



Addendum to *In Camera* Examination Summary: Mr. David Vigneault, Ms. Michelle Tessier and Ms. Cherie Henderson.

Mr. David Vigneault, Ms. Michelle Tessier and Ms. Cherie Henderson, former officials from the Canadian Security Intelligence Service (“**CSIS**” or “**the Service**”), were examined in a panel format by Commission Counsel during in camera hearings held between February 28 and March 6, 2024. The following addendum contains information provided by the witnesses that is relevant to stage 2 of the Commission’s inquiry and that, in the opinion of the Commissioner, would not be injurious to the critical interests of Canada or its allies, national defence or national security.

Notes to Reader:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.

1. Examination by Commission Counsel

1.1 Flow of intelligence related to Michael Chong

- [1] Mr. Vigneault testified that generally issue management notes (“**IMU**”) are circulated to sensitize officials and staff within a Minister’s office to an issue. In the case of the IMU on Mr. Chong, Mr. Vigneault testified that this note was circulated to create awareness of the intelligence around Mr. Chong to better equip officials and staff within a Minister’s office in the event the issue were to eventually become public.
- [2] Mr. Vigneault testified that the Service understands that there was never a physical threat to Mr. Chong or any of his relatives. He explained that the Service has been in contact with Mr. Chong with respect to this issue.

- [3] Mr. Vigneault explained that this is an example of the harm that can flow from media leaks. The leaks' portrayal of this issue lacked critical context and led to an interpretation of information by the media and the public that is not shared by CSIS.
- [4] When asked about what information Mr. Chong received during the June 2021 briefing, the witnesses gave an undertaking to provide a specific form of words. Ms. Henderson testified that the briefing materials would likely have been prepared by the CSIS regional offices, who might have more information on the subject.
- [5] Ms. Tessier testified that she believed the Service met with Mr. Chong on more than one occasion prior to the media leaks.
- [6] Ms. Henderson testified that Mr. Chong received a defensive briefing¹ and that she understood he had met with CSIS at other times after that.

1.2 A Warrant

- [7] Mr. Vigneault testified that as part of the warrant process, he receives the warrant application with the accompanying affidavit and documents to make a recommendation to the Minister [of Public Safety]. At the same time, he informs the Deputy Minister of Public Safety. As such, the Minister receives the request for a warrant, along with the warrant materials, from the Director, and a recommendation on the warrant request from the Deputy Minister. The Deputy Minister's involvement acts as a check and balance for the Minister.
- [8] Mr. Vigneault confirmed the date that he received specific warrant documents. [The letter from Mr. Vigneault to Minister Blair enclosing the materials related to the warrant application is dated on that same date. The Memorandum for the Minister from the Deputy Minister on the warrant application is dated 4 days later. The Memorandum from the Deputy Minister states that CSIS is seeking the Minister's signature that same day. The record of approval is found on page 6 of the Memorandum from the Deputy Minister and is dated approximately 6 weeks later.]

¹ This is referring to the June 2021 briefing.

- [9] Mr. Vigneault testified that the time it took for this warrant approval from the Minister was out of the norm. He did not remember it being a time-sensitive issue and he did not know that the Deputy Minister had noted [in the memorandum] that CSIS required a signature on a particular date. He does not understand the rationale for the Deputy Minister's comment that approval was required same day. In the normal course, if the Service requires a signature urgently, it arranges in-person briefings or telephone calls with the Minister's office. The Service always builds in 10 days for ministers to review the warrant materials because they are complex and sensitive.
- [10] Mr. Vigneault testified that shortly after the Minister's office received the warrant application, he had a discussion with the Minister's Chief of Staff to explain what the warrant was about. However, the Minister did not ask him any questions and there was no back and forth in the six week period. If there had been a lot of back-and-forth or substantive questions from the Minister that would have caused him concern. The Service never received those questions. He only learned after the fact through the Minister's testimony in front of a parliamentary committee that the Minister only received the warrant materials a few days before he signed them.
- [11] Ms. Tessier testified that she recalled there was an interest in getting the warrant in place. However, the Service always tries to give the Minister 10 days to review a warrant application unless it is urgent.
- [12] Ms. Tessier also briefed the Minister's Chief of Staff prior to the warrant being submitted so it did not arrive without warning on the Minister's desk. She testified that, from an operational perspective, there was frustration with the delay. It was unusual that it would take six weeks for a minister to sign a warrant when there had been so much discussion prior to submitting the warrant. However, there was no back-and-forth [with the Minister] and there was no concern of interference of any sort, nor was there any pushback from the Minister's office.
- [13] The witnesses could not recall why there was a second affidavit sworn after the Minister's approval of the warrant. Ms. Tessier said the only thing she could think of was that there had either been new information because of the passage of time or a nuance that required the affidavit to be redone.