material is removed, the ISC report will indicate whether it has been so removed. If things are redacted, the ISC may report on them to the prime minister.

It's an excellent committee and it makes matters public. It has access to a large degree of sensitive information, but it does so within a statutory framework. Its remit is to examine or otherwise oversee the expenditure, administration, policy and operations of the security service, the secret intelligence service, the government communications headquarters and other activities of His Majesty's government in relation to intelligence or security matters, as set out in a memorandum of understanding.

• (1015)

The Chair: Thank you.

We have six-minute rounds, and about 24 seconds ago—

Ms. Eve Samson: I'm sorry.

The Chair: Don't be sorry. We appreciate your being here.

Before I go to Mr. Fergus, we have 25 minutes left in the bells. I believe we have agreement to continue with our committee up until five minutes before the bells. Anyone who wants to go and vote in the House may go. When we have everyone back 10 minutes after the vote is determined, we will continue. We can get through the six-minute rounds for sure. We might be able to get the first five-minute round in. If not, we will adjust accordingly. The next session will still commence at noon.

Is there agreement?

Some hon. members: Agreed.

The Chair: Excellent.

Go ahead, Mr. Fergus. You have six minutes.

Hon. Greg Fergus (Hull—Aylmer, Lib.): Thank you very much, Madam Chair.

I'd also like to thank Ms. Samson for being here today.

I listened to your answer to my colleague Mr. Cooper. It sounds as if there's a great similarity between your ISC and our National Security and Intelligence Committee of Parliamentarians.

Ms. Samson, I'm wondering whether you could walk us through, in a relatively brief time, the current process regarding how you inform members of Parliament about foreign interference or their being a subject of foreign interference.

Would you be able to walk us through that?

Ms. Eve Samson: I'm afraid that's outside my area of expertise. It would be something done by the director of security, whom I understand your committee wishes to see.

Hon. Greg Fergus: Indeed. Does the House of Commons play a role, then, in ensuring the protection of members of Parliament and Lords against foreign interference?

Ms. Eve Samson: Our security team would doubtless do such things.

There are scales of foreign interference that you might think of. It is well known, for example, that when China sanctioned certain members of Parliament, the Chinese ambassador was told he was no longer permitted to enter the precincts.

Other matters are not something I have operational sight of. I think it would be sensible for me to not to try to speculate.

Hon. Greg Fergus: Ms. Samson, does the House offer any specific training to detect any foreign interference? Do they offer this training to members of Parliament, Lords or their staff?

• (1020)

Ms. Eve Samson: We have training on things like cybersecurity, which show them.... We will react if there is pressure, through social media and the like.

On other matters, I think it is probably best that you ask Alison Giles rather than me.

Hon. Greg Fergus: This is fascinating. I guess I'm trying to figure out the coordination between the House of Commons, if at all, and your security and intelligence agencies in providing protection to members of Parliament—

Ms. Eve Samson: There is coordination. I think it is reasonable to say that there are conversations that have happened, but those are conversations with Alison. I suspect this is not something that one would wish to discuss in an open session.

Hon. Greg Fergus: That's fair enough. I'm not looking for any operational details, I'm trying to figure out whether there is coordination between the security and intelligence forces and the House of Commons.

Ms. Eve Samson: There are certainly conversations. We have a security department, which Alison heads, and the police will.... There are contacts, clearly.

Hon. Greg Fergus: Indeed. To protect the precinct, staff and the elected and named representatives of Parliament, how has this role evolved over the last 15 years? In particular, I'm thinking of how there was a lot of speculation in the media in terms of Russian interference in the Brexit debate.

What types of lessons have you been able to learn and share as a baseline with members of the House of Commons and the Lords?

Ms. Eve Samson: I think it is difficult to speak about this with much specificity in the open.

Remember, there are multiple types of foreign interference, such as cybersecurity, falsified operations on social media, straightforward intimidation and, if you like, economic manipulation.

On economic manipulation, trying to persuade members or Lords to do things in Parliament for financial gain, that isn't a matter so much about foreign interference. That goes far wider than that. The House has rules about that. They are enforced. We have lay members on our Committee on Standards.

Obviously, to stop something, you have to find out that it happened, but there is no sign that this is particularly happening.

On cybersecurity, yes, obviously this is something we take seriously. On social media, I believe there's guidance and training available. As I said, on other things, I think you're best to talk to Alison.

Hon. Greg Fergus: Thank you, Ms. Samson.

Thank you, Madam Chair.

The Chair: Thank you.

We will go to Madame Gaudreau.

Ms. Samson, without trying to assume, the time it would take for interpretation would not be taken away from the member's time, so please do hear the interpretation out before responding, unless you would prefer to respond in French. You're welcome to do that as well. Otherwise, whatever official language of Canada of your choice is welcome.

Ms. Eve Samson: You would not like my French.

Some hon. members: Oh, oh!

The Chair: You'd be surprised. We encourage everyone to try to speak as much as they can—maybe at the next meeting, though, because we have a vote in a bit.

Go ahead, Madam Gaudreau.

[*Translation*]

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Good morning, Madam Clerk.

Yes, we're going to take the time we need for you to understand what I'm saying.

Madam Chair, first I would like to ensure, through you, that I understand the explanations provided in the protocol on alert, threat and mention cases reported by the security intelligence services.

To whom are those cases reported? To the Prime Minister or the Speaker of the House of Commons?

• (1025)

[*English*]

Ms. Eve Samson: While this is not something that I deal with operationally, it isn't the role of the ISC to warn of threats to Parliament in that matter. Its role is to oversee the security services. As I say, I think this is better discussed in private, in that you will get better answers from my colleague, Alison Giles.

[*Translation*]

Ms. Marie-Hélène Gaudreau: The purpose of my question was to know who, the Prime Minister or the Speaker of the House of Commons, receives the information first when your security intelligence services consider it important that it be known.

[*English*]

Ms. Eve Samson: I would imagine that it would be the director of our security services, but these are not things on which I have detailed knowledge.

[*Translation*]

Ms. Marie-Hélène Gaudreau: I see.

My next question concerns the stages. When you say you make public the findings of investigations conducted following potential sanctions, what do you mean by "make public"?

[*English*]

Ms. Eve Samson: Are you talking about ISC inquiries or House of Commons select committee inquiries?

[*Translation*]

Ms. Marie-Hélène Gaudreau: I'm talking about both. What is made public?

[*English*]

Ms. Eve Samson: Okay.

For the ISC, that is negotiated with the Prime Minister, and then the ISC will lay its report before Parliament and publish it. You can find their reports on the Internet. That report will say whether or not there were redactions. That's the process for the ISC.

A House of Commons committee will always report in public. There is no facility, I believe, for a solely House of Commons committee to report privately. It will report to the House and publish it. What it might not do is publish the material on which it has relied. It will publish as much as it can, so that people can understand why it's come to its conclusion, but it might redact some matters.

[*Translation*]

Ms. Marie-Hélène Gaudreau: I see.

Madam Clerk, earlier you said that intimidation was clearly a breach of parliamentary privilege. Would you please describe any cases that have occurred in your Parliament that might serve as precedents in the matter before us?

[*English*]

Ms. Eve Samson: I cannot think of one relating to foreign interference, except for the matter of sanctions against U.K. members of Parliament who had criticized China. In that case, it wasn't dealt with as contempt. It was a state-level action, and the response was to make it clear that the Chinese ambassador was no longer welcome, although other members of the embassy are permitted to enter the precinct.

That's the state level. It was not treated as contempt. It's hard to see how it could have been, because it depends on someone being in the jurisdiction, and there is a particular sensitivity about diplomatic staff.

In principle, the House of Commons' powers to take action against them are unlimited. In practice, they are at liberty to leave the jurisdiction, and in exercising those powers, you would invite members to think very carefully about the framework of the Vienna convention, which is supranational law, and about the possible implication for U.K. diplomats abroad.

As I say, that sanctioning of U.K. members of Parliament for what they had said in Parliament was not taken through the contempt jurisdiction.

In terms of intimidation, which was dealt with as contempt, the most recent attempt was somebody saying they would take legal action against a member for what they had said, if they repeated what they had said in the House. Other similar contempts were saying that you would withdraw funding for activities in a member's constituency, or that you would affect selection.

Not much of our case law goes to foreign intimidation.

• (1030)

[*Translation*]

Ms. Marie-Hélène Gaudreau: I'd like you to answer my next question with a yes or no.

Under your procedures, or the protocol in place in your Parliament, is it possible to avoid disclosing the fact that a member has been the victim of intimidation or threats? Yes or no?

[*English*]

Ms. Eve Samson: Yes.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Good. Thank you.

[*English*]

The Chair: Ms. Samson, I think that was the first time that somebody was asked a yes-or-no question and we received it. That was excellent. Thank you.

Mrs. Blaney, you have six minutes.

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you so much, Chair.

I thank the witness for being here with us today. Thank you for having this discussion about a challenge for many different levels of other governments across the planet that are looking at this new view. Of course, you in your role have to figure out the procedure within the House. I appreciate very much your dedication and work.

One of the things that we are really seized with in this process that we're going through around foreign interference in our elections and how it directly impacts some of the members of Parliament in our system is trying to figure out how to get information shared with us in a way that we can access some of it, while also recognizing that we have to respect top secret information and, of

course, making sure that we keep our partnerships strong with different countries that share information with us.

One of the questions that I have, and I believe you talked about it a bit with one of the previous questioners.... Can you share anything with us on how information is shared when it is very top secret within your system?

Also, is there a history of any other department within the House of Commons taking information—for example, for us, it would be from CSIS—and reviewing it?

The example I am thinking of, particularly here in Canada, is we have had an offer for the law clerk within the House of Commons to receive the information and review that information, and their office will decide what should be redacted and what should not be. We've heard several testimonies that that is not the safest way to go forward because, of course, the people who are enmeshed in the work are the best people to do the redactions.

I'm wondering if you have ever seen that happen within the system that you're working in.

Ms. Eve Samson: I think I can answer generally about confidential information. I can't answer about particularly security classified information, except to say that, yes, some of our committees get it. They handle it safely, but there is always a problem—and I'll be brutal about this—about sharing information with a committee. Any one of its members can stand on the floor of the House of Commons and reveal secret information without any comeback. That is the consequence of article 9 of the Bill of Rights. It's very important.

That isn't a barrier to information sharing where there's trust, but it does mean that trust is very important. That does explain why the ISC, which is the committee that does get the most high-level information, is so constrained and why there is such a strong statutory constraint about what it can have. I should say, by the way, that the ISC is not headquartered in the House. It's headquartered over within government buildings, which helps to keep the matters secure.

Turning away from classified information and to information that committees have received, I mentioned there have been orders passed for the government to put papers into the hands of committees. Those committees have agreed protocols and, indeed, the Committee of Privileges, which I was very close to on another matter, agreed to a very similar protocol for the handling of those papers. They were to be kept secure. They were to be accessed by members only in individuated conditions. No electronic devices were allowed. Notes could be made on the papers. Each member had their own set of papers, but they couldn't be kept. They couldn't be taken away from the room. There would be a record of who had accessed the papers. While the two committees in question reserved the right to publish the papers, they said they would consult the government before they did it. That is how we would do it. It also required having a very strong upgrading of the House of Commons safes.

It can be done, although I should stress that these were not top secret papers. They were papers that the government considered commercially sensitive. Where there were criminal investigations going on, the committee respected those terms.

I'm not sure I have very much else to add to that after thinking about it.

• (1035)

Ms. Rachel Blaney: Thank you for that.

I only have a few seconds, so this is my last quick question.

I know that here, of course, when an MP is elected, they get training on different aspects of being a parliamentarian. I'm just wondering if there is any expansion of training, through the House, on how to identify if foreign interference may be impacting you.

Ms. Eve Samson: We are doing a great deal more on security briefing than we used to. I'm not familiar with the details of that briefing, but one of our problems.... We're very worried about the physical threat to members before you get on to foreign interference, so I'm sure we'll start by focusing on that.

The Chair: Thank you.

There is just under five minutes left on the clock. I am going to ask if this is suitable—and if it's not suitable, you don't have to say anything, but just show me your displeasure with what I'm saying.

Mr. Nater just has two minutes of questions. We could then go for a vote and then give two minutes to Mrs. Romanado and a quick question before noon, if that's okay. If somebody has to go to vote, you're welcome to go. If something were to happen, I will commit to suspending the meeting right away. Perfect.

Mr. Nater, you have two minutes.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Madam Chair.

Thank you, Ms. Samson, for joining us today, and I might offer our congratulations as well. I understand that you've been named a Commander of the British Empire on the King's birthday honours list. On behalf of your counterparts here in Canada, congratulations.

I wanted to follow up on Ms. Blaney's comments about some of the processes for the production of papers. Like the U.K., our committees have that authority to command papers as part of the grand inquests of the nation, but I wanted to follow up because you talked about some of the procedures that could be in place.

In a situation where a commitment is made around a committee table that the government would be allowed to redact certain documents, to withhold certain information, I was curious to know whether there would be a parliamentary double-check, so to speak. For example, in Canada we have a law clerk. I believe the counterpart would be the Speaker's counsel. Would there be an opportunity for the Speaker's counsel—or, in our case, the law clerk—to verify information that might be redacted, that might be withheld, along certain parameters that the committee or the House might set?

• (1040)

Ms. Eve Samson: This has come up in my experience about matters which aren't secret, so I'm not sure how helpful my answer will be.

I think the committee itself will take a judgment. If it is the names of junior civil servants, it will not mind. If they think there might be something more contentious, they will press for it.

For example, the Committee of Privileges has recently done an inquiry into the conduct of the former prime minister and asked for the notes of an inquiry into parties or the interview notes. They were provided at first in a redacted form, and the committee spent several months pressing until the government produced them unredacted. I think the answer is that the committee will look and take a sense check of the sorts of things that have been redacted, but, for example, the House will delegate certain things to officials.

For example, if there are police searches on the parliamentary estate and there is an issue about whether the police wish to look at privileged papers, the clerk of the journals and the Speaker's counsel together have helped the police assess the material to say, no, that's privileged, or, yes, that looks like it might be a personal paper, you can have that. There is some analogy for clerk or law clerk involvement.

The Chair: Thank you.

What I'm going to do, as we are approaching the vote but the walk has to take place, is go to Mrs. Romanado for two minutes.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Madam Chair.

Through you, I'd like to thank the witness for being here with us.

I want to pick up on something you said earlier: that when there were actions regarding sanctions, the action taken was state-level action rather than contempt. Then, when you did have to deal with a question of intimidating an MP, could you quickly walk us through how we would be able to determine if a member's privilege was breached if they were not aware of the intimidation tactics?

That's what we're discussing today. We're trying to determine whether or not MP Chong's privilege was breached based on intimidation through a foreign state actor, but MP Chong has testified that he was not aware of it, so we're trying to determine whether or not there was a breach of privilege.

If you have any expert advice in this regard, it would be most welcome.

Ms. Eve Samson: There was a similar case, or an analogous case, where the Sussex police took action against a member for what he'd said in the House. They issued the member with a protection...a notice designed to stop harassment, and that was held to be a contempt. The member knew it was used to.... It was designed to stop him doing it again. But at the same time, the police had recorded I think a complaint about the member's alleged racism and they'd done it privately, and that was held not to be a contempt, because the member didn't know so he couldn't have been intimidated or impeded. I can send your clerk the link to the report.

Mrs. Sherry Romanado: That would be most welcome, actually, because that's kind of what we're dealing with: whether or not someone's privilege was breached if they were not aware.

Thank you.

Ms. Eve Samson: I think, if you look what a contempt is, it's not just something that does impede a member. It's something that has a tendency. I think you might want to reflect on whether knowing that it might have happened....

Obviously, you can think about anything. You can scare yourself that there's a tiger in the canopy of your double bed. If you know that something is likely to have happened, then you might be getting on to the tendency angle.

Mrs. Sherry Romanado: Thank you so much.

The Chair: Ms. Samson, thank you so much for your time.

We are just going to pause to vote. The vote is live for anyone using the app.

If it's suitable, do you mind sticking around for about 15 minutes?

Ms. Eve Samson: This is very familiar to me.

Some hon. members: Oh, oh!

The Chair: Okay, perfect.

What we will do is have Madame Gaudreau and Ms. Blaney just get in some quick questions. Then we'll do the switchover.

I will just note that we know that you are the expert when it comes to privilege in the House. I think we're trying to figure out where there are abilities in how you operate. We do appreciate your broadening the scope of your expertise. This is just where members are coming from.

We'll be right back. Stay tuned. Thank you so much for waiting.

The meeting is suspended.

• (1040) _____ (Pause) _____

• (1100)

The Chair: Hello, everyone. We're going to finish this panel with a quick question by Madame Gaudreau, followed by Mrs. Blaney.

Madame Gaudreau.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you very much, Madam Chair.

My last question is very simple.

You said at the outset that you've seen how we operate. So I'd like to give you a chance to make a few suggestions for changes that we could make to the way we work.

How can we improve?

[*English*]

Ms. Eve Samson: Is this about foreign interference or about the...?

I do not know whether the Canadian Parliament has a security department or how that operates. We have, over the years, had great increases in the capability and professionalism of our security department. It was always helpful. I think that having an informal—"informal" is the wrong word—or a very capable security department is the key to it.

However, as a procedural and privilege expert, I'm not sure I can tell you too much about it, except that has vastly increased my peace of mind.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you.

[*English*]

The Chair: Thank you.

Mrs. Blaney.

Ms. Rachel Blaney: I have the last question for you today, and again, thank you so much for being here.

Quickly, you talked about your security department. Here, of course, we have similarly the Sergeant-at-Arms. One of the changes we have made concerning foreign interference—or that is in the process of changing, I should say—is more connection with the Sergeant-at-Arms, who will connect with the members of Parliament and let them know whether they are being targeted for anything specific around foreign interference.

I'm wondering if you have a similar process and how that is effective or whether there are any concerns.

Ms. Eve Samson: Before giving evidence, I discussed with Alison Giles about her remit and my remit and what should be said in public. I think, if I may, I will suggest that when you see Alison, you ask her.

Ms. Rachel Blaney: Thank you.

The Chair: We really want to thank you for your time and attention today, Ms. Samson.

I know you will be sending some information to our clerk. We will have that translated in both official languages and circulated around. Should anything else come to mind, please do not hesitate to reach out.

Once again, on behalf of PROC committee members, thank you for your time and attention today. We wish you a good rest of the day.

With that, committee members, we will suspend to do the quick switchover for our next panel.

The meeting is suspended. Please don't go far.

• (1100) _____ (Pause) _____

• (1105)

The Chair: Good morning, everyone.

We are going to call the meeting back to order.

On our next panel, we have Mr. Ward Elcock, former director of the Canadian Security Intelligence Service; and from The Bureau, Sam Cooper, investigative journalist.

You will each have up to five minutes for an opening statement.

Mr. Cooper, we will start with you. Welcome to PROC.

Mr. Samuel Cooper (Investigative Journalist, The Bureau): Thank you. It's an honour to be called to testify.

My name is Sam Cooper and I am now reporting for my own journalism platform, The Bureau. The Bureau's first two stories are relevant to your examination today of information I reviewed in documents regarding Beijing's "Threatening Canada's elected officials to deter criticism".

First, I wish to inform the committee of how I collected knowledge on these matters in the past decade. While covering foreign investment in Vancouver real estate, I started researching foreign interference in connection with the public statements of former CSIS director Richard Fadden in 2010.

In September 2014, for The Province newspaper, I authored a story entitled, "Is China influencing B.C.'s municipal politicians?" The story, using access to information, examined CSIS documents.

In March 2015, for The Province, I authored another story entitled, "Chinese police run secret operations in B.C. to hunt allegedly corrupt officials and laundered money".

I believe these stories provide historical context for this committee.

Now I'll go to the 2021 federal election.

I'll quote from now-public information in my June 17 article for The Bureau, which was an extended interview with MP Erin O'Toole.

In the published interview, I told Mr. O'Toole:

I've reported about this January 2022 Privy Council Office intelligence report, sourced from 100 CSIS reports...what the document said, is that a "small number of MPs in the 2021 election reported concern for their families, their privacy, their reputations, and their reelection chances, as a result of targeted CCP activity."

Mr. O'Toole answered:

...that's very troubling to hear. I'm not surprised, because when I was briefed on the examples of intelligence that were shared with me.... And some of the activities were so intense in the Greater Toronto Area and the Lower Mainland of

British Columbia, it would not surprise me if people were followed. Tabs kept on people, intimidation, voter suppression.

I questioned Mr. O'Toole again, saying:

I learned from sources aware of CSIS investigations in 2021, that CSIS officers found that Chinese officials in Toronto were following one MP during the campaign.

They were also allegedly approaching voters in relation to this candidate. And CSIS found this activity, I was told, coordinated and alarming.

Mr. O'Toole answered:

Well, that seems to coordinate or correspond completely with the fourth element that I included in my speech in the House of Commons.

Which is one clear example of voter suppression in a riding in Canada.

Finally, I'll quote from the preamble to my interview with Mr. O'Toole in my article. In it, I explain that I personally received a CSIS threat brief in 2021 after my book on Chinese foreign interference in Canada was published.

I wrote this in my June 17 article for The Bureau:

So, a CSIS officer met me in Ottawa.... I was told that Chinese security agents in Canada are dangerous. And they were tasked to look into my background, study the impact of my book, and to discover my reporting sources.

I believe this information provides important context for the committee on the Chinese Communist Party seeking to influence or intimidate journalists in the same way it seeks to influence or threaten Canadian politicians.

I look forward to your questions, but I am sure the honourable members understand I take the protection of my sources very seriously. Please understand I cannot answer questions about identifying confidential sources, or speak about editorial or legal processes regarding my prior reporting.

Thanks.

• (1110)

The Chair: Thank you.

Mr. Elcock, welcome to PROC. The floor is yours.

Mr. Ward Elcock (Former Director of the Canadian Security Intelligence Service, As an Individual): Madam Chair, thank you very much for the introduction.

I don't have any prepared remarks, but I'm happy to try to answer any questions members may have. Obviously, I am still subject to security of information legislation, so there are limits to what I can say, even from my memories.

The Chair: That's very concise. Thank you for those comments.

We will enter into six-minute rounds, starting with Mr. Cooper and followed by Mr. Turnbull.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Thank you to the witnesses.

I will direct my questions to Mr. Cooper—no relation.

You reported that Beijing's Toronto consulate directed clandestine funding through proxies in the 2019 election.

Can you elaborate on how this scheme worked?

Mr. Samuel Cooper: Again, I'm going to have to be very within the lines of the reporting that I did, and not speak to the collection of sourcing, whether it be from persons with awareness of investigations, or persons with awareness of the January 2022 Privy Council Office special report sourced from 100 CSIS reports.

I have commented that this document, according to my understanding, is sourced from investigations that started in the Toronto area in January 2019. The document very clearly states that, from my recollection, the Toronto consulate directed clandestine funding into an election interference network.

As members know, the story has had great impact. We're here today because of that story. I do need to not speak very freely about the sourcing or the methods that I understand. I need to stick to, simply, the stories, which speak for themselves.

• (1115)

Mr. Michael Cooper: I recognize that, but the Prime Minister, in response to your reporting, has repeatedly claimed that he was never briefed about both candidates receiving money from China. Now, it's my observation that that statement is very carefully crafted and deliberate, because it seems to me to be unlikely that Beijing would simply transfer funds directly to a candidate and that the scheme would be significantly more elaborate than that.

Based upon the intelligence you reviewed, did Beijing indirectly fund candidates in the 2019 election through this clandestine network?

Mr. Samuel Cooper: Before answering your question, I'll refer back to.... I know members paid close attention to the speech by MP Erin O'Toole. From my recollection, on his CSIS threat briefing, he spoke of concrete funding of a misinformation product through the United Front Work Department directed from Beijing. From my understanding of his speech, funds were paid in Canada to fund a misinformation product. Essentially, from my understanding of his speech, it was to attack Mr. O'Toole's reputation.

It's fair to say that, conversely—and I've explained this in a number of interviews about my reporting—Beijing uses carrots and sticks. If we're talking about the concrete funding of a misinformation product, a stick to attack a member of Parliament, it is very reasonable, and according to sources with awareness of the investigations, to understand that the consulate was also directing funds into an election interference network comprising many different types of individuals. It comprised, from what I understand from having read in a Privy Council Office intelligence assessment, media entities who were controlled by the Chinese Communist Party.

Did Beijing fund candidates? It's my understanding it funded a network, which was directed to support Beijing's preferred candidates.

As member O'Toole told me in my interview for the first story, he wasn't going to speak to the exact methods of transfer. I don't know if CSIS has visibility on exchanges, physical exchanges, such as wire transfers. Perhaps Mr. Elcock can clarify that.

Technology has advanced, but I know that CSIS both has and studies FINTRAC records. I believe and understand that FINTRAC records will provide revelations on direct methods of transfer and where money went.

Mr. Michael Cooper: Mr. O'Toole did cite, essentially four ways in which Beijing interfered in the 2021 election. Based upon your review of intelligence relating to the 2019 election, is it accurate to say that the same or similar methods were employed?

Mr. Samuel Cooper: I believe it's accurate to say that the United Front Work Department has a very large and sophisticated network of community proxies. I just reported, in my first story for The Bureau several days ago, citing the NSICOP 2019 foreign interference review, that the consul general in Vancouver, round about 2015, boasted of controlling over 100 community groups.

I have written a number of reports pointing towards the control of community groups and community leader proxies to support certain candidates. This support can come through, according to the documents I read, funds for media and logistical support.

The Chair: Thank you.

Mr. Turnbull.

Mr. Ryan Turnbull (Whitby, Lib.): Thanks, Madam Chair.

Thanks to the witnesses for being here today.

Mr. Elcock, I've been paying particular attention to some of the interviews you've been giving in the media over the course of the past few months. There have been many times when I've thought the remarks you've made have been quite insightful on matters of foreign interference.

One thing in particular that you've said multiple times is that you felt that these intelligence leaks over multiple months have been kind of a slow drip and that they were likely politically motivated. Can you explain why you would say that?

• (1120)

Mr. Ward Elcock: In trying to determine who the leaker is, one alternative is that there was a political motivation. I can't be certain about that because I obviously don't know who the leaker is. At this point, as far as we know, nobody knows who the leaker is. Certainly that would be a possible motivation.

It has been striking, throughout the process, however, how the information flow was managed. I assume it was not dripped out to the news media or to the various reporters who had the information, but that it flowed over a shorter period of time. However, has been very carefully dripped out to keep the story going as much as anything, perhaps. The idea of political motivation is hard to avoid.

Mr. Ryan Turnbull: Thank you.

Mr. Cooper, I'll turn to you now.

On March 22, you published an article with the headline, "Liberal MP Han Dong secretly advised Chinese diplomat in 2021 to delay freeing Two Michaels". Do you stand by this headline?

Mr. Samuel Cooper: I don't write the headlines, but I stand by the story. I know that Global News stands by the story. There is a legal procedure under way.

The story speaks for itself and the statement of defence speaks for itself. The story stands.

Mr. Ryan Turnbull: Despite the fact that the article used the term "allegedly" at least about 10 times, the newspaper chose to frame the headline excluding that language in the headline. Was that done on purpose?

Mr. Samuel Cooper: I said at the outset that I won't speak to editorial processes or legal procedures, but I can assure the honourable member that legal vetting and editorial vetting of these stories is extremely rigorous. That's all I'll say about that—

Mr. Ryan Turnbull: Why didn't you include "allegedly" in the headline, Mr. Cooper?

Mr. Samuel Cooper: This is a matter for editorial procedures and legal vetting procedures.

Mr. Ryan Turnbull: Did you review the transcript of the supposed conversation between MP Dong and the consul general?

Mr. Samuel Cooper: I told the honourable member at the outset that I'm not going to speak to editorial processes, identification of sources or legal procedures around this story. I'll repeat it again.

Mr. Ryan Turnbull: Thank you.

Will you table the supposed transcript, which does exist, as we've learned from the Right Honourable David Johnston's report? If you have or haven't reviewed that—I understand you won't talk about it—will you table the transcript with this committee please?

Mr. Samuel Cooper: I didn't prepare any materials around that question. As I told the honourable member, I'm not going to speak to materials—

Mr. Ryan Turnbull: You can send it in later, Mr. Cooper, if you'd like. We'd be happy if you would table it with the committee. Will you table it with the committee?

Mr. Samuel Cooper: Going back to my introduction, I'm not going to speak to editorial processes or legal processes around prior stories.

Mr. Ryan Turnbull: Global News has actually put in a statement that it has not confirmed the allegations in the story. The Globe and Mail refused to run a similar story because it couldn't verify the claim that was made in that story.

What I'm interested to know is, based on the fact that these were allegations—in the statement of defence, Global News also says that these were allegations and not meant to be taken as fact—how could you, with any degree of journalistic integrity, publish an article that is based sheerly on unfounded allegations?

Mr. Samuel Cooper: The article is based on....

Going back to my opening statement, for the honourable member, I'll reiterate it. The story stands. I will not speak to the identification of sources. I will not speak to editorial processes. I want the member to remember that I will not speak to legal processes surrounding this story.

Mr. Ryan Turnbull: Thank you for that.

Mr. Cooper, the Canadian Association of Journalists has ethics guidelines that state:

We seek documentation to support the reliability of these sources and their stories, and we are careful to distinguish between assertions and fact. The onus is on us to verify all information....

Do you agree that this is the ethics guideline that you should be following as a journalist?

• (1125)

Mr. Samuel Cooper: The story stands, and we're here today because of a body of reporting.

I'll remind the member that I said I'm not going to speak to editorial processes—

Mr. Ryan Turnbull: Is that a "no" then; you don't believe that you should follow the ethics guideline for your own profession?

Mr. Samuel Cooper: The answer, honourable member, is that the story stands and the body of works stands. We are all here today because of the body of work—

Mr. Ryan Turnbull: Okay.

We all read the headline that it was demonstrably false, sir.

The Chair: I'm going to pause to remind us that one person speaks at a time.

Mr. Cooper, I know you're not a stranger to how committees operate. There is sometimes repetition around here. Sometimes it works, and sometimes it doesn't. Members do have the time. If we can have a clear exchange back and forth, because the work that we're doing is important work....

This is a reminder for one person to speak at a time, because it helps with the record and interpretation.

Mr. Ryan Turnbull: Thank you, Madam Chair.

The national security and intelligence adviser, the Right Honourable David Johnston, the director of CSIS, deputy ministers and ministers all confirm that the headline that you published as part of that story was demonstrably false.

Did you knowingly mislead Canadians?

Mr. Samuel Cooper: The story stands. The editorial procedures and the legal procedures around that story are the subject of a legal procedure, as you know. At the outset, I told the honourable member that the story stands and that I will not speak to editorial processes or legal procedures regarding my prior story.

The Chair: Thank you.

[Translation]

Ms. Gaudreau, you have the floor for six minutes.

Ms. Marie-Hélène Gaudreau: Thank you very much.

Madam Chair, I'd like us to take a closer look at the motives and questions that were considered.

So my questions are about the motivations that result in an article, in a story that was revealed in November 2022. I'd like to hear what you have to say on the subject.

[English]

Mr. Samuel Cooper: If I understand the question, it's about what is the editorial or vetting process, or the motivation of a journalist to report on....

Could you rephrase that, please?

[Translation]

Ms. Marie-Hélène Gaudreau: I'm talking about the subject.

In the context of your work, what are your reasons for conducting an investigation on this subject, for taking an interest in it.

[English]

Mr. Samuel Cooper: As I said in my opening statement, after hearing and researching and filing access to information requests regarding former CSIS director Richard Fadden's very public statement, I was working in Vancouver at a major newspaper, and I was seeing and hearing about activities related to financial crime that started to appear, possibly, to feed into foreign interference-type activities. The motivation for me started over 10 years ago to understand, essentially, public interest questions that were very current. These were matters that people in Vancouver wanted to know about.

I completed a body of reporting in Vancouver. I then landed in Ottawa, as it were. My motivation at that time was that I understood that this is the seat of power in Canada. Decisions taken around foreign investment matters of laws that CSIS and the RCMP are regulated by, and whether foreign actors can be prosecuted or can freely operate.... This was my motivation.

As I've explained, I do a number of podcast interviews about some of my stories and especially my book. My book, which is called *Wilful Blindness*, delves into the connectivity.... I know you've heard from Commissioner Duheme recently. He was recently on *60 Minutes Australia* and said that he—that is, the RCMP—was seeing connectivity between organized crime and...directly up to the Chinese state. This is the subject matter of my book.

Making findings in my book led to more information, if you will, coming to me in Ottawa. When I found this new information, and how laws have not been changed so that the Government of Canada can really find connections to foreign agents, connections that are

easily found now in the United States, as we see in the so-called 110 police station prosecutions.... My first story quoted a CSIS officer's saying that, at this point, "it's just CSIS telling...politicians, 'Hey, be careful out there.'" There are no laws and regulations that allow, really, a firm deterrent, prosecution or investigation even.

• (1130)

[Translation]

Ms. Marie-Hélène Gaudreau: Madam Chair, I know my next question is quite sensitive, but I'm sure Mr. Cooper can answer it.

When your sources confirmed or disproved the information, what were their motives? Surely there was something that urged them to talk to you about them.

What do you think motivated those sources to provide you with that information, which led you to delve more deeply into the subject and to write an article?

[English]

Mr. Samuel Cooper: It's a very simple answer. Again, my book, *Wilful Blindness*, really grew out of disclosures from a casino anti-money-laundering official named Ross Alderson. He was very concerned about the activity he saw. His view was that there was "wilful blindness" on the part of British Columbia's government with regard to the lack of prosecution against transnational crime and money laundering.

I understand that people in Ottawa, people in other jurisdictions, including the United States.... I've said that people in the Pentagon were interested in my book. There are officials at a high level who understand what's happening in Canada, and there are whistle-blowers who don't believe that adequate laws are in place to investigate and prosecute foreign interference. This can be the type of motivation for sources: simply national security and patriotism.

[Translation]

Ms. Marie-Hélène Gaudreau: I unfortunately have little time left, and I'd like to ask Mr. Elcock a question.

Mr. Elcock, I believe you served from 1994 to 2004. What were the directives of the prime ministers and ministers concerning interference, intimidation and threats? I know you can remember that because you were there for a long time.

[English]

Mr. Ward Elcock: Madam Chair, in response to the honourable member's question, it's a bit of a challenge to make a short answer. The issue of foreign interference is really just espionage. It is a subset of espionage involving sometimes not necessarily intelligence services but foreign actors.

We treated it then as it is largely treated now—as espionage, attracting counter-espionage programs on the part of the service, I'm sure, even today and back then as well. Those contained specific directions to provide information to people who knew that the reality was that CSIS was established to provide information to the government itself and was, in fact, specifically enjoined from providing it beyond the government. Giving threat briefings to people was very complicated then. It still is relatively complicated now, although there are some new directions that allow perhaps more flow of information.

[*Translation*]

Ms. Marie-Hélène Gaudreau: I'll ask my other questions during my second round.

Thanks very much.

[*English*]

The Chair: Thank you.

There are bells ringing. I'm going to go with the same approach as earlier, unless we come to a different conclusion, and just keep us moving in this meeting.

Ms. Blaney, you have six minutes.

Ms. Rachel Blaney: Thank you, Chair.

Of course I thank the witnesses for being here.

I'm going to start by asking a question or two to Mr. Elcock. Thank you again for being here.

We've heard a lot of testimony over the last several months and we also have heard very clearly from Canadians that they're worried about what's happening in terms of foreign interference and what that means for our democracy. Of course, my major concern is that if Canadians lose faith in their institutions, it becomes very hard to do the things we need to do in a safe way.

We've heard a lot of testimony from ministers about not knowing that certain MPs were being targeted or about how that information was provided but they didn't receive it in a timely fashion. It just doesn't seem to make any sense.

I'm just wondering if you have any thoughts, given your time serving in that role, about communication processes and if you had any concerns at that time about making sure that people had the right information to make decisions they needed to make at those levels.

• (1135)

Mr. Ward Elcock: Madam Chair, in response to the honourable member's question, it's rarely hard for intelligence services. Once they get beyond the idea that you're collecting secret intelligence and you've decided you have to share it, most intelligence agencies want to share intelligence information with higher levels of government. The problem in this country—and that's across pretty much all levels, whether we're talking about Parliament, about government, about the bureaucracy or whatever—is that we're not a country that has much concern about national security.

Most Canadians have very little concern about national security and have had little interest over the years. It's not surprising then

that sometimes the flow of information beyond the intelligence agency is not as good as it should be if people have no interest.

Unless we build more of a culture of national security—we don't necessarily have to rise to the level of our neighbour to the south, which is a little more obsessed with the subject—and both Canadians and government at all levels develop a broader understanding of national security issues and care more about them, then the reality is that the flow of information will not happen because nobody is really interested.

Ms. Rachel Blaney: Thank you for that.

The current CSIS legislation says very clearly that if an MP is targeted, it's really up to the minister to decide what information is given to members of Parliament.

Of course, we know there has been a change to that process, through a ministerial directive, but I'm still concerned about that. In your view, is it time for us to review that section of legislation, and is there a better process to review it into a more regulated format?

Mr. Ward Elcock: Madam Chair, I think one can over-complicate the issue of providing flow of information. There are challenges to providing information to anybody beyond the service, because what you're talking about is counter-espionage operations, which are very sensitive and very difficult, so the disclosure of information that discloses the existence of investigations is complicated.

The flow of information to members of Parliament really ought to be couched around the level of risk and whether there is a real level of risk. If there is a real level of risk, then information should flow in some way. For example, it was not a minister or a member of Parliament, but there was a murder recently in British Columbia and there was a report in the paper that there was a threat briefing for that individual from CSIS. There were obviously death threats in respect of that individual. That's very serious and at that point you clearly want to try to make sure information flows.

Whether all information about all levels of foreign interference needs to flow is a big question, and I doubt very much whether it's in the interests of counter-espionage operations for all of that information to flow in order to protect those operations.

Ms. Rachel Blaney: Well, another discussion we've had here is around education and having broader education for Canadians on the whole, so they better understand what foreign interference could look like and at least have that critical thought.

You talked about building a culture of concern.

Do you think that education of members of Parliament, all levels of government and everyday Canadians would be a key part of that process?

Mr. Ward Elcock: The hope, Madam Chair, on the part of many people in the intelligence and national security community was that talking more about issues of national security would cause people to care more about it. I suspect that probably doesn't really happen. I suspect it requires something more like the current discussion. Although I don't like the way in which it has happened and it's entirely inappropriate, it clearly has stimulated some discussion. Unfortunately, I think some of it has been overly mired in politics, and partisan politics in particular.

• (1140)

Ms. Rachel Blaney: Thank you for that.

When you talk about a culture of concern, how do we create that? What's your opinion on that?

Mr. Ward Elcock: Madam Chair, I think the way to create that is ultimately for Canadians to have an interest in national security issues, to pay attention to those issues and to demand that their elected representatives also pay attention to those issues.

In my view, elected officials are wise people. If they know that the average Canadian doesn't care about national security, I suspect there are not many elected officials who are going to spend a lot of time on national security issues. If Canadians demand that people pay attention to those issues, then there will inevitably be more discussion of them and we will perhaps arrive at a place that most of our allies arrived at years ago.

The Chair: Thank you.

We'll go to the second round with Mr. Cooper, followed by Mrs. Sahota.

Mr. Cooper.

Mr. Michael Cooper: Thank you, Madam Chair.

Mr. Cooper, in your June 15 article in *The Bureau*, you indicate that the NSICOP report from 2019 on foreign interference states "there were important gaps in the documents" disclosed by the PCO to NSICOP.

Are you able to elaborate upon that in any way?

Mr. Samuel Cooper: I have read the documents, and that story you cite included a number of quotations and I would say my very rigorous analysis of the document and the findings. The panel examined 620 intelligence documents, representing over 4,000 pages of material. They noted that CSIS was very forthcoming in disclosures, the RCMP was forthcoming, and Public Safety Canada contributed "little" was the wording.

The quotation I wrote in that story was that there were important gaps in Privy Council Office documents. That was a terse statement, and there was no context beyond that statement. I can make an educated assessment that.... As the honourable members know, the Privy Council Office is there to give counsel on national security matters to the cabinet. If there were important documents missing, it would lead me to speculate that perhaps there were records that would have provided more clarity on what was known about key risks. I can't give the member any more information than that.

Mr. Michael Cooper: Okay. Thank you very much for clarifying that.

You noted in your interview with Erin O'Toole that you'd be reporting more on the Beijing police activities in Canada. You said, "We now have reports of...[Beijing] officials coming into Canada under false cover and acting within these so-called police networks. It's not just about buildings, it's about networks and community meetings."

Can you elaborate upon that?

Mr. Samuel Cooper: Yes, I will be reporting on those matters further, but I think it's fair to share my generalized knowledge today about why my public interest standards are so focused on the issue.

I understand from many years of source disclosure and knowledge—including my own ventures into Hong Kong Canadian, Chinese Canadian and Uyghur Canadian diaspora communities—that there is an unacceptable level of fear within some of these communities about suspected foreign officials coming into Canada.

I reported on a case—again, I'm citing my book—about one of China's most wanted. Back in the late 1990s and early 2000s, a man named Lai Changxing.... There are enough court documents that the members can search his case. I think this context is important. He came to Canada and was engaged in an underground casino, money laundering and criminal activities. He was also, as evidence showed, quite connected to the various sectors of the Chinese security and intelligence apparatus, yet he got on the wrong side of some people in Beijing. They pursued him with police agents from the Ministry of Public Security and a special unit that came into Canada under false business visas.

I understand this activity has accelerated since 2015 in Canada. We now know of the police stations because of safeguard defenders, but it's about community networks with, my sources say, feared people acting with officials from China to question and intimidate people in the community.

Again, it's not about six or seven known buildings in Canada, as the safeguard defenders say. This is about networks and the flow of communications between the Ministry of Public Security and, as we see in the indictments in the United States, proxies who live, work and do business in communities. That's what I am concerned about in cities, including Toronto and Vancouver.

• (1145)

The Chair: Thank you.

Go ahead, Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Madam Chair.

Mr. Cooper, I want to give you the opportunity to clarify the question, again, regarding whether, before writing your first article, you reviewed some sort of transcript or listened to a tape.

I know you said you won't be speaking to legal proceedings or editorial decisions. Of course, we don't want you to reveal sources, but I believe that's a question you should be able to answer: whether you reviewed or read a transcript before coming up with the story on Han Dong.

Mr. Samuel Cooper: I'm sorry. Which story are you referring to?

Ms. Ruby Sahota: I'm referring particularly to the allegations regarding the member for Don Valley North.

Mr. Samuel Cooper: With apologies to the honourable member, I can say that I reviewed documents and spoke with sources with knowledge of the high-profile and sensitive investigations started in 2019, but I can't speak further to the nature of editorial and legal procedures surrounding that particular story.

Ms. Ruby Sahota: Was that document a transcript?

Mr. Samuel Cooper: I'm not going to answer that, because, as I said, I won't speak to editorial or legal procedures in detail surrounding stories. The story speaks for itself. We're referring to a story that is the subject of legal activity. The filed statement of defence speaks to all the information you will get on that.

Ms. Ruby Sahota: Global News's legal statement says they were, in particular, allegations and not factual findings.

Would you agree with this, Mr. Cooper?

Mr. Samuel Cooper: The story is in regard to information from sources who make allegations. It's very clear that there have been no prosecutions or findings of fact regarding that story or any of the matters we're here speaking about.

Ms. Ruby Sahota: The issue that I have—

Mr. Samuel Cooper: If the member would let me finish.... We are here today in a very generalized way, because we don't have a foreign interference registry. We have recommendations in NSICOP 2019—

Ms. Ruby Sahota: I think I have my answer. Thank you, Mr. Cooper.

Mr. Samuel Cooper: Please let me finish. This government studied—

The Chair: Once again, I know that everyone has their purpose. You're always welcome, Mr. Cooper, to provide us with information. We will have it translated in both official languages, but I do need the exchange from member to witness to flow back and forth with no overlap because, at the end of the day, it is the member's time. I will always ensure that witnesses have some time to answer, but you would be just matching the length of time consumed on either end.

We'll go back to Ms. Sahota.

Ms. Ruby Sahota: Thank you, Madam Chair.

We're definitely here today because of a story you published. That's what bring us here, so I really wanted to make it more clear. Do you think you possibly could have gotten it wrong?

Mr. Samuel Cooper: No. This story stands and the legal—

Ms. Ruby Sahota: Okay. Thank you.

Well, the former Governor General stated unequivocally that the member for Don Valley North had not discussed extending the illegal detention of Michael Kovrig and Michael Spavor with Chinese government officials, and I quote:

I have reviewed the same intelligence report that was provided to the Prime Minister relating to [the] allegation

—this is in regard to MP Dong—

which I am advised is the only intelligence that speaks to this issue. I can report the following.

The allegation is false. Mr. Dong discussed the “two Michaels” with a PRC official, but did not suggest to the official that the PRC extend their detention.

This report has caused Mr. Dong, a member of Parliament—and in addition to that, his family and many others—a lot of harm, and perhaps irreparable harm. Do you have any comments to that?

• (1150)

Mr. Samuel Cooper: My only comment is that this story, starting in November 2022, meets the highest standards of public interest and public interest reporting. Referring back to my last attempted answer, NSICOP in 2019 asked this government to look at the Security of Information Act and the CSIS Act and to look into the measures taken in Australia in 2018—

Ms. Ruby Sahota: Thank you, Mr. Cooper. I think our committee will be heading down that direction, so I appreciate that.

I also understand that you mentioned that you work for The Bureau right now. You've talked many times about transparency.

Upon googling it, you can't really find out what the source for The Bureau is. So who funds The Bureau?

Mr. Samuel Cooper: I think I'll have more to say about that, but I can assure the member now that it's not a foreign government or anyone outside of Canada.

Ms. Ruby Sahota: Why can you not let us know, then, where the funding comes from?

Mr. Samuel Cooper: I didn't come here prepared today to disclose what a public interest investigative reporter who's looking into important matters, who may or may not be interested in my reporting—

Ms. Ruby Sahota: I think, though, as a journalist, that you would be interested in knowing whom you work for. You can find out easily with the Globe and the National Post where their funding comes from. Why not The Bureau?

Mr. Samuel Cooper: The Bureau is a subscription-driven platform on Substack. As the honourable members know, Canadian media is changing, and authors and writers such as Terry Glavin are on Substack now. This is about subscribers and—

The Chair: Thank you.

We're going to go for two and a half minutes to Madame Gaudreau, who will be followed by Ms. Blaney.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you, Madam Chair.

I'm going to ask each witness a question.

Mr. Elcock, if you had a chance to speak with the Prime Minister, what would be your ultimate advice to him? You're an expert in the field and you've seen how things work. We've been trying to shed light on the subject for many months.

[*English*]

Mr. Ward Elcock: Madam Chair, I have given advice to prime ministers in the past. I'm not sure that in this case I would know enough to give advice to this particular Prime Minister.

I do think that the government probably could have acted faster on issues of foreign interference, which is a serious issue, although sometimes I disagree with what people see as serious and not-so-serious foreign interference.

Having said that, the reality of much of the reporting.... I think there's some question about whether all the reporting that we in the public and in Parliament have seen is in fact accurate. I think that comes from both the testimony of people before this and other committees and also the report of Mr. Johnston. If the facts on which we are all operating out here in the public are not accurate, then it's pretty hard to give the Prime Minister advice—

[*Translation*]

Ms. Marie-Hélène Gaudreau: My understanding is that we have to act now. We've changed, and all the alert levels have been raised. Now we need to act and to shed light on the situation in order to demystify it. That's the kind of information you would give the Prime Minister.

Isn't it?

• (1155)

[*English*]

Mr. Ward Elcock: In a sense, Madam Chair, I agree with the member's point that—and I said it a second ago—the government probably should have acted on foreign interference perhaps earlier than it has and more determinedly than it has.

Having said that, foreign interference is a very large problem, and most of the discussion, frankly, that I've seen is on a relatively narrow part of foreign interference in this country. There is a lot more to do with foreign interference than I have seen so far in any public discussions. Action sounds simple, but it's not necessarily easy.

For example, a registry makes a great deal of sense, but there are also a lot of views out there, I think, that a registry would solve a lot more problems than it really would. A lot of the problems of foreign interference will not be solved by a registry.

The Chair: Thank you.

Ms. Blaney.

Ms. Rachel Blaney: Thank you so much, Madam Chair.

I'm going to come back to Mr. Elcock.

You just answered my colleague's previous question. You said that it needs to be broader, that the conversation you're seeing so far in the public sphere is too narrow and that the foreign agent registry is not the only thing that needs to happen.

In what way do you think it needs to be in terms of broadening? What are the areas that we should be focusing on, and where do you feel that we're being too narrow in our discussions?

Mr. Ward Elcock: Madam Chair, while I may not agree with everything in or all of Mr. Cooper's reports—news reports, after all, are news stories, not necessarily fact—the reality is that the things we need to do are broader than simply registries. We need more counter-intelligence work because you need to identify all of the activities, which means more funding, probably, for CSIS. We need to be looking at issues like why the Chinese language media in this country largely follows Beijing's line on Ukraine and a variety of other issues. We would not tolerate that with RT in the case of Russia or Russian reporting. Why is it that Chinese language reporting in Canada often follows Beijing's line? Is it controlled by Beijing? Do we know?

There is a wide variety of issues on foreign interference that needs to be engaged in and not just some of the issues that, frankly, have been discussed in committee hearings as a result of a number of leaks.

Ms. Rachel Blaney: Thank you.

I think that brings us back to a really important point, which is that diaspora communities have been coming forward for a very long time and have been talking about their concerns, but are not feeling they are really getting the response they require.

When you discuss this, do you think having better connections with those communities and really amplifying those voices are important parts of our addressing the issues of foreign interference?

Mr. Ward Elcock: Madam Chair, it certainly is important to have close connections to diaspora communities. It is sometimes rather more difficult than the honourable member might suggest, or might appear to suggest, in a sense that many parts of the community are unwilling to come forward and to have discussions. Some parts of the community actually share the views of the foreign country.

This is not an issue that is going to be easily resolved overnight.

The Chair: Thank you.

We are at three minutes of bells left. Do we need another round, or are we...? Do you want one more round? Yes

What we're going to suggest to Mr. Cooper and Mr. Elcock is that we will have our vote, and then we'll have up to 10 minutes for members to return to this room. We'll just do one more quick turn. We'll finish this round, with five minutes for the Conservatives and five minutes for the Liberals, and then we'll get into our committee business. Is that okay?

Thank you.

The meeting suspended. Please stay tuned.

- (1155) _____ (Pause) _____
- (1220)

The Chair: Good afternoon, everyone. I'm calling the meeting back to order.

I would like to thank Mr. Cooper and Mr. Elcock for waiting for us while the vote took place.

[*Translation*]

Mr. Berthold will now have the floor, followed by Ms. Romano.

Mr. Berthold, you have the floor for five minutes.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you very much, Madam Chair

Thank you for being with us today, Mr. Cooper and Mr. Elcock.

Mr. Cooper, today we can see that the Liberals, who have been the party in power for nearly 8 years, have desperately been trying to undermine your credibility since your article appeared on November 7 last. They very promptly denounced the article and denied the affair. As we saw again today, they attacked the messenger rather than the problem that you had revealed in your article.

And yet, on May 3, 2018, world press freedom day, the Prime Minister claimed we should celebrate the work of journalists around the world in order to protect democracy. He said, "Canada will always defend journalistic freedom and stand against any violence, intimidation, censorship, and false arrests used to silence journalists."

Mr. Cooper, other journalists have followed the story since your article appeared. Pieces of information were confirmed over time, and a diplomat was expelled. The existence of the memorandum was confirmed, and Chinese police stations were disrupted, although we don't know whether they've been shut down.

We have learned that some MPs, Michael Chong, Erin O'Toole and Jenny Wai Ching Kwan, were targeted by Beijing. Since the Minister of Public Safety raised the ban on revealing the facts to the members targeted by the Beijing regime, CSIS has informed the members of the threats weighing against them.

In the interview that you conducted with him and in his speech to the House, Mr. O'Toole confirmed the existence of a Beijing-funded network to interfere in our elections.

We've learned that the ministers or the Prime Minister have disregarded CSIS's briefings.

We've had a special rapporteur, who proved to be more special for his links to the Liberals than for the relevance of his findings. He has now resigned.

Despite all the articles published on the subject, and in spite of your book, it seems clear that the Liberals don't have the slightest intention to shed light on foreign interference in our elections.

Mr. Cooper, what are your observations regarding the relevance of an independent public inquiry into the Beijing regime's interference in our elections?

[*English*]

Mr. Samuel Cooper: As I said in my opening statement, my knowledge is that a special report by the Privy Council Office in January 2022 cited Beijing as threatening MPs who are critics of the Chinese Communist regime, so I do think that MP Erin O'Toole, in his speech in Parliament, in my view, accurately reflected that this is a growing, novel, expanding threat run through the Chinese Communist Party's United Front Work Department that seeks to egregiously control and intimidate diaspora communities.

In my opening statement, I also said that, because of my groundbreaking book about the Chinese Communist Party's interference networks, I myself, a journalist, received a CSIS defensive threat brief in 2021, the same time period when other MPs, we've learned, were subjects of disinformation in WeChat Channels. MP Erin O'Toole said that these were funded through the United Front Work Department, so the threat to Canada, in my view.... It's not my view; it's an NSICOP 2019 review's position that Australia and Canada are being attacked in almost the exact same manner.

Yet Australia, in 2018, due to a media report about two PRC-linked donors who had funded about \$7 million Australian to the three major parties, allegedly implicated an Australian senator. The media furor that followed, that is, the public discourse that followed those media-leaked disclosures led to the new Australian counter-interference laws.

There was similar activity in the United Kingdom after a very firm disclosure about an individual with the United Front Work Department funding parliamentarians in Britain. They have followed up with laws. Canada is facing the same or worse threat, and most concerning, many of our diaspora community members have stated openly that they feel they are not protected.

This is the nature of the threat against journalists, community members and politicians. Most concerning to me—more than anything else—is that Canadians are fearing that they cannot speak openly about matters because a growing power from a foreign state is impacting lives in Canada.

• (1225)

[*Translation*]

Mr. Luc Berthold: Mr. Cooper, I'd like you to tell us whether you think it's appropriate to conduct an independent public inquiry. As we've all seen, matters with the special rapporteur came to an abrupt end, and the reports of the National Security and Intelligence Committee of Parliamentarians have produced no results.

What do you think of that?

[*English*]

Mr. Samuel Cooper: My thoughts accord with many of the experts'. I believe Mr. Elcock's colleague, Mr. Fadden, says that a public inquiry should take place. A number of the witnesses you've already heard from say that a public inquiry will remove the partisan bickering and the point-scoring on either side. You won't have to hear from more journalists who take the unusual step...of being called to testify.

There will be an independent, deep and rigorous public study of not only what happened but also what we can learn from Australia, the United Kingdom, the United States, New Zealand, and other nations, by the way, that are taking this very seriously. There's Germany and Taiwan. We need to learn from others in a public inquiry.

The Chair: Thank you.

Madam Romanado.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

Through you, I'd like to thank the witnesses for being here today.

I'll be sharing my time with MP Fergus, but I just want to make a statement.

Mr. Cooper, you're here today based on your reports. I was really hoping for some answers. Your unwillingness to engage on simple questions and your lack of preparedness to respond to some of the questions is disappointing. I understand that you cannot discuss something that is before the courts, but we've had multiple questions that were very simple in nature.

I just wanted to get that on the record. I was hoping to get some answers, as I take this subject very, very seriously.

With that, I'll turn the rest of my time over to MP Fergus.

Hon. Greg Fergus: Thank you, Ms. Romanado.

Thank you, Madam Chair, and thank you to the witnesses for being here today.

Mr. Elcock, I have a couple of questions for you. Some have called the persons responsible for leaking the information "whistle-blowers". I've also heard you say that you don't consider them whistle-blowers. Can you tell the committee why you don't consider this person or these persons whistle-blowers?

Mr. Ward Elcock: Madam Chair, I think the simplest explanation for that, in my view, is that usually in the case of a whistle-blower, there is some element of disclosure of wrongdoing on the part of the government. In this case, nobody's really alleging that there's wrongdoing. People are alleging that the government should have done more. It's not quite the same thing as wrongdoing.

Just because you get a security clearance, it doesn't mean you have the right to disclose information that's within your charge. Whoever the leaker is, they are, in point of fact, probably guilty of offences against the Official Secrets Act—actually, not the Official Secrets Acts, as I'm going too far back in my time—but the security of information legislation. They're in violation of the legislation and should be prosecuted.

• (1230)

Hon. Greg Fergus: You don't have to apologize for having experience, Mr. Elcock. Indeed, in your experience, when raw intelligence is presented to you, reported to you by women or men in the field or from some of our allies, how do you treat that information? Do you treat that as gospel, or do you treat that as information that needs to be confirmed?

Mr. Ward Elcock: Madam Chair, I'm a lawyer by background. Intelligence is not evidence; it's information. You can give it some more credibility by collecting more information by using other sources and technical methods to confirm the information. At the end of the day, intelligence is simply information you've received of whatever credibility you can attach to it.

In the case of intelligence services, we probably have better means of confirming that information than do, say, the news media when trying to confirm their intelligence, but in some senses we're very similar. We're dealing with information that is unproven until we can add some more credibility.

Hon. Greg Fergus: As a result, unless that is of a spectacular or a most pressing nature, I imagine, then, that the information wouldn't be circulated until it had some corroboration.

Mr. Ward Elcock: Yes. Information that has not been confirmed, unless you have received it from a credible source, and it is really time-sensitive information.... There may be cases where information has to be moved up, but you would have to be very clear to whom you are providing that information, that its credibility is open to question.

But you're right that if there isn't something time-sensitive about it, information needs to be confirmed before it flows up.

Hon. Greg Fergus: Thank you very much for that.

I will just assume then, as you mentioned, that in journalism, just like with intelligence gathering information, it wouldn't be responsible necessarily to report on that unless there were the caveats you added to it, without having some corroboration of that information. Is that right?

Mr. Ward Elcock: I can't speak to the level the journalists go to, although most of the journalists I have known over the years do make efforts to confirm the information before they publish it.

Having said that, the reality is that intelligence services do have ways of gaining credibility or giving credibility to information that is not really open to journalists. By definition, journalism is a somewhat more inexact science than even the work of intelligence collection agencies.

Hon. Greg Fergus: Thank you, Mr. Elcock, and Mr. Cooper.

Thank you, Madam Chair.

The Chair: Thank you.

Mr. Cooper and Mr. Elcock, thank you for your time today. Thank you for the insights you provided. If anything else comes to mind that you would like committee members to receive, please share it with the clerk. We'll have it translated in both official languages and circulated to all members.

We're going to suspend for two minutes to see our guests out, and then we will be coming back to committee business with the floor going to Mr. Cooper.

• (1230) _____ (Pause) _____

• (1235)

The Chair: I'm calling the meeting back to order. We are entering our third hour, and we will be dealing with committee business as per the top of the hour.

Mr. Cooper, you had asked for the floor.

The Chair: I am calling the meeting back to order. We are entering our third hour—kind of—and we will be dealing with committee business.

As for the top of the hour, Mr. Cooper had asked for the floor.

Mr. Michael Cooper: Thank you very much, Madam Chair.

I am going to move a procedural motion for which I hope there will be unanimous consent or support, based upon past practice.

The motion is that committee business scheduled for the third hour of this meeting and the meeting scheduled for this evening be held in public.

Before I cede my time, the reason I put forward this motion is that the business we will be taking up is a motion that I put on notice calling for key witnesses to be brought to this committee, and the production of documents and summer hearings. It's important, given the considerable public interest in getting to the bottom of Beijing's interference, that these issues be debated openly and with members voting on the record.

We have done this consistently, so I am hopeful that there will be no disagreement that we continue that practice of being transparent.

The Chair: Thank you, Mr. Cooper.

I have Mr. Fergus followed by Ms. Blaney and then Ms. Sahota.

Hon. Greg Fergus: My comment will be very brief. I think I just missed what Mr. Cooper had proposed, so I am wondering if he or you could explain.

The Chair: He is just proposing that the committee business take place in public, not in camera.

Hon. Greg Fergus: I see.

The Chair: I'll just rewind as to what I had agreed to do at the top of the hour. It was that—

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): On a point of order, Chair, are we in public or are we in camera right now?

Some hon. members: We're in public.

The Chair: If I may, the notice that we put out was to have committee business in camera. Mr. Cooper had signalled this morning that he wanted to put his motion that had been circulated around last night on the record. He wanted it to be in public and for the meeting to continue in public.

I had said that we would talk amongst members to see if we could achieve consensus. The approach Mr. Cooper is taking is to move the motion and so allow it to be debatable. Then we'll vote on being in public or in camera.

That's where we are: We are choosing whether to stay in public as opposed to being in camera like the notice had said.

Mr. Fergus.

Hon. Greg Fergus: I would like to move in camera.

The Chair: We're debating a motion, which is to stay in public, unless you're amending it. That would not really work; we kind of have to deal with that before we have another one.

Based on the look on your face, I see you agree with me. Is that okay?

Hon. Greg Fergus: Not quite, but if that is what the clerk says, then....

The Chair: It was what the clerk said.

We have a motion on the floor.

I'm going to go to Ms. Blaney, followed by Ms. Sahota and then Madam Gaudreau.

Ms. Rachel Blaney: I'm fine to move forward with this meeting in public. I'm not as comfortable about voting for this evening. I'm hoping we get everything done today in this hour. If we can't, then my recommendation is that we can then vote on whether we're going to be in public or in camera at the next meeting.

I don't know if that's perceived as a friendly amendment—I know it doesn't exist—but I am fine with this hour. If I need to move an amendment, I guess I'll hear from Mr. Cooper.

Mr. Michael Cooper: I'm fine with that. We can take it up at the beginning of the next meeting, at which I will move a motion that we be in public this evening. Ms. Blaney isn't ruling that out. She's just saying that for the purpose of today, let's deal with this meeting.

The Chair: Mr. Cooper, this is the second time that you've signalled that we're having a meeting this evening. I thought we were trying to get it done this morning.

• (1240)

Mr. Michael Cooper: I don't know whether we are or we aren't. I agree with Ms. Blaney that I prefer we not, and that there would just be unanimous agreement for my very good motion.

The Chair: Ms. Blaney, did you want the floor back?

Ms. Rachel Blaney: No, I think that Mr. Cooper heard what I was laying down and he picked it up. I think we're good to go.

I'm happy to support his motion for just this one hour of committee.

The Chair: We do have resources until 1:30, so it is possible that we can get our committee business done in public and then we'll deal with this evening accordingly, it sounds like, if we need to.

Ms. Sahota.

Ms. Ruby Sahota: I just want to agree with Ms. Blaney, and also to add on.... I think Mr. Cooper indicated his desire to read the motion out loud or to put it on the record, verbally, right? Let's, I think, move on with that.

I may change my mind eventually, depending on where the conversation goes. If we get into speaking about witnesses or some details of the motion, that may call for having to go in camera. There are some things, I think, that can be sensitive and that we don't really want to talk about in a public meeting. In all fairness, PROC has always operated in that way. For the last seven years I've been on it, if we are discussing witnesses, that is an in camera matter. I know the motion does go into that.

Let's begin. Let's see how far we go. Hopefully, we can stay in public for the remainder of this meeting, as Ms. Blaney has said. If we have to have another meeting, we'll have to discuss it then, but if it takes a turn where we're getting into the nitty-gritty of those witnesses, then I may come back and.... I just want to give forewarning.

The Chair: We like forewarning more than foreshadowing.

I think we have agreement to maintain this meeting in public and we're separating it from an evening meeting, should that be the case.

[*Translation*]

Go ahead, Ms. Gaudreau.

Ms. Marie-Hélène Gaudreau: I think we've reached a turning point. We've heard from a lot of witnesses, every one of whom has said how important it is both to shed light on the situation and to reassure our people. Unless I'm mistaken, we haven't held any in camera meetings with witnesses, except for subcommittee business.

For my part, out of respect for people, and considering our obligation to respect the delicate nature of certain information, I see no reason not to hold public meetings. I'm very comfortable with the idea of continuing in that manner.

The Chair: Thank you very much, Ms. Gaudreau.

I think we can continue the public meeting for the moment. If a majority of the committee wants the meeting to be held in camera, we'll be able to discuss that at the appropriate time. For the moment, I think we all agree that the meeting should be public.

I now give the floor to Mr. Cooper.

[*English*]

Mr. Cooper, are you reading your whole motion into record?

Mr. Michael Cooper: Yes, I will read it into the record.

The Chair: The floor is yours.

Mr. Michael Cooper: Thank you very much, Madam Chair.

The motion reads:

That, in relation to its order of reference of Wednesday, May 10, 2023, concerning the intimidation campaign orchestrated by Wei Zhao against the Member for Wellington—Halton Hills and other Members, the Committee

(a) expand the scope of this study, further to the Speaker's ruling of Wednesday, May 31, 2023, and the evidence of the Acting Clerk of the House on Thursday, June 8, 2023, to include the matters raised in the House by the Honourable Erin O'Toole on Tuesday, May 30, 2023;

(b) makes the evidence received during this study available for its study on foreign election interference;

(c) hold at least eight meetings, of at least two hours' length, between Tuesday, July 4, 2023, and Friday, September 8, 2023, on dates to be determined by the Subcommittee on Agenda and Procedure, for the purposes of hearing witnesses and considering related committee business;

(d) invites each of the following to appear on his or her own:

(i) the Honourable Erin O'Toole, for two hours,

(ii) the Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities, for two hours,

(iii) the Honourable Ian Shugart, former Clerk of the Privy Council, for one hour,

(iv) Janice Charette, Clerk of the Privy Council, for one hour,

(v) Rob Stewart, former Deputy Minister of Public Safety and Emergency Preparedness, for one hour,

(vi) Marta Morgan, former Deputy Minister of Foreign Affairs, for one hour,

(vii) Greta Bossenmaier, former National Security and Intelligence Advisor to the Prime Minister, for one hour,

(viii) Gina Wilson, former Deputy Minister of Public Safety, for one hour,

(ix) Paul MacKinnon, Deputy Secretary to the Cabinet (Governance), for one hour,

(x) Zita Astravas, Chief of Staff to the President of the King's Privy Council for Canada and Minister of Emergency Preparedness, for two hours,

(xi) Jeffrey Hutchinson, former Interim Assistant Secretary to the Cabinet (Emergency Preparedness), for one hour,

(xii) Marie-Hélène Chayer, Executive Director of the Privy Council Office Task Force on Foreign Interference, for two hours, and

(xiii) Allen Sutherland, Assistant Secretary to the Cabinet (Machinery of Government and Democratic Institutions), for one hour;

(e) invites the following to appear on panels: (i) Navigator Ltd. officials who had been providing support to Special Rapporteur David Johnston and to Han Dong, for two hours, and (ii) Don Guy and Brian Topp, founding partners, gt&co, for two hours;

(f) re-invites each of the following to appear on his or her own: (i) the Honourable Mélanie Joly, Minister of Foreign Affairs, for one hour, (ii) Mike MacDonald, former Acting National Security and Intelligence Advisor to the Prime Minister, for one hour, (iii) Cong Peiwu, Ambassador of the People's Republic of China to Canada, for two hours, (iv) Sheila Block, Counsel to Special Rapporteur David Johnston, for two hours, and (v) Valérie Gervais, Founder and Chief Executive Officer, RKESTRA, for one hour;

(g) invites each of the following to re-appear on his own: (i) the Honourable Bill Blair, former Minister of Public Safety and Emergency Preparedness, for an additional hour, and (ii) the Right Honourable David Johnston for an additional two hours, following the publication of his final report;

(h) directs that a summons do issue to Michael Chan, former Ontario Liberal cabinet minister, to appear, on his own for two hours, at a date and time fixed by the Subcommittee on Agenda and Procedure, but no later than Friday, September 8, 2023;

(i) order the production, within three weeks, of

(i) the July 2021 CSIS report entitled "People's Republic of China Foreign Interference in Canada: A Critical National Security Threat" and the May 2021 CSIS issues management note sent to the then-Minister of Public Safety and Emergency Preparedness respecting the Beijing regime's intention to target Members of this House, together with all records concerning the transmission to, distribution within, analysis of and handling by, the Prime Minister's Office, the Privy Council Office, the Department of Foreign Affairs, Trade and Development and the Department of Public Safety and Emergency Preparedness, of this report, and

● (1245)

(ii) all other memoranda, briefing notes, e-mails, records of conversations, and any other relevant documents, including any drafts, which are in the possession of any government department or agency, including the Security and Intelligence Threats to Elections Task Force, the Critical Election Incident Protocol Panel, any minister's office, and the Prime Minister's Office, containing information concerning

(A) planning or efforts by, or on behalf of, foreign governments or other foreign state actors to intimidate a Member of the House of Commons, or

(B) the matters raised by the Honourable Erin O'Toole in the House of Commons on Tuesday, May 30, 2023, provided that

(iii) these documents be deposited without redaction, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel,

(iv) a copy of the documents shall also be deposited, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel, with any proposed redaction of information which, in the government's opinion, could reasonably be expected to compromise the identities of employees or sources or intelligence-collecting methods of Canadian or allied intelligence agencies,

(v) the Office of the Law Clerk and Parliamentary Counsel shall promptly notify the Committee whether the Office is satisfied that the documents were produced as ordered, and, if not, the Chair shall be instructed to present forthwith, on behalf of the Committee, a report to the House outlining the material facts of the situation,

(vi) the Office of the Law Clerk and Parliamentary Counsel shall assess the redactions proposed by the government, pursuant to subparagraph (iv), to determine whether the Office agrees that the proposed redactions conform with the criteria set out in subparagraph (iv) and

(A) if it agrees, it shall provide the documents, as redacted by the government pursuant to subparagraph (iv), to the Clerk of the Committee, or

(B) if it disagrees with some or all of the proposed redactions, it shall provide a copy of the documents, redacted in the manner the Office determines would conform with the criteria set out in paragraph (iv), together with a report indicating the number, extent and nature of the government's proposed redactions which were disagreed with, to the Clerk of the Committee, and

(vii) the Clerk of the Committee shall cause the redacted documents, provided by the Office of the Law Clerk and Parliamentary Counsel pursuant to subparagraph (vi), to be distributed to the members of the Committee and to be published on the Committee's website forthwith upon receipt;

(j) order the production, within three weeks, of the annex to Special Rapporteur David Johnston's First Report, together with all documents reviewed by him in preparing his First Report, provided that

(i) the documents shall be deposited without redaction, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel

(ii) the Office of the Law Clerk and Parliamentary Counsel shall promptly notify the Committee whether the Office is satisfied that the documents were produced as ordered, and, if not, the Chair shall be instructed to present forthwith, on behalf of the Committee, a report to the House outlining the material facts of the situation

(iii) the documents shall be available for viewing by Committee members, under the supervision of the Office of the Law Clerk and Parliamentary Counsel, between the day of their deposit and the day prior to the meeting referred to in subparagraph (iv),

(iv) the Committee shall meet in camera, for at least two hours, no fewer than 14 days after the documents have been deposited, but no later than Friday, September 8, 2023, with relevant government officials, to discuss the documents,

(v) at the meeting referred to in subparagraph (iv),

(A) only Committee members, support staff required for the meeting, the witnesses, and representatives of the Office of the Law Clerk and Parliamentary Counsel be permitted to attend, and

(B) the Clerk of the Committee shall provide numbered paper copies of the documents, at the beginning of the meeting, to Committee members who are present in person, which shall be returned to the Clerk at the end of the meeting, and the Clerk shall destroy the numbered paper copies after the meeting, and

● (1250)

(vi) during the viewing referred to in subparagraph (iii) and at the meeting referred to in subparagraph (iv), no personal mobile, electronic or recording devices of any kind shall be permitted in the room, and no notes may be removed from the room; and

(k) order the production, within three weeks, of all records concerning the expenditures incurred, or committed to, by the Special Rapporteur, pursuant to paragraph 4(g) of the Schedule to Order in Council 2023-0324, including contracts with Torsys LLP, Navigator Ltd. and RKESTRA, provided that

(i) the documents shall be deposited without redaction, in both official languages, with the Clerk of the Committee,

(ii) the documents shall be distributed to the members of the Committee and published on the Committee's website forthwith upon receipt, and

(iii) the Clerk of the Committee shall promptly notify the Committee whether he is satisfied that the documents were produced as ordered, and, if not, the Chair shall be instructed to present forthwith, on behalf of the Committee, a report to the House outlining the material facts of the situation.

Now, Madam Chair, that I have read into the record the motion that I am bringing forward, I wish to make a few brief comments about the substance of that motion.

Since the start of this study, we have heard from ministers and officials of this government and from the Prime Minister's rapporteur. Taken together, their testimony has resulted in far more questions than answers.

We have a former minister of public safety who is now the Minister of Emergency Preparedness give evidence to this committee that was outright contradicted by the director of CSIS. We have a current Minister of Public Safety who was unable to answer the most basic questions, including what happened to the issues management note that reached the public safety ministry and that warned that MP Michael Chong was being targeted by the Beijing regime. That minister couldn't even answer whether he had instructed his departmental officials to find out what happened to that IMU.

We have a government, led by a Prime Minister, of ministers who are never responsible, who are always conveniently never briefed and who always cast blame on others, whether it be CSIS or public servants. We have a rapporteur, the Prime Minister's long-standing family friend, who was unable to defend key conclusions in his report and appears to have not been given complete information by this government.

It was very interesting that we heard today from Mr. Cooper, formerly of Global News, who noted that an NSICOP report in 2019 raised concerns about PCO withholding certain documents from NSICOP. It certainly raises questions about the transparency of PCO and this government.

We have a rapporteur who is tainted by conflict layered on top of conflict, undermining his independence and the credibility of his findings. This is a rapporteur who has, for decades, known the Prime Minister; who was a member, up until his appointment as the Prime Minister's rapporteur, of the Beijing-funded and Beijing-compromised Trudeau Foundation; who hired as his chief counsel, a major Liberal donor to help write his supposedly independent report; a rapporteur who hired a recent former Liberal ministerial staffer to be his spokesperson.

• (1255)

Moreover, we learned most recently that this rapporteur hired the same crisis management communications firm that was advising a member of Parliament whom he was tasked with investigating. Imagine that—a rapporteur hiring a crisis communications firm. That, I think, speaks to the utter mess surrounding his appointment.

In the face of all of that, what is needed very clearly is a public inquiry. Canadians deserve one, and Parliament has called for one three times, and three times this Prime Minister and Liberal MPs across the way have thumbed their nose at the will of Parliament and continue to do so. Some of them were just nodding now. All that the Prime Minister has offered is a fake rapporteur, a family friend, to buy time and to issue a report that the rapporteur couldn't defend and then didn't understand. It amounted to a whitewash of the Prime Minister's record of turning a blind eye to Beijing's attacks on our democracy in two federal elections under his watch and the targeting of sitting members of Parliament in an attempt to impede their ability to do their jobs, to speak on behalf of their constituents and to vote freely in the House of Commons without their and their families' being targeted and threatened by the Beijing regime. That's not to mention a Prime Minister who has repeatedly turned a blind eye to Beijing's diplomats and upper officials targeting the Chinese-Canadian diaspora, and turning a blind eye to intelligence reports that warned him of the activities of Zhao Wei, thereby allowing that diplomat to freely target and intimidate Chinese Canadians for two years. Only when *The Globe and Mail* blew the whistle did the Prime Minister finally act and, after considerable pressure, send one diplomat packing.

That's not thanks to anything this Prime Minister did, or, for that matter, the Minister of Foreign Affairs did, who, when she came to this committee, claimed that she had no information about any such activities, which was patently false.

At the end of the day, until the Prime Minister calls for a public inquiry, this committee is the only public forum where these issues

can be studied to get to the bottom of Beijing's interference and to get the answers that Canadians deserve. That is what this motion provides for. It provides for the calling of key witnesses to committee, for production of relevant documents, and for the continuation of hearings over the summer, because very simply this matter is so pressing that we cannot afford to shut hearings down for two and a half months. We need to continue to do our work, and that's a very key element of this motion. I am hopeful that members on all sides recognize the importance of producing relevant documents, calling key witnesses and allowing this committee to continue to do its work over the summer. I hope it will receive the support of the members of this committee.

Thank you, Madam Chair.

• (1300)

The Chair: Thank you, Mr. Cooper.

I have Ms. Blaney.

[*Translation*]

Then we'll go to Ms. Gaudreau.

[*English*]

Ms. Rachel Blaney: Thank you so much, Madam Chair.

I just think we should get to the vote, so I'm calling the vote.

The Chair: As I have Madame Gaudreau on the list, I will just need to go to her and then I'm sure we can call the question. Now Mr. Berthold would also like the floor.

Madame Gaudreau, go ahead.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Madam Chair, if my understanding is correct, our resources are available until 1:30 p.m.

We've had great meetings with the witnesses this morning. However, we shouldn't forget that we started the meeting at 10 o'clock.

Is it still official for this evening? Will we actually have two hours to discuss Mr. Cooper's motion, Madam Chair?

The Chair: Yes, but we have time to talk about that now and begin the discussion.

Ms. Marie-Hélène Gaudreau: I don't object to starting the discussion, but every time we've held five-hour meetings, we've never gone beyond 1:15 p.m. It has to be constructive, and we have to be able to hear each other. We can express our view and prepare for this evening, but I'd propose that we reconvene this evening. We have work to do in the next few hours. We've already been here together for three hours.

If we complete a round at 1:15 p.m., as usual, I propose that we reconvene at 6:30 p.m.

The Chair: That's exactly what will happen if we can proceed to the vote, as Ms. Blaney has requested. Mr. Berthold will also have the floor. If we can proceed to the vote and continue, we may not have another meeting. If we still have things to do, we'll have to hold another one.

We know we have our resources until 1:30 p.m.

So we have 25 minutes left.

• (1305)

Ms. Marie-Hélène Gaudreau: I'm going to let my colleague speak. I would ask you to put my name back on the list.

The Chair: You don't want us to hold a vote on that motion.

Is that correct?

Ms. Marie-Hélène Gaudreau: I can't vote right now. There are a lot of points that I'd like to clarify. I'm being rushed, but we need to understand each other. I don't know whether my colleagues have read what I saw on the Réseau d'information, on RDI, but they're talking about a possible agreement by Friday.

What have we understood? What do we have to do?

Someone has to step up and start acting.

How can I vote when there may possibly be an agreement.

We've been working on this for four months, since November 7.

Madam Chair, if my colleagues come and push and shove me around, I'd like them to look me straight in the eye and tell me they're proud of what's happening. We're coming to the end of the session, and we're dragging things out right to the end. I think we're just laughing at our constituents.

The voters are watching us, Madam Chair. Just look at the social media of every one of us. People asked me on the weekend if I had stopped repeating the same thing all the time because I've been asking questions during question period for four months. I told them I thought it would take an eternity to understand anything here.

If you push me to vote, I'll keep giving away my speaking time. That's not systematic obstruction. It's because we have to take the time. We've been examining this affair for four months.

We'll be back here this evening.

I'll turn the floor over to my colleague, and I'd like you to put my name back on the list.

The Chair: Thank you, Ms. Gaudreau.

Go ahead, Mr. Berthold.

Mr. Luc Berthold: Thank you very much, Madam Chair.

I have a number of things to say. First, I want to thank my colleague Michael Cooper for working with his team on a motion to enable us to get to the bottom of things and to act on the request that the House of Commons has submitted to us to consider Michael Chong's question of privilege. It's important to recall certain parts of that motion in French, Madam Chair, to be certain that the people watching us, as Ms. Gaudreau said, know where we stand in our investigation into foreign interference.

However, first I would like to recall a few facts regarding the special rapporteur, who resigned after all the opposition parties called for his resignation in the House of Commons. Some witnesses strongly challenged some of the findings in his report. He was unable to convince Canadians that the government was doing everything in its power to prevent the interference by the Beijing regime in the next election, which will be held we do not know when. It's important to remember as well that, since we have a minority government, an election could be called at any moment.

Point (a) of my colleague's motion is very important. It requests that we expand the scope of the study we're conducting on the intimidation campaign being conducted against Michael Chong and other MPs, and in particular to include the situation raised in the House of Commons by the Hon. Erin O'Toole on Tuesday, May 30. We can't overlook that because Mr. O'Toole was one of the first members to be briefed directly by CSIS on what had happened to him. He is the first MP to have received a full briefing.

Here in the committee, we've heard the comments of experts from CSIS and other national security experts. They explained to us what kind of information was circulating at CSIS. There was raw intelligence, more detailed intelligence and analyzed intelligence. What we understood from Mr. O'Toole's testimony is that he had unrestricted access to all the information. He subsequently took great care in the House of Commons to provide a summary of the information that he had received, voluntarily withholding certain information that he thought might have undermined national security and the protection of the members of the House of Commons. He therefore acted appropriately in so doing. His speech was acknowledged by many analysts, and I must tell you that Mr. O'Toole has a lot to tell the committee.

We can't continue this study without hearing from Mr. O'Toole for at least two hours, particularly since the Speaker of the House, pursuant to the question of privilege raised by Mr. O'Toole concerning the fact that he had been targeted by the Beijing regime, included the questions raised by Mr. O'Toole in the study we're conducting. The same is true of NDP member Ms. Kwan. She didn't want to make this a question of privilege, but she would've had the right to do so. The Speaker would likely have referred her question of privilege to the committee as well.

Madame Chair, it is essential that the committee officially expand the scope of its study to include the matters raised in the House by the Hon. Erin O'Toole on Tuesday, May 30. That testimony, incidentally, was cited at length by Mr. Cooper in his testimony today.

Mr. O'Toole's testimony will provide many answers to our questions, and it's extremely important that the committee note that fact.

• (1310)

Second, it is requested that the committee continue holding meetings over the summer period. Why? Because foreign agents don't take vacations. They will continue to adapt and change their methods until Canada has passed stronger legislation to prevent the Beijing regime from intervening in our elections.

How can we explain to Canadians that we want to take a break when those watching us expect us to shed light on Beijing's interference in our democratic system, in our 2019 in 2021 elections, and likely in future elections. We could tell them we're going to take a two-month break, stop asking anybody any questions, happily stay at home and wait for it all to blow over, but that won't get the job done. That won't happen until we can shed light on the situation and the Prime Minister decides to open an independent public inquiry.

Right now, our committee is the only public space where people can come and testify to what they know about the Beijing regime's interference in our elections. Nowhere else can people do that. The two committees that deal with national security, the names of which have been abundantly cited since the committee started this study, are holding their meetings in private, in camera. If it weren't for the revelations made by journalists and this committee, which has made it possible for the testimony of witnesses to be heard and to shed light on the situation, we wouldn't know what's happening or how to move forward.

Without this committee and without journalists, a diplomat who intimidated an MP wouldn't have been expelled. The Beijing regime's police stations established and operating on Canadian soil probably wouldn't have been shut down or disrupted. This situation isn't absolutely clear, however. Some police stations are still open, but no Beijing police activities are under way. It's not clear. This is one of those situations that absolutely must be investigated further. Without this committee, there would have been no special rapporteur, but one was appointed because the Prime Minister wanted the situation to remain concealed for as long as possible. We wonder why. Why make every effort to prevent Canadians from learning the whole truth about foreign interference in our elections?

These meetings would be held from July 4 to September 8, and it is requested that there be at least eight of them. The idea isn't to hold meetings all summer. Canadians won't criticize us if we hold eight committee meetings over the summer to continue hearing testimony on foreign interference. Some important persons would be among the witnesses. I've obviously mentioned the Hon. Erin O'Toole, but we'll have to hear once again from Dominic LeBlanc, whom the Prime Minister made responsible for establishing a process for next steps in view of the resignation of the special rapporteur, who wasn't that independent. That may lead to an independent public inquiry, but we don't exactly know when that will happen.

Incidentally, I would note that the leader of the official opposition reminded the government today that we're prepared to discuss the mandate of that inquiry and to assist in appointing a commissioner. The one basic step that must be taken is for the Prime Minister to clearly announce that an independent public inquiry is being held. After that, the opposition will move quickly to propose a

mandate and names of potential commissioners. Then we can move forward and truly begin getting to the bottom of things.

That's all we're asking. The idea here isn't to give Mr. LeBlanc a mandate to come up with a process that may perhaps, eventually, lead to an independent public inquiry if the Prime Minister doesn't think it's too damaging for him. We have to remove politics from the entire process. The official opposition is prepared to do that. We're ready to cooperate. We want to go to work on developing the mandate of an independent public inquiry.

• (1315)

We want to help and support the eventual commissioner who will have to shed light on the entire situation. However, before submitting names, ideas for mandates and examples of what we could do, we want the Prime Minister to commit clearly and firmly to holding an independent public inquiry.

That's why we have to hear from Mr. LeBlanc, but he's slow in answering us. We don't know where he's headed. We want Mr. LeBlanc to come and tell us exactly what he has in mind and why no independent public inquiry has yet been announced. What's he so anxious to hide?

Many people whose names are on the list of people we want to see appear before the committee so we can find out what happened to CSIS's memoranda have been mentioned either by the witnesses or in the newspaper articles.

We've learned that there are several types of notes. Some are used to transmit information and others state that they must absolutely be sent to ministers. I believe those are internal management memos. I don't exactly remember what they're called.

We're learning a lot about intelligence and national security, but it's always superficial information. These memos are expressly designed to draw the attention of cabinet members, officials and ministers.

Two, three, five or six of those memos are sent every week at most. There aren't thousands of them. But how did they get lost down black holes?

How is it that no one in the Office of the Prime Minister or the office of the Minister of Public Safety was alerted by those memos?

There's also the secure email system that Mr. Johnston talked about, which none of the witnesses who work in the national security field seem to be aware of, judging by the way the special rapporteur describes it, the way Mr. Blair understands it and the way it's presented by the CSIS people.

So it's important that we hear testimony from these people from the Department of Foreign Affairs, the national security advisors, the deputy ministers who were in those positions at Public Safety at the time and deputy secretaries to the cabinet, primarily Zita As-travas, chief of staff of the President of the King's Privy Council for Canada and Minister of Emergency Preparedness, who appears to have played a role in this entire process.

It's important that we not wait until the fall to hear from these people. We have to do it as soon as possible. I think the public expects that.

We've also learned that, although the special rapporteur says he wrote his report himself, he was actually assisted by consulting firms, particularly in questioning witnesses. We have noted that a large part of the report must have been written by outside consultants because, when the special rapporteur testified before us, he often seemed not to understand his own words when he consulted his report.

To my great disappointment, the representatives of those firms that unfortunately assisted in drafting the special rapporteur's report, may have been more numerous than we thought. So we need to know what they told and advised the special rapporteur regarding the drafting of his report.

We also need to hear from the representatives of the firm that represented one of the individuals targeted by the investigation of the special rapporteur. We also need to hear from Don Guy and Brian Topp, the founding partners of GT&co, and other volunteer advisors, it would appear. We'll see if the motion that we introduced for the production of documents can make its way through the process.

Following all these revelations, we've learned that CSIS apparently provided the Department of Foreign Affairs with a list of names of diplomats that it could consider expelling because they were apparently Beijing regime diplomats who were still conducting foreign interference activities in Canada.

● (1320)

We know that the department has a list, but we don't know what it has done with it or what the minister did with it. We are very proud to say that we've expelled a diplomat, but it took months to do it. The revelations had to be published in the newspapers and the committee had to conduct studies. What happened to that list? What does the Minister of Foreign Affairs know about it? It's important that she testify before the committee again. She was silent about the list the first time she testified. Did she have it or not at the time of her testimony? I think it's important that you provide the committee with an explanation.

I think it would obviously be worthwhile to re-invite Cong Pei-wu, ambassador of the People's Republic of China, to testify for two hours. If he's open to the idea of coming and candidly answering questions from committee members, I'm certain the members of all parties will have good questions for him. We would like the meeting to be two hours long, the minimum length that the committee must schedule for such a meeting.

In addition, the testimony of Sheila Block, legal advisor to the special rapporteur, and Valérie Gervais, communications officer, is essential for the committee to understand the process that the government has put in place since all these revelations were made.

Why did the special rapporteur, who stuck to his report, who stood by it and who said he would stay on in his position until the end—I remember that his comments on that were quite clear—ultimately decide to resign? He said he was resigning, but he's still in the position. He wants to resign, but not right away. He resigned, but he wants to write a report.

How much credibility can we assign to that report if the special rapporteur isn't credible in the eyes of the House of Commons, the opposition parties and Canadians? All that does is give \$1,200 to \$1,700 a day to a special rapporteur so he can continue drafting a report containing findings that no one wants to read.

Mr. Blair must come and explain to us his department's various accounts regarding the memo that was transmitted. That memo, which was drafted by CSIS, was for the minister's eyes only, but he didn't see it. Was it wilful blindness on the part of the minister or his office? I don't know, but I think it's important to find out.

Consequently, it's important that we meet this summer to hear the testimony of all these witnesses.

I also have much to say about the information that has not been made available to the committee since the start of our study. I'm referring to the documents.

A motion has been introduced, but debate thereon was adjourned. The motion sought the production of documents. Those documents will be essential in giving the committee a clear view of the Beijing regime's interference in Canadian elections. Unfortunately, every request we make for documents is met with resistance. I don't know why the Liberal Party and the NDP are reluctant to allow the committee to examine certain documents, even though it's done under the supervision of the law clerk of the House of Commons, who informed the committee that he was authorized to see documents of that nature which would be provided to him should the motion be adopted.

These reports are important, and the committee must be able to form its own idea of them. Today, my Liberal Party colleagues doubted the veracity of the articles published by Samuel Cooper based on those documents. A portion of the documents was released after we filed an initial request for production of documents, but they were extensively redacted. All things considered, however, they appear to be consistent with reality in most instances. A diplomat was expelled following those revelations; that's not nothing. Those documents contain important information, and that information must be transmitted to us.

● (1325)

As you've seen, my colleague Michael Cooper was very cautious with the motion. He made sure that intelligence that, if disclosed, could undermine national security and our relations with our allies, that is to say, the other countries of the Group of Five, or any other information of a sensitive nature that might come from other countries, was protected to preserve the relationship of trust that we have with those countries in the area of intelligence gathering.

I think the motion is very well drafted. It explains the procedure for us parliamentarians and Canadians to access information that may be made public. At the same time, we must also have access to information that must not be made public but that could be seen by MPs and members of this committee. It very clearly describes the process of a meeting in which documents could be printed for MPs in a cell phone-free room, in camera, accompanied solely by the personnel required. It would not be possible to annotate the documents, and they would subsequently have to be returned to the clerk to ensure confidentiality. All other documents that, if disclosed, could jeopardize national security will be redacted. Information that we do not need to know for the purposes of our study would not be transmitted or provided to MPs.

That's the reality. That's the beauty of the motion introduced by my colleague. It's why we were very cautious. I think this motion for the production of documents should be supported by all parties because we've listened to what the law clerk of the House told us when he came here to explain how we would have to proceed so that he could see the documents. Based on that, we drafted a motion that I'm sure will address all the concerns that committee members

may have about the importance of protecting secrets. That's why we have access to the information, Madam Chair.

I want to say one thing in conclusion. The Standing Committee on Procedure and House Affairs has a very important role to play. We offer a path. We offer a way to carry out our mandate to avoid having to hold committee meetings throughout the summer and to avoid having to hold them in accordance with Standing Order 106(4), Madam Chair. We don't want that. We want clear and precise planning.

My time is up, Madam Chair.

● (1330)

[*English*]

The Chair: Monsieur Berthold, the clerk has just confirmed that we don't have the resources.

Because of that, we'll see you all at 6:30 tonight.

I'm adjourning this meeting.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>