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Public Inquiry Into Foreign Interference  
in Federal Electoral Processes and  
Democratic Institutions

Enquête publique sur l'ingérence étrangère  
dans les processus électoraux et les  
institutions démocratiques fédéraux

## *In Camera* Examination Summary: John Hannaford and Nathalie G. Drouin

Commission Counsel examined John Hannaford (Clerk of the Privy Council) and Nathalie G. Drouin (Deputy Clerk of the Privy Council and National Security and Intelligence Advisor to the Prime Minister (“**NSIA**”)) during *in camera* hearings held in July and August 2024. Counsel for the Attorney General of Canada appeared on behalf of the Government of Canada and had the opportunity to examine the witnesses. The hearing was held in the absence of the public and other participants. This summary discloses the evidence that, in the opinion of the Commissioner, would not be injurious to 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. Witnesses

- [1] John Hannaford is the Clerk of the Privy Council. He has served in that position since June 2023. He joined the federal government under contract after graduating from law school and articling with the Court of Appeal for Ontario. He became a member of the Foreign Service in 1996 where he served in a number of legal and trade-related roles. His first posting was to Washington, D.C., from 1998 to 2001. He later served as Canadian Ambassador to Norway from 2009 to 2012. He returned to the Privy Council Office (“**PCO**”), where he served in various capacities, including as Foreign and Defence Policy Advisor to the Prime Minister for four years. He subsequently served as Deputy Minister of International Trade, Global Affairs Canada (“**GAC**”) (2019-22) and Deputy Minister of Natural Resources (2022-23).
- [2] Nathalie G. Drouin was appointed NSIA effective January 27, 2024. She retains her previous positions as Deputy Clerk of the Privy Council and Associate Secretary to the

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Cabinet, which she was appointed to in August 2021. She previously served as Deputy Minister of Justice and Deputy Attorney General of Canada (2017-21).

## 2. Examination by Commission Counsel

### 2.1 The Panel of 5 (the “Panel”)

- [3] Commission Counsel referred the witnesses to an August 2, 2023 Memorandum to the Clerk, “Resumption of Panel [of 5] Member Briefings in Summer 2023.”<sup>1</sup> The Memorandum reads, in part:

In the April 6, 2023 report *Countering an evolving threat: Update on recommendations to counter foreign interference in Canada’s democratic institutions* (the LeBlanc-Charette Report), the Government committed to work to ensure that Panel members are in a continued state of readiness to assume their Panel-related responsibilities. As part of upcoming measures to achieve this objective, the LeBlanc-Charette Report noted that new Panel members would be briefed within three months of being appointed to their new position to explain Panel roles and responsibilities; and that Panel meetings for all members would be held regularly starting in Spring 2023.

- [4] Mr. Hannaford confirmed the briefings referred to in this passage occurred.
- [5] Commission Counsel referred the witnesses to page 3 of the same Memorandum, which sets out a recommended approach involving individual briefings, followed by an initial Panel meeting and then regular meetings on a 2-3 month basis. Mr. Hannaford was asked if that approach had materialized.
- [6] Mr. Hannaford indicated that he had received an individual briefing and he believed that all other Panel members had also been similarly briefed. He noted that the Panel had met several times since.
- [7] Commission Counsel referred the witnesses to pages 4 and 5 of the Memorandum, which read, in part:

**Update to the Cabinet Directive on the Protocol**

[...]

o [...] PCO-DI has initiated work to update the Cabinet Directive on the Protocol.

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<sup>1</sup> CAN028183.

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- o Briefings of the Panel over the coming year will serve to review and discuss possible improvements to the Cabinet Directive. These improvements may, if accepted, imply changes to the operations of the Panel, in areas such as the Protocol's approach to public communications. Any such changes would need to be reflected in future Panel briefings.

- o An updated Cabinet Directive may help address concerns raised through the recent significant media and Parliamentary attention on foreign electoral interference...

[8] The witnesses were asked to speak to what updating the Cabinet Directive might do in terms of restoring public confidence and addressing the public attention on foreign interference (“FI”). Mr. Hannaford provided context for any possible changes to the Cabinet Directive. He shared that, since his appointment as Clerk, he considers being the Chair of the Panel was among the most important roles he plays as Secretary of the Cabinet. He noted that several reports, from the Rosenberg Report to the LeBlanc-Charette Report, expressed a view that the Government must ensure that the Panel of Five is a continuous and vigorous organization. He shares this view and came to that view independent of those reports. For the Panel to be effective during the caretaker period, it has to practise exercising its role in advance. He described a three-fold approach to this work:

- a) First, the Panel needs to ensure that it has a continuous body of understanding regarding by-elections and elections in other jurisdictions. The Panel looks at international examples to see how FI might play a role in democratic processes.
- b) Second, the Panel reflects on the way in which it conducts its work. He said the Panel is considering different approaches. During one meeting, possibly the first [under his tenure], the Panel discussed a distinction between online and human-based FI. Online activities are largely expressed as mis- or disinformation and can have elements that are covert, but also has a lot of elements that are overt. Therefore, addressing online activities is not restricted to the tools that the Government would use in the more classic espionage type of cases. The Panel has recognized that civil society can play a role in building resilience against online risks and tactics. This is one reason the Panel has involved centres at McGill University and the University of Toronto. Mr. Hannaford described this as an exploratory conversation to identify how the functions of these centres may

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overlap with what the Panel is trying to achieve and what the Rapid Response Mechanism (“**RRM**”) at GAC is trying to achieve. He also referred to the election in Taiwan. There, civil society played a substantial role in detecting and refuting waves of information from various platforms that could have had a bearing on the credibility of the election. Mr. Hannaford indicated that this had built up resilience across the population. The Panel continues to reflect on that type of work method.

- c) Third, the Panel examines how it can communicate with others about its work. It is important for the Panel to situate its work in the caretaker period but it can also talk about its work outside of the caretaker period. Mr. Hannaford said it was not ideal for the public to hear about the Panel only during the caretaker period. It was important for the Panel to try to explain the work that it is doing so that the population in general recognizes the set of issues the Panel is addressing, and that there are people who are taking it seriously and focusing on it. If done correctly, if the Panel later needs to communicate during an election, there will be a background context for the communication. The Panel is focused on identifying the best means of achieving this objective. One option it has examined is to allow representatives from the media to observe the Panel working through a run-through scenario. The Panel uses scenarios to think through the kinds of situations it may need to confront. There is nothing inherently secret in these scenarios, because they are fictional. However, they could help people understand the Panel's work and the situations it may face.

[9] Commission Counsel referred the witnesses to the Annotated Agenda for the March 25, 2024 Panel retreat, which speaks to some of the themes he had just introduced.<sup>2</sup> The Agenda indicates that PCO-Communications led a conversation about re-introducing the Panel to Canadians. Mr. Hannaford was asked to expand on any communications plan and the risks that any communication may entail.

[10] Mr. Hannaford said that the Panel is thinking proactively about how to ensure a broader understanding of its work and the parameters of that work. He noted that it was unusual for a DM committee to develop a communications plan for its activities. However, the Panel itself is unusual because of its particular responsibilities during the caretaker

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<sup>2</sup> CAN033655.

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period. Situating the Panel's work, as a matter of public discourse, is important because there are questions about the role that FI may play in Canadian elections and about the evolving techniques that can be used to interfere. One of the Panel's roles is to participate in government-wide efforts to build public resilience. It is also to provide assurance that there is governance in place to address FI should it arise. That is part of a confidence-building exercise in that it shows that the Panel has anticipated potential challenges, it has a means of addressing them, and then if the public does not hear from the Panel during any election, it signals that nothing has risen to the level where the Panel is concerned about the freedom or fairness of the electoral process.

- [11] Mr. Hannaford said the Panel wants to ensure that it achieves its communications objectives and therefore wants to be deliberate in its communications. The Panel has considered different ways to communicate to the public – for example, holding a technical briefing with the media generally, organizing a more formal press event, enabling media representatives to observe a run-through exercise, or a combination of these approaches.
- [12] Commission Counsel referred the witnesses to another section of the March 25 Annotated Agenda, which states: “What risks does communicating about the Panel create, especially as it relates to disinformation?” Mr. Hannaford recalled that that the Panel has to be mindful of the fact that when it participates in a public discourse, the Panel becomes part of the overall dynamic within that discourse. If there are concerns about disinformation, an attempt by the Panel to rebut those concerns can itself be seen as bias. There are risks to the Panel being part of that exercise. There is also a risk if the Panel tries to become the “ministry of truth,” positioning itself as an arbiter of truth. If the Panel is seeking to correct each piece of misinformation on all platforms, the volume would overwhelm them. There needs to be some degree of judiciousness about where the Panel should play a role and how it would deal with characterizations of truth.
- [13] Commission Counsel referred the witnesses to a section of the March 25 Annotated Agenda summarizing a planned briefing to the Panel by the Canadian Digital Media Research Network (“**CDMRN**”) on the topic of tackling mis- and disinformation, the state of the Canadian information ecosystem, and the tools for analyzing that ecosystem. Mr. Hannaford said this was an opportunity for the Panel to hear from the CDMRN, which is

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comprised of researchers from the Munk School at the University of Toronto and from McGill University. These researchers have been mapping the volume of activity on digital media. Mr. Hannaford confirmed that the Democratic Institutions Secretariat of the Privy Council Office (“**PCO-DI**”) already had a relationship with this group, and some of its members are well known experts with whom the Government was previously familiar.

- [14] The CDMRN explained its work and the capabilities it was developing. Panel members would in turn explain their work to the CDMRN. Mr. Hannaford said Panel members are mindful of how societies build up resilience and knowledge on these kinds of [mis- and disinformation] activities. While government has a role, they recognize that the Government’s role is not exclusive. Experts can be very important. Panel members also recognize that some degree of separation from Government is important to assure the credibility of experts. These groups have to be able to provide their views independently.
- [15] Mr. Hannaford described a recent example of the work of the CDMRN in practice, in relation to a considerable amount of bot activity that took place on Twitter in August 2024 about a Conservative Party of Canada (“**CPC**”) event in Kirkland Lake. Completely apart from the Government, CDMRN analyzed the online activity and went public with its initial findings. Mr. Hannaford said this kind of independent analysis was very important. The Government can do some of this work through the RRM, but the RRM focuses on international disinformation activities. There are gaps in the Government’s capacity in the domestic space. These gaps are being assessed right now. However, the other piece is the work that can be done by civil society groups, which can be extraordinarily powerful, in some ways more powerful than the Panel, because of the degree of separation from the government.
- [16] Ms. Drouin testified that the CDMRN ties into discussions about how to measure the impact of mis- or disinformation. The CDMRN is able to determine whether a post has been heavily amplified or shared. This allows the Panel to evaluate the level of penetration of a piece of information. It is one of the tools that the Panel can use to evaluate the risk that a piece of mis- or disinformation has had an affect on votes or the

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perceptions of voters about a particular situation. This tool is not a panacea, but could be useful during the next election.

[17] Commission Counsel referred the witnesses to two discussion questions in the March 25 Annotated Agenda:

- How will you determine that a disruption in the information ecosystem originates from a foreign or domestic entity? Will your alert system provide attribution of an incident?

[18] Mr. Hannaford said that members of the Panel were asking these questions of the CDMRN because these were questions they were asking themselves. Therefore, they wanted to understand the CDMRN's capacity to attribute mis- or disinformation. Recognizing the fact that there is always some degree of misinformation online and some degree of activity, determining how to decide where to focus, as a group, is a relevant question.

[19] Ms. Drouin testified that the CDMRN is independent: the Government cannot tell it what work to do. She noted that when Al Sutherland spoke with CDMRN researchers about the Kirkland Lake incident, they were already working on it – they did not need to be told about it. This is the CDMRN's "*raison d'être*": if it sees something pertinent, it does not need the Government's direction. The CDMRN can add value to the ecosystem. Ms. Drouin does not anticipate any problems collaborating with the CDMRN. There is a convergence of interests and the CDMRN can bring value by shedding light on an issue without receiving direction from the Government.

[20] Commission Counsel asked the witnesses how they saw the CDMRN and the Panel interacting during the election period, particularly given the CDMRN's independence. Mr. Hannaford said there was certainly reflection on this point but no particular conclusion. After the Kirkland Lake incident, he asked about the extent of contact between the Government and CDMRN researchers as they formed their opinion. His understanding is that there was some exchange of information, but it was very much a convergence rather than the Government giving any sort of direction. He believes something similar may end up being the practice as this process evolves.

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- [21] Commission Counsel referred to another section of the March 25 Annotated Agenda, “Scenario exercises by Panel.” The section states: “Remind Panel members that the scenarios are meant for the Panel to debate and consider different options for response to incidents, including measures or tools other than a public announcement by the Panel during the election period.”
- [22] Mr. Hannaford testified that they were discussing measures other than those the Panel itself could take. The Government continues to have a range of tools during the caretaker period. The Panel exists for a specific purpose and has a specific mandate, as does the SITE TF. However, other tools remain available. For example, if a diplomatic response is needed, GAC can act. If steps could address a problem that falls short of being a threat to a free and fair election, other tools are available. The scenarios were to promote thinking about the full range of tools available, not just those available to the Panel.
- [23] Mr. Hannaford emphasized that the Panel’s role is not simply about “the announcement.” The Panel and the public service generally have a particular role during the caretaker period. If issues of concern arise with respect to national security, particularly in an electoral context, the Panel will discuss these issues. The Panel includes the most senior officials of the Government of Canada and includes all of the individual authorities that those officials may have. For example, if a foreign consulate is doing something that the Panel considers untoward, the Deputy Minister of Foreign Affairs has the capacity to take appropriate diplomatic steps with respect to that person. The Panel’s discussion is not limited to whether it should go public about an issue; there may be several ways to address that issue. This could include communications if necessary, but may not go that far.

## 2.2 The Security and Intelligence Threats to Elections Task Force (“**SITE TF**”)

- [24] Commission Counsel asked the witnesses about the proposals to make the SITE TF permanent and to make it a permanent secretariat within PCO. Mr. Hannaford said there is constant consideration to whether government bodies should be part of PCO or whether it should exist outside of PCO. Housing something inside PCO can provide a



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certain degree of leverage. The downside is that PCO principally performs a coordination and challenge function, rather than carrying policy lead on sets of issues. Increasing the size of PCO can lead to duplication of functions, and questions about efficiency and whether such a measure is the best use of PCO's role within the system.

[25] Mr. Hannaford said that the SITE TF must rely on its full available network to be effective. It is useful to have people from the Canadian Security Intelligence Service (“**CSIS**”), RRM, and other parts of the department feed into the work of the SITE TF. He is not convinced that relocating the group to PCO would add much. However, the Government is continually looking at the function of the current structure and how best to organize itself.

[26] Ms. Drouin testified that having the SITE TF active over the last year has been very useful because there have been several by-elections. The SITE TF focused brought intelligence to the Deputy Minister Committee on Intelligence Response (“**DMCIR**”). She did not know if the SITE TF will still be useful after the general election when there are fewer vacant seats. However, she finds it very useful for now. She agreed with the Clerk that she has no issue working with the SITE TF even if it is not housed at PCO.

### 2.3 Government Coordination on FI

[27] Commission Counsel referred the witnesses to minutes from a Deputy Ministers' Foreign Interference Committee meeting on April 20, 2023<sup>3</sup> [which neither witness attended as they were not in their current roles at the time]. The minutes state:

During this meeting the Clerk mentioned that with the ISR [Independent Special Rapporteur], it seems as though they're quite comfortable with the Panel and SITE, but what is becoming more obvious is the gaps on how FI is handled in between elections. Specifically, what is the role of Deputies, staff working on FI, and where is the ministerial accountability on FI more broadly?

[28] Ms. Drouin was Deputy Clerk at the time and had a recollection of what followed these conversations. From her perspective, these conversations led to Minister Mendicino's Ministerial Directive, the creation of DMCIR, and formalizing the circulation of information within PCO.

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<sup>3</sup> CAN030999.

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[29] Commission Counsel referred the witnesses to another passage in the minutes of the April 20 meeting:

NSIA has asked PCO to begin work on mapping this process. Essentially, how is intelligence on FI circulated, how are minister's (*sic*) informed, and how do they exercise ministerial accountability. From what currently exists, the governance around FI seems to work well at the Deputy level and even between PM/PMO. However, that gap at the ministerial level is a concern, and hopefully this work can provide insight into how this accountability could be outlined.

[30] Mr. Hannaford explained that there are a number of issues within government that transcend the mandate of just one minister; this is not unique to FI. That is the reason for Cabinet committees and the variety of other mechanisms in place to ensure that different accountabilities are exercised in a coordinated and effective way.

[31] Mr. Hannaford spoke of several developments since this April 20, 2023, meeting. One important development was the creation of the National Security Council ("**NSC**"). Mr. Hannaford clarified that the NSC does not just deal with FI, but that election interference and FI fall within the ambit of the NSC, which provides the opportunity to bring together several players with different roles. Mr. Hannaford stated that one of the reasons why the NSC is extremely important is because it forces integration of the intelligence gathering and policy development exercises at the highest level of Government. Those two pieces need to be separate; it is important that intelligence not be driven purely by the policy outcomes the Government is seeking. However, to be effective, intelligence must be presented to leaders in the context of determining what the government is going to do with it. Simply providing an interesting piece of information is not very useful. It is useful for the intelligence to be part of a strategic and tactical conversation on policy implications and what the Government is going to do. That forcing together of functions has a broader implication because it is then reflected in deputy minister committees and assistant deputy minister committees, and it fosters conversations that bring together the various authorities at issue.

[32] Mr. Hannaford said the other development is that the Minister of Public Safety [Minister LeBlanc] is now also the Minister of Democratic Institutions and the Minister of Intergovernmental Affairs as well. One Minister now brings together several (though not all) authorities related to countering FI, which is helpful in the context in which the Government is operating. He noted that there is also an obvious foreign affairs aspect to

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FI and other ministers that are involved as well, so the governance structure continues to matter.

- [33] Ms. Drouin added that the report of the Independent Special Rapporteur found that the Panel and the SITE TF were very useful, but that between the elections, there was no dedicated mechanism to follow up on FI instances involving certain members of parliament (“**MPs**”). Mechanisms and authorities existed outside of the Panel and the SITE TF to address this gap (e.g. CSIS had applicable authorities) but there was a lack of coordination with respect how to manage and respond to the information.
- [34] Commission Counsel referred the witnesses to draft minutes of a DMCIR meeting held on October 12, 2023.<sup>4</sup> [Neither witness attended the meeting, but the draft minutes refer to an intention to have a subsequent conversation with Mr. Hannaford, who was Clerk at the time. Jody Thomas, NSIA at the time, chaired the meeting.]. The minutes state:

The Chair suggested that the FI Coordinator role would be better placed at PCO to provide coordination from the centre. Citing the urgent need for coordination and action, the Chair suggested going “back to basics” and establishing a new mandate, policy, and framework for the office of the FI Coordinator.

PS agreed on the need to develop possible models and potential options that would enhance the strength of the FI coordinator function. Citing DM meetings on China and FI over the summer that led to no real outcomes, the Chair motioned a conversation with the Clerk to seek direction on the way forward.

- [35] Mr. Hannaford discussed this with Ms. Thomas. He testified that this reflects the same kind of conversation that the Government was having at the same time about the SITE TF. The FI Coordinator could reside at PCO, but there are also advantages if the Coordinator is located elsewhere. No decision has been made.
- [36] Ms. Drouin added that the FI Coordinator has been busy over the past year working on Bill C-70, and is now working on the implementation of Bill C-70, and on briefings to parliamentarians. She stated that the FI Coordinator role is more policy-oriented than operations-oriented. The FI Coordinator does not, for example, determine who needs to be briefed on a specific issue. Having the FI Coordinator at Public Safety makes sense because the policy function is mainly at Public Safety. Ms. Drouin explained that the role that Ms. Thomas was envisioning for the FI Coordinator may not be the same as what

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<sup>4</sup> CAN044228.

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the FI Coordinator does today, which may explain her comments. However, Ms. Drouin does not think the policy role should be at PCO.

## 2.4 Engagement with Provinces and Territories

- [37] Commission Counsel referred the witnesses to a Memorandum for the Clerk on Enhancing Federal Engagement with Provinces and Territories on National Security Issues.<sup>5</sup> Mr. Hannaford said that he and his colleagues had been actively discussing federal-provincial-territorial engagement on national security. Discussions had also occurred before he became Clerk. These conversations generally relate to how different jurisdictions can address FI together. Recently, there was a particular focus on cyber security and mis- and dis-information.
- [38] Mr. Hannaford said that they have been looking at how to increase the federal government's ability to share classified information with the provinces and territories. Bill C-70 is important because it gives CSIS more freedom to engage with provinces and territories.
- [39] There was a session in July 2024 with the clerks from across Canada to address the range of issues the federal government is seeing, and some of the capabilities that would allow them to have deeper conversations. Some participants did not have security clearances. PCO has been encouraging a much broader use of security clearances at the provincial and territorial level so that the federal government can be more forthcoming. They have also been discussing technical capabilities. One recent success has been the rollout of a secure communications network within the federal government as a result of COVID. Officials across the federal government are able to have Cabinet meetings and Secret level conversations on screens. The government is now expanding the network so that provincial, territorial and federal governments can have deeper conversations about issues the federal government is seeing, and also to build up a sensibility about the challenges faced and to foster open communication. If the provinces or territories do observe events, they will have a channel to address the events.

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<sup>5</sup> CAN033456.

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- [40] Ms. Drouin testified that she is working with CSIS, Public Safety and the Communications Security Establishment (“**CSE**”) on agendas for briefings to provinces and territories. The briefings would include content that is common to all provinces and territories, and content specific to the risks faced by a particular province or territory.
- [41] Commission Counsel asked whether conversations about tackling mis- and disinformation are happening between levels of government. Mr. Hannaford said that a clerks’ meeting occurred in July [2024]. Deputy Clerk Christiane Fox attended on behalf of the federal government, but Mr. Hannaford knew that this issue had been discussed. Part of the discussion centred on how institutions are currently being called into question, which is partially a product of mis- and disinformation. Another part is that governments have different responsibilities, experiences, and perspectives to share, relevant to these issues.
- [42] Commission Counsel referred to evidence the Commission has heard about the need to increase digital literacy and media literacy to tackle mis- and disinformation, and asked about the role of “education”, which is a provincial jurisdiction. Mr. Hannaford said that this precise point was raised at the clerks’ session in July 2024. This discussion is important in part because the educational piece starts at a young age in terms of building up both media literacy and also resilience with respect to the environment in which we are all operating. That is squarely within provincial jurisdiction, but for provinces take this on, it requires a sensibility to the risks the federal government sees through its channels.

## 2.5 Classified Briefings to Political Party Leaders

- [43] Commission Counsel referred the witnesses to a Memorandum for the Prime Minister from Ms. Drouin on Ad Hoc Classified Briefings.<sup>6</sup> Ms. Drouin testified that intelligence was brought to her attention and circulated to the Clerk, the Prime Minister and the DMCIR. A discussion followed about what to do with the intelligence and it was decided that opposition party representatives should be briefed. The purpose of the

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<sup>6</sup> CAN047007.

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Memorandum was to inform the Prime Minister that the leaders of other parties would be briefed. It was not a Memorandum for decision.

[44] Commission Counsel referred the witnesses to a PCO comment in the Memorandum:

PCO notes that the intelligence that will be briefed [...] briefing party Leaders on these issues could allow the parties themselves to identify the issues and take any necessary action to address them.

PCO further notes that an ad hoc approach to sharing [...] intelligence, may not provide the most effective mechanism to counter national security threats. In parallel with developing a process for regular classified briefings to the major federal party Leaders, PCO will work with Public Safety Canada and the Security and Intelligence community to identify the most appropriate mechanisms of sharing similar intelligence in future cases.

[45] Ms. Drouin testified that following the Minister of Public Safety's Ministerial Directive and the subsequent briefings to certain MPs, some MPs made declarations in public or in the House of Commons. The goal of the first sentence [of the PCO comment above] was to remind [the Prime Minister] that PCO believed that the briefing should happen. However, there were risks that the information shared with political parties could be used and shared improperly. The goal of the second sentence was to signal that they were ready to provide briefings to caucuses. These briefings took place in June [2024], under the coordination of the FI Coordinator.

[46] Ms. Drouin said that there are risks associated with disclosing intelligence in circumstances where it may then be improperly made public. In such circumstances, there is a risk that the information shared will be perceived as established fact when the reality may be more nuanced. This may cause undue harm to an individual's reputation. In addition, there is a risk of potentially exposing sources or intelligence techniques.

[47] Commission Counsel referred Ms. Drouin to an April 29, 2024, email to her, "Proposed Topics for Tuesday PM Intel Briefing." Attached to the email are five bullet points about cyber-threat activities targeting members of the Inter-Parliamentary Alliance on China, including parliamentarians. The fifth point reads:

Had this threat been raised today, I can assure you that the directive would have been followed and security agencies would have proactively provided information on the threat to Parliamentarians.

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- [48] Ms. Drouin explained that this email related to the preparation of an agenda for a briefing to the Prime Minister. That day, PCO learned of reports that in 2022, the CSE informed the House of Commons of a potential cyber attack on the House. This became known publicly in the spring of 2024, and a motion was tabled to make a statement to the effect that parliamentary privilege had not been respected in 2022 because CSE had informed the House of Commons but not the affected MPs themselves. Ms. Drouin explained that these bullet points had been prepared for her in case the PM wanted information on this issue when Ms. Drouin spoke with him. She noted that the potential cyber attack occurred before the Ministerial Directive on threats to parliamentarians was issued, that CSE had engaged with the House of Commons, and that the House of Commons decided to handle the situation on its own. The fifth bullet was meant to clarify that, if a similar situation happened today, the Directive would apply, and the Government would inform the MPs involved personally.
- [49] Ms. Drouin was not certain whether she conveyed these points to the Prime Minister in this briefing, but she was certain that she had provided this information to the PM and to his office at some point.

## 2.6 Role of the NSIA

- [50] Mr. Hannaford was asked to speak to (1) the import of the decision to make the NSIA a Deputy Clerk; and (2) the idea of defining the NSIA role through a mandate letter. Mr. Hannaford indicated that PCO had taken two initiatives in the last year with the role of the NSIA. First, PCO had designated the role as Deputy Clerk. This was significant because it signaled the importance of the position. He noted that the DC-NSIA contributes to decisions relating to personnel movement in the deputy minister community. Mr. Hannaford said he makes recommendations to the Prime Minister about who should fill certain roles within the deputy minister community, based on discussions with Ms. Drouin and other members of his team. Mr. Hannaford noted that as Deputy Clerk, Ms. Drouin is also a member of the performance review body for deputy ministers, which also reinforces her senior role within the community.
- [51] Second, Mr. Hannaford noted that Ms. Drouin is also the secretary of the newly created National Security Council. This signals within the system the role of the Deputy Clerk-

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NSIA, and gives her an opportunity to serve as a point of integration on national security issues. This is important as the Government looks to establish priorities and address current challenges.

[52] Mr. Hannaford indicated that there have been detailed discussions about other means to reinforce those roles, including issuing a mandate letter to the NSIA. Mandate letters most often apply to ministers in the Canadian system. They set out the PM's direction for exercising the authorities given to specific offices. Mr. Hannaford sees a mandate letter for the NSIA as useful but not necessary. The role evolves to meet the challenges that the country faces. Mr. Hannaford said the structures in place reinforce this evolution of the NSIA role. The NSIA's role needs to be able to evolve because as the world evolves, each person in the role will confront a set of circumstances that are not standardized. The challenge with any codification is that you run the risk of leaving out the very things that ultimately matter because it focuses only on the circumstances as you understand them right now. On the one hand, a mandate letter gives the benefit of clarity about the PM's expectations for the role. On the other hand, the government needs to be careful to ensure that it is not defining the role in a way that would inhibit its necessary evolution.

### 3. Examination by Counsel for the Attorney General for Canada

[53] The witnesses were asked to comment on how issues of federal and provincial jurisdiction, and the lines between them, inform the government's approach to engagement with provinces and territories on national security. Mr. Hannaford said that geopolitical risks manifest themselves in a variety of ways in Canada and at all levels of society. This is in part because of the roles of the different jurisdictions; education is one example. It is important that the federal government not go beyond its areas of responsibility when exercising its authority on national security issues. The federal government's accountabilities and responsibilities are to share information when it is able to do so, then to work within jurisdictional and legal boundaries to address the risks that Canada collectively faces. The sharing of information with the provinces enables them to exercise their authorities within their areas of jurisdiction with a view to increasing Canada's collective resilience.



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- [54] Counsel for the Attorney General for Canada referred Ms. Drouin to the draft minutes of the October 12, 2023 DMCIR meeting and her interview summary, and asked her to explain the process for incorporating a new role into an existing machinery of government. Ms. Drouin explained that the FI Coordinator was a new position. She indicated that, when new positions are created, the roles are defined, for example, in a memo. But often, the details are not spelled out. Questions therefore arise about the scope of the role. This happened when the FI Coordinator began his work. Government tried to determine the breadth of his activities, what information he should have, and what his role was. In October 2023, these issues were still under discussion. Similar questions arose, for instance, when the Prime Minister divided the departments responsible for Indigenous affairs. These questions are part and parcel of the creation of a new role or office. Ms. Drouin noted that it normally does take a certain amount of time to work out these questions and any internal tensions. For example, creating a new role means that other parts of the machinery may have part of their former roles taken away. This process is normal.
- [55] The witnesses were taken to the Annotated Agenda of the Panel of Five retreat and the presentation by the CDMRN. The witnesses were asked whether output from the CDMRN would be placed before the Panel of Five for consideration during a writ period. Mr. Hannaford indicated that he anticipated that to be the case, noting that while the conversations with the CDMRN were at an early stage, that is how the Panel of Five assesses information. He clarified that this was not necessarily a matter of sequence – the Panel of Five would not be waiting for information from the CDMRN or responding to it. But any information disseminated by the CDMRN that is relevant to the Panel's work would be considered along with the other information that the Panel holds.