



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

**Public Hearing**

**Audience publique**

**Commissioner / Commissaire  
The Honourable / L'honorable  
Marie-Josée Hogue**

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The Chinese Communist Party's  
Human Rights Violations

Neil Chantler

Erin O'Toole

Thomas W. Jarmyn  
Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

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Ottawa, Ontario

--- Upon commencing on Tuesday, April 9, 2024 at 9:31 a.m.

--- L'audience débute le mardi 9 avril 2024 à 9 h 31

**THE REGISTRAR:** Order, please. À l'ordre, s'il vous plaît.

This sitting of the Foreign Interference Commission is now in session. Commissioner Hogue is presiding. Cette séance de la Commission sur l'ingérence étrangère est maintenant en cours. La Commissaire Hogue préside. The time is 9:31. Il est 9 h 31.

**COMMISSIONER HOGUE:** Good morning. I hope you slept.

Alors, vous pouvez commencer, Me Chaudhury. Bonjour à tout le monde.

**MS. SHANTONA CHAUDHURY:** Good morning, Commissioner. Shantona Chaudhury, lead Commission Counsel.

Our witnesses this morning are, once again, Janice Charette and Madam Nathalie Drouin. May I have the witnesses sworn or affirmed.

**THE REGISTRAR:** I guess same as yesterday? I guess you'll be sworn today?

**MS. JANICE CHARETTE:** My name is Janice Charette, C-H-A-R-E-T-T-E, and I'd like to be sworn please.

**THE REGISTRAR:** Okay. Could you please state your name and spell your last name for the record. Do it again.

**MS. JANICE CHARETTE:** Janice Charette, C-H-A-R-E-T-T-E.

1 --- MS. JANICE CHARETTE, Sworn/Assermentée:

2 THE REGISTRAR: And same for you, Ms. Drouin.

3 Mme NATHALIE DROUIN: Oui. Bonjour. Mon nom  
4 est Nathalie Drouin - D-R-O-U-I-N, et je voudrais une  
5 affirmation solennelle.

6 --- MME NATHALIE DROUIN, Affirmed/Sous Affirmation

7 Solennelle:

8 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR

9 MS. SHANTONA CHAUDHURY:

10 MS. SHANTONA CHAUDHURY: So I'll just begin  
11 with the note about the scope of this examination. So as we  
12 all know, you were here yesterday, you were both here  
13 yesterday testifying in your capacity as members of the Panel  
14 of Five. So what we're dealing with today in the next  
15 45 minutes is what I think you referred to yesterday as your  
16 day jobs, so in your roles as Clerk and Deputy Clerk of the  
17 Privy Council.

18 Et, Madame Drouin, je vais probablement poser  
19 la plupart de mes questions en anglais, mais sentez-vous  
20 libre toujours de répondre dans la langue de votre choix.

21 Mme NATHALIE DROUIN: Merci beaucoup.

22 Me SHANTONA CHAUDHURY: Parfait.

23 So we'll begin with the routine housekeeping.  
24 Mr. Clerk, can I just have WIT 51 pulled up, please.

25 --- EXHIBIT No./PIÈCE No. WIT 51:

26 Public Interview Summary: Janice  
27 Charette, Nathalie Drouin, Jody  
28 Thomas

1                   **Me SHANTONA CHAUDHURY:** So Ms. Charette and  
2 Madame Drouin will recall being interviewed, along with your  
3 former colleague, Ms. Jody Thomas, on February 15th, 2024?

4                   **MS. NATHALIE DROUIN:** Oui.

5                   **MS. JANICE CHARETTE:** Yes.

6                   **MS. SHANTONA CHAUDHURY:** Parfait. And we'll  
7 do this quickly. Can you each confirm that you've reviewed  
8 the summary of that interview, that the summary is accurate,  
9 and that you adopt it as part of your evidence before the  
10 Commission?

11                   **MS. JANICE CHARETTE:** Yes.

12                   **MS. NATHALIE DROUIN:** Oui.

13                   **MS. SHANTONA CHAUDHURY:** Perfect. Then just  
14 for the record, Ms. Thomas is going to adopt her evidence by  
15 way of affidavit.

16                   So then we'll go to WIT 56, please,  
17 Mr. Clerk.

18                   **--- EXHIBIT No./PIÈCE No. WIT 56:**

19                   J. Charette Public Summary of In  
20 Camera Examination

21                   **MS. SHANTONA CHAUDHURY:** Ms. Charette, this  
22 is the summary of your *in-camera* examination. So you'll  
23 recall being examined by Commission Counsel in an *in-camera*  
24 hearing held earlier this year. Once again, can you confirm  
25 that you reviewed the summary of that examination, that the  
26 summary is accurate, and that you adopt it as part of your  
27 evidence before the Commission?

28                   **MS. JANICE CHARETTE:** I do.

1                   **MS. SHANTONA CHAUDHURY:** Okay. One last  
2 matter, which is the Privy Council Institutional Report  
3 that's been referred to several times, but not officially  
4 adopted into evidence.

5                   So that's CAN.DOC 11, please, Mr. Clerk, for  
6 the English version. For the French version -- for the  
7 record, the French version is CAN.DOC 12.

8                   **--- EXHIBIT No./PIÈCE No. CAN.DOC 11:**

9                   Institutional Report for PCO

10                   **--- EXHIBIT No./PIÈCE No. CAN.DOC 12:**

11                   Bureau du Conseil privé (BCP) Rapport  
12                   Institutionnel - NON CLASSIFIÉ

13                   **MS. SHANTONA CHAUDHURY:** So Madam Drouin,  
14 this would be for you. You're aware that PCO has prepared an  
15 IR for filing with the Commission. Can you confirm that  
16 you've reviewed it and that it represents part of PCO's  
17 evidence?

18                   **MS. NATHALIE DROUIN:** Oui.

19                   **MS. SHANTONA CHAUDHURY:** Perfect.

20                   Okay. We'll then go to background questions,  
21 but we don't need to go through your backgrounds in any  
22 detail, given that we spoke about them a bit yesterday.

23                   Ms. Charette, though, I did want to ask you,  
24 you actually served as Privy -- Clerk of the Privy Council  
25 twice. Is that right?

26                   **MS. JANICE CHARETTE:** That's correct.

27                   **MS. SHANTONA CHAUDHURY:** Okay. Can you take  
28 us through that part of your history?

1                   **MS. JANICE CHARETTE:** Okay. I was first -- I  
2 was named first as Clerk of the Privy Council in October of  
3 2014 by Prime Minister Harper, and I served in that role  
4 until January of 2016. I then went to the United Kingdom as  
5 our High Commissioner. I was asked by Prime Minister Trudeau  
6 to come back as the Interim Clerk of the Privy Council to  
7 replace my colleague, the Honourable Senator Ian Shugart, who  
8 unfortunately had fallen ill. So I took up that role in  
9 March of 2021. I'm almost trying to make sure of my dates  
10 right here. March of 2021. And then Ian chose to retire and  
11 I was named again as the Clerk of the Privy Council in May of  
12 2022, and I served in that role until June of 2023, when I  
13 retired from the public service.

14                   **MS. SHANTONA CHAUDHURY:** Thank you.

15                   Et, Madam Drouin, we know that you were for  
16 the period of time that's under examination in these  
17 hearings, you were Deputy Clerk of the Privy Council. First,  
18 you were Deputy Minister of Justice and Attorney General,  
19 then Deputy Clerk of the Privy Council, and I understand that  
20 you've recently also taken on the role of NSIA.

21                   is that correct?

22                   **MS. NATHALIE DROUIN:** Correct.

23                   **MS. SHANTONA CHAUDHURY:** Okay. And that  
24 would have been January 2024?

25                   **MS. NATHALIE DROUIN:** Exact.

26                   **MS. SHANTONA CHAUDHURY:** Perfect. Okay. The  
27 first broad topic we're going to address today is essentially  
28 just some questions helping us understand the structure and

1 function of PCO.

2 Ms. Charette, I'll start with you, just  
3 explaining for the Commission, please, the role of the Clerk  
4 of the Privy Council?

5 **MS. JANICE CHARETTE:** So the role of the  
6 Clerk of the Privy Council is the Deputy Head of the  
7 Department of the Privy Council. And in that respect, the  
8 Deputy Minister to the Prime Minister. And the Privy Council  
9 Office also supports a number of other Ministers. The  
10 Minister of Intergovernmental Affairs, Government House  
11 Leader, Minister of Democratic Institutions as examples.  
12 That's not a complete list. So the Prime Minister and  
13 Ministers are supported by the Privy Council Office.

14 As the clerk, my focus really is the Prime  
15 Minister, in that constellation of Ministers.

16 And in that regard, my responsibilities are  
17 to make sure that issues that are under the responsibility of  
18 the Prime Minister, he receives information, advice,  
19 recommendations, and that his decisions are implemented. So  
20 issues that are on the desk of the Prime Minister are on my  
21 desk.

22 Part of my responsibilities in this respect  
23 are you can imagine the Government of Canada is a large  
24 enterprise. Information produced by departments and agencies  
25 across the spectrum is to identify those issues that, in  
26 conversation with him and his office, what are the most  
27 important? What does he need to focus on and therefore what  
28 do I need to focus on?

1           Second role is the Secretary to the Cabinet.  
2           In that respect, the Prime Minister establishes a decision-  
3           making process for his government, Cabinet, and a series of  
4           Cabinet committees, and the Privy Council Office functions as  
5           the Secretariat for those -- for the Cabinet and those  
6           committees. So we support the setting of agendas, the  
7           distribution of documents, taking of minutes, recording of  
8           decisions, and then working -- I would say both wearing the  
9           Deputy Minister to the Prime Minister and the Secretary to  
10          the Cabinet. Really trying to help to coordinate across that  
11          broad spectrum of departments and agencies in order to help  
12          the government to design and implement its agenda.

13                 The third hat, which is the head of the  
14          public service, so the public service in Canada is, in the  
15          Westminster tradition, a non-partisan permanent public  
16          service. What that means is that the public service has a  
17          responsibility to loyally support the government of the day.  
18          We do not change with governments. We have a responsibility  
19          to serve the government of the day, to provide them with our  
20          best advice, and implement the decisions that they take.

21                 As the clerk in this respect, the head of the  
22          public service, I might have priorities for the public  
23          service as the kind of lead steward of the institution. For  
24          example, you know, building an exclusive public service,  
25          which makes the best of diversity in Canada and tries to  
26          improve representation and combat racism and discrimination  
27          in the public service, as an example.

28                 So there's those three.

1 I might just say one thing, which I don't  
2 think I referred to in any of my prior testimony, and that is  
3 that the Clerk of the Privy Council is a Deputy Minister and  
4 they're, to use an expression probably more in your field  
5 than mine is *prima inter pares*. And so first among equals.  
6 Deputy Ministers maybe can be like a multinational  
7 organization. The Clerk of the Privy Council sits atop a  
8 group of Deputy Ministers, each who have responsibilities  
9 supporting a Minister, and part my job with the support of  
10 the Deputy Clerk, who you will hear from shortly, is to work  
11 with that community, not to take on their jobs, but to work  
12 with that community to coordinate and share information and  
13 implement decisions.

14 **MS. SHANTONA CHAUDHURY:** Thank you. There's  
15 a lot in that answer. We may go back to some of it.

16 But first, I'll just -- et Madame Drouin,  
17 pouvez-vous nous expliquer le rôle de la sous-greffière?

18 **Mme NATHALIE DROUIN:** De façon générale, le  
19 sous-greffier ou la sous-greffière supporte la greffière dans  
20 les trois rôles que madame Charette vient de présenter.

21 J'assurais aussi la coordination de certains  
22 dossier horizontaux que la greffière pouvait me demander de  
23 faire. La supervision directe du Bureau du Conseil privé,  
24 donc, du ministère qui est le Bureau du Conseil privé.  
25 J'offrais également un support à la communauté des sous-  
26 ministres, principalement les sous-ministres associés de  
27 l'ensemble des ministères.

28 Et finalement, je faisais aussi ce qu'on

1 appelle la gestion des enjeux, issue management, sur des  
2 dossiers spécifiques d'envergure, telle que le convoi, par  
3 exemple, ou le conflit de relations de travail avec les  
4 employés fédéraux l'année dernière.

5 **MS. SHANTONA CHAUDHURY:** Madam Charette, you  
6 mentioned that part of your role is coordinating information  
7 flow, and also deciding, or identifying is a better word for  
8 it, the issues that are the most important that need to be on  
9 the Prime Minister's desk.

10 In the space that we're talking about today,  
11 which is foreign interference, can you explain how that role  
12 intersects with that of the NSAI? So they're two direct  
13 reports to the Prime Minister. How do they work together?

14 **MS. NATALIA RODRIGUEZ:** And sorry, before you  
15 answer this -- Natalia Rodriguez, Commission Counsel. I've  
16 just been reminded by the interpreters that everyone should  
17 try and speak a little bit more slowly to help in their job.  
18 Thank you very much.

19 **COMMISSIONER HOGUE:** Thank you.

20 **MS. JANICE CHARETTE:** A good reminder. Thank  
21 you.

22 So the Clerk of the Privy Council is the  
23 Deputy Head of the organization. The National Security and  
24 Intelligence Advisor to the Prime Minister reports to the  
25 Clerk but has the ability to go directly to the Prime  
26 Minister if there are matters of urgency or import. So you  
27 can imagine, given the nature of their responsibility as the  
28 National Security and Intelligence Advisor, from time to time

1       there might be things that come up and you don't want to  
2       necessarily have to go through a chain of command. You want  
3       to be able to have direct access to the Prime Minister and to  
4       provide that kind of direct information and advice.

5                 Usually what happens is the NSIA, the  
6       National Security Intelligence Advisor, would either go  
7       through the Clerk, if time permits, or make sure that that is  
8       happening at the same time, if not as quickly as possible  
9       afterwards, so the Clerk is aware. If an issue is that  
10      important it has to go to the Prime Minister, then the Clerk  
11      should also be made aware relatively quickly of the same  
12      thing. So I hope that kind of answers your question.

13                So either the Clerk or the National Security  
14      and Intelligence Advisor can bring information to the  
15      attention of the Prime Minister, and I'm happy to talk more  
16      about kind of how we do that and how we kind of decide what  
17      of all of the information that we have access to we take to  
18      him.

19                **MS. SHANTONA CHAUDHURY:** Okay. Well I'll  
20      start by talking about how information comes to you.

21                **MS. JANICE CHARETTE:** Right.

22                **Ms. SHANTONA CHAUDHURY:** So how does the  
23      Clerk receive intelligence?

24                **MS. JANICE CHARETTE:** So I think you've heard  
25      from other witnesses in testimony just the volume of what is  
26      described as intelligence products. People have given  
27      estimates of tens of thousands of products that are produced  
28      in the course of a year. And intelligence is a broad term.

1 It could cover kind of geopolitical developments, it could  
2 cover military issues, terrorism, ideologically motivated  
3 violent extremism, a trade issue, it could cover cyber risks.  
4 So it's a broad continuum, including foreign interference.  
5 So part of the job in this respect is to separate out of all  
6 of that kind of what's the most important?

7 And so we receive a broad variety of  
8 information, either through -- directly from the agencies, if  
9 they identify it's of a sufficient import, the Security and  
10 Intelligence Group within the Privy Council Office that works  
11 for the National Security Advisor would provide products on a  
12 regular basis. For example, I would get a daily bulletin  
13 which would contain a curated amount of information on topics  
14 selected from that broad universe that I just described.

15 **COMMISSIONER HOGUE:** I've got a question. I  
16 know it's going to be a difficult one to answer, but can you  
17 just give us an idea of when you're speaking about a large  
18 volume, what you're talking about in terms of the  
19 intelligence you're receiving, let's say weekly?

20 **MS. JANICE CHARETTE:** I'll try to do that  
21 maybe at the end, Commissioner, ---

22 **COMMISSIONER HOGUE:** Okay.

23 **MS. JANICE CHARETTE:** --- if that's okay?

24 **COMMISSIONER HOGUE:** Perfect.

25 **MS. JANICE CHARETTE:** I'll kind of give you  
26 the ---

27 **COMMISSIONER HOGUE:** Perfect.

28 **MS. JANICE CHARETTE:** --- components and then

1 try and give you a kind of how much does that add up to.

2 **COMMISSIONER HOGUE:** Perfect.

3 **MS. JANICE CHARETTE:** So you have a daily.  
4 That's the easy one. That's one page double sided. So  
5 that's every day you get that particular product.

6 On a weekly basis, there is a weekly product  
7 that's produced by the Privy Council Office, which basically  
8 draws from the, kind of the most important pieces out of the  
9 dailies. That's also one page double sided. So those are  
10 two very focused products.

11 In addition to that, I would get a package of  
12 highly classified intelligence that one of our client  
13 relations officers would bring to me, and sit with me while I  
14 read it. That would be a package which the -- we call them  
15 CROs. The CRO would identify working with potentially the  
16 National Security Advisor, or other members of NSIA security  
17 and intelligence team that were kind of things that I should  
18 be aware of because they were topical. For example, the  
19 situation in Haiti. There may be particular pieces of  
20 intelligence relevant to that conflict. Or the Russian-  
21 Ukraine situation. That would be examples. So it's kind of  
22 topical issues that are current that are the focus of kind of  
23 discussions and deliberations within the government, or  
24 anything which was named to me. So the clerk should see  
25 this; right? We've seen some named distributions on some of  
26 the intelligence spots.

27 In addition to that, I would get a weekly  
28 package, which I would describe as kind of for situational

1 awareness. And that -- so the CRO package could vary. I  
2 would say that would take me about 45 minutes to an hour to  
3 read, and then at various points in the week I could have  
4 additional products brought to me. At the end of the week, I  
5 would get kind of a situational awareness. That could be  
6 products that came from Canadian agencies, either raw  
7 intelligence, more likely assessed products, kind of products  
8 that have analysed a body of intelligence, or products that  
9 come from our Five Eyes partners. And that could be a  
10 package of upwards to 20 or 25 products that would take a  
11 couple of hours to read, so we're probably talking about 150  
12 pages or so, and that is curated.

13 In addition to that, at any point in time,  
14 the National Security Intelligence Advisor or any of the  
15 heads of agencies may send something to me directly for my  
16 attention. So that gives you a sense of the broad scan. I  
17 didn't -- I did not read all of it to the same degree. You  
18 can imagine I triaged as well, things that had my name on  
19 them, particular attention, drawn to my attention by the NSIA  
20 or one of the agency heads for my information or for action.  
21 Those are the ones that I would pay particular attention to.  
22 The situational awareness is part of kind of my overall  
23 understanding about what's going on in the world, and that  
24 was kind of -- I would try and make my way through as much of  
25 that as I could on a weekly basis, but all of that would take  
26 many hours in a week to go through all of that.

27 And so part of the job then is to figure out  
28 of all of this information, what, if anything, needs to go to

1 the Prime Minister. The Prime Minister -- of all the  
2 products that I just mentioned, I think if you read the Prime  
3 Minister's Office institutional report, they give you a  
4 summary of the information provided to the Prime Minister.  
5 My responsibility, I thought, he received the weekly bulletin  
6 from the intelligence assessment group within the Privy  
7 Council Office. My responsibility was if I saw anything in  
8 that that I thought he needed to pay attention to, I would  
9 not assume that he read everything that he was sent. I would  
10 draw his attention particularly to that.

11 **MS. SHANTONA CHAUDHURY:** Just before we  
12 continue on with that thought, Mme Drouin, would you also  
13 receive all of the intelligence that goes to the clerk or a  
14 subset thereof, or how does that work?

15 **Mme NATHALIE DROUIN:** Je recevais les mêmes  
16 documents que la greffière recevait, je n'en prenais pas  
17 nécessairement connaissance en même temps. Nos disponibilités  
18 de lecture, par exemple, avec le CRO était différent, et je  
19 devais moi aussi faire un triage par rapport à ce que je  
20 recevais, et je me concentrais surtout sur les évaluations  
21 hebdomadaires plutôt que les évaluations quotidiennes, ainsi  
22 que l'intelligence qui était au soutien de ces évaluations-  
23 là.

24 Si je peux faire une comparaison pour un peu  
25 illustrer la question de la commissaire, dans mon rôle  
26 maintenant, je reçois un set d'informations qui est  
27 substantiellement différent en termes de volume, donc si je  
28 peux juste montrer ce que je reçois au quotidien, c'est à peu

1 près comme ça, donc dans une semaine, c'est à peu près comme  
2 ça au niveau de la quantité de documents d'intelligence et le  
3 rôle, donc, de la conseillère en sécurité nationale, c'est de  
4 faire ce tri-là avec ses professionnels pour le bénéfice du  
5 greffier ou de la greffière.

6 **COMMISSAIRE HOGUE:** Pour préciser, vous avez  
7 mentionné à peu près un pouce et demi simplement parce qu'il  
8 y a des notes sténographiques?

9 **Mme NATHALIE DROUIN:** Oui, merci.

10 **COMMISSAIRE HOGUE:** Alors, à peu près un  
11 pouce et demi quotidiennement?

12 **Mme NATHALIE DROUIN:** Oui.

13 **COMMISSAIRE HOGUE:** Et évidemment, à la fin  
14 de la semaine, on parle de probablement sept, huit, neuf...

15 **Mme NATHALIE DROUIN:** Neuf pouces, oui.

16 **COMMISSAIRE HOGUE:** ...dix pouces de documents...

17 **Mme NATHALIE DROUIN:** Oui.

18 **COMMISSAIRE HOGUE:** ...hebdomadairement.

19 **Mme NATHALIE DROUIN:** Oui.

20 **COMMISSAIRE HOGUE:** Merci.

21 **Mme JANICE CHARETTE:** Aussi, si je peux  
22 ajouter, nous parlions des produits d'intelligence en papier.  
23 Il y a aussi des discussions entre les sous-ministres,  
24 particulièrement entre moi, en tant que greffière, avec le  
25 National Security and Intelligence Advisor d'une façon orale.

26 One of the tactics that I employ to try to  
27 cope with the volume of information was I set up a weekly  
28 oral briefing when time permitted in my schedule with the

1 team from the Intelligence Assessment Secretariate in order  
2 to be able to kind of have a more in-depth discussion in a  
3 particular area, and I would try and vary those topics  
4 depending on what was going on. If there was a G7 summit  
5 coming up, for instance, we would talk about those issues,  
6 particular conflict. So an attempt to kind of stay on top of  
7 the situational awareness, in addition to the written  
8 products, we also had the opportunity for oral briefings.

9 **Mme NATHALIE DROUIN:** Juste, les travaux de  
10 cette commission concernent l'ingérence étrangère, mais le  
11 contenu de l'intelligence qu'on reçoit n'était pas uniquement  
12 sur l'ingérence étrangère, ça, c'est vraiment une sous-  
13 catégorie de l'intelligence que l'on peut... des rapports  
14 d'intelligence que l'on peut recevoir, mais c'est pas une  
15 catégorie, c'est-à-dire j'ai pas un document en particulier  
16 qui dit « voici de l'intelligence en matière d'ingérence  
17 étrangère », c'est à travers l'ensemble des informations que  
18 l'on reçoit.

19 **Me SHANTONA CHAUDHURY:** Je ne sais pas si  
20 vous pouvez répondre à cette question, mais est-ce que vous  
21 pouvez estimer la proportion de l'intelligence qui a rapport  
22 avec l'ingérence étrangère?

23 **Mme NATHALIE DROUIN:** C'est difficile parce  
24 que ça peut varier. Dans le cadre des conflits mondiaux en ce  
25 moment, il y a beaucoup plus de rapports à cet égard-là,  
26 durant la pandémie, il y avait beaucoup plus de rapports  
27 relativement à la pandémie, donc c'est vraiment très, très  
28 contextuel.

1                   **Me SHANTONA CHAUDHURY:** Parfait.

2                   **MS. JANICE CHARETTE:** I think that's one of  
3 the reasons why -- yesterday we talked about our  
4 responsibilities as the Panel of Five. I think, for me, it  
5 shows during the election campaign we had a focus level of  
6 attention on this topic in particular with a daily bulletin  
7 about foreign interference dedicated to a group of Deputy  
8 Ministers. So that shows you kind of by comparison we would  
9 get bits and pieces through the course of a day, or a week in  
10 a package. This was daily focus during the election campaign  
11 given our responsibilities under the protocol, just to try  
12 and show the differences.

13                   **MS. SHANTONA CHAUDHURY:** And will that be  
14 because during an election period, foreign interference was a  
15 focus?

16                   **MS. JANICE CHARETTE:** Because we had  
17 responsibilities under the protocol to be monitoring and  
18 meeting as the Panel of Five if we identified something that  
19 we thought needed to be addressed.

20                   **MS. SHANTONA CHAUDHURY:** Okay. So amidst  
21 this fairly massive volume of information, what's the path  
22 for intelligence to go up to the Prime Minister? How is it  
23 decided that something is important enough for the Prime  
24 Minister to see it? And is that always the clerk making the  
25 decision, the NSIA making the decision, or the intelligence  
26 agencies themselves? Can you explain that?

27                   **MS. JANICE CHARETTE:** Of course. So as I  
28 said, the Prime Minister gets a weekly product that goes to

1 him through the auspices of the security and intelligence  
2 group within the PCO. That's a product which situational  
3 awareness, he may or may not have time to read it all. If  
4 there's anything in particular in there, my responsibility,  
5 or the NSIA's responsibility to say this one in particular,  
6 or this issue in particular you should be aware of this, you  
7 should be on top of this. He may have other products which  
8 are identified to him either by myself or the National  
9 Security and Intelligence Advisor. In the course of our  
10 readings, we would bring those things to him. He may or may  
11 not get a small part of a reading package as part of that,  
12 which could come either from myself, the NSIA, or from his  
13 office who also has a feed of intelligence products to them.

14 I'd say that might be useful to describe. So  
15 how do we -- I mean, part of the judgment call, every day for  
16 a Deputy Minister, is what information do you provide to your  
17 Minister, in my case the Prime Minister, given his broad  
18 range of responsibilities. What information do you give him  
19 out of all of this? And so I try to think about the criteria  
20 that I was using to do this. And so I would say there were  
21 kind of three areas in this space in respect of kind of  
22 intelligence, including foreign interference.

23 The first is for his situational awareness.  
24 So I might say to him, here's a product that I think would be  
25 of interest to you, or here is a situation that I think you  
26 need to understand the evolution of, and so information in  
27 this space and others for situational awareness.

28 Secondly, if there's a particular policy

1 issue that's under review or deliberation, I might say here  
2 is some information, or product him access to officials who  
3 can provide him with briefing on a certain set of kind of  
4 background information and analysis that will support the  
5 policy deliberations that might take place, either in a  
6 Cabinet or with him and a subgroup of Ministers.

7 And third would be probably of all of this  
8 the smallest percentage of all of this is information that  
9 has to go to him, either for a decision that he's going to  
10 take, an action he's going to take, or a specific purpose,  
11 he's going to a meeting with another -- a leader of another  
12 country, here's a particular issue that the community as  
13 vetted by myself and the National Security Advisor think that  
14 you should be aware of and possibly briefed.

15 **MS. ERIN DANN:** And I'm sorry to interrupt  
16 one more time. The interpreters are ---

17 **COMMISSIONER HOGUE:** Slow.

18 **MS. ERIN DANN:** --- just signaling to us that  
19 it would be most helpful if we could ---

20 **COMMISSIONER HOGUE:** Slow.

21 **MS. ERIN DANN:** --- slow down a little bit.  
22 Thank you very much.

23 **MS. SHANTONA CHAUDHURY:** I think we're  
24 probably all guilty of that.

25 **MS. JANICE CHARETTE:** I get excited.

26 **MS. SHANTONA CHAUDHURY:** Apparently.

27 **MS. JANICE CHARETTE:** I apologise.

28 **MS. SHANTONA CHAUDHURY:** Would it always be

1 clear to the Prime Minister, would you make it clear to the  
2 Prime Minister for which of those purposes he was receiving  
3 the intelligence?

4 **MS. JANICE CHARETTE:** No, I was trying to  
5 provide a sense of how I would do the triage, which is what  
6 every deputy has to do in terms of figuring out of all the  
7 information you have access to what needs to go when. And so  
8 you're looking at kind of those criteria, and is the  
9 information, is it timely, is the information, like is it  
10 mature, is kind of comprehensive, is it complete, has it been  
11 analysed, is there a particular action that's necessary?

12 So it -- there's a number of things that goes  
13 into that daily judgement. I think that, you know, that's  
14 something that you develop -- I was a deputy minister for  
15 almost 20 years, so it's something that you hone over time.

16 **MS. SHANTONA CHAUDHURY:** But at the point at  
17 which you provide the information to the Prime Minister,  
18 would you make it clear to him for what purpose it was being  
19 provided? So for a decision versus for situational  
20 awareness, for instance?

21 **MS. JANICE CHARETTE:** So we were providing  
22 him with written notes. The top of every note to the Prime  
23 Minister will say "for information" or "for a decision". I  
24 may provide him with -- for example, in the case of that  
25 weekly bulletin we were describing, I might draw that to his  
26 attention in a meeting that I might be having with him. So  
27 not -- I would say that if I was presenting to him for action  
28 or decision that was clear.

1                   **MS. NATHALIE DROUIN:** Si je peux me  
2 permettre...

3                   **Me SHANTONA CHAUDHURY:** Bien sûr.

4                   **Mme NATHALIE DROUIN:** ...le contexte aussi  
5 aide. Par exemple, si nous offrons un breffage au premier  
6 ministre avant qu'il ait une conversation avec un dirigeant  
7 d'un autre pays, c'est clair que c'est pour son information  
8 avant qu'il puisse parler au dirigeant en question. Si on  
9 offre de l'information alors qu'on est en train de  
10 développer, par exemple, un mémoire au Cabinet, l'information  
11 est vraiment pour les fins du développement de la politique.

12                   Donc, le contexte dans lequel on donne  
13 l'information est une indication pour le premier ministre de  
14 l'utilité de l'information que l'on donne.

15                   **Me SHANTONA CHAUDHURY:** Parfait.

16                   Okay. I'm going to take you now to an  
17 example of when it was decided that something was important  
18 enough to not only bring to the Prime Minister's attention  
19 but to brief him specifically. And that's a fall 2022  
20 briefing to the Prime Minister on foreign interference. This  
21 is discussed, for the record, at the -- your interview  
22 summary, WIT 51, paragraph 36 and 37.

23                   So Mr. Clerk, that may be helpful for the  
24 witnesses to see.

25                   But Ms. Charette, I'll ask you to take us  
26 through the chronology of this, because I understand there  
27 were actually three separate meetings, one which was with, I  
28 believe, officials only; one to the PMO; and then one to the

1 PM.

2 **MS. JANICE CHARETTE:** Right. So the first  
3 meeting in this series is a meeting that took place on  
4 September the 13th. As you will see in the summary, it took  
5 place with the Director of CSIS, Mr. Vigneault, and one of  
6 his team members, I think it was Madam Henderson.

7 So the NSIA and myself were briefed by the  
8 head of the Service, and it was a opportunity for us to have,  
9 just kind of a -- kind of an overall update on the threat and  
10 risk environment with respect to foreign interference. We  
11 had a discussion about kind of the -- what -- the steps that  
12 CSIS was taking within their own mandate to deal with these  
13 threats. We were having a conversation about some of the  
14 other tools in the toolkit where there had been conversations  
15 and deliberations about, for example, the changes to the *CSIS*  
16 *Act*, which had been under discussion for sometime. So what  
17 were some of the things that CSIS was doing and what were  
18 some of the things that, with additional tools, CSIS could do  
19 to address the risk?

20 And then we had an update from the Director  
21 on some particular cases that were of -- particularly with  
22 respect to parliamentarians, and examples of hostile state  
23 actor activity that he thought were timely to bring to our  
24 attention. That meeting happens about -- as I said,  
25 September the 13th.

26 As a follow-up to that, there was a briefing  
27 which the National Security and Intelligence Advisor then --  
28 so the NSIA and myself come out of that briefing with the

1 Director and we think there is a body of information here  
2 that we think it's time for an update, a situational  
3 awareness update to be proceeding forward, using my kind of  
4 lexicon.

5 The next step is the NSIA briefs the Prime  
6 Minister's Office so that they also can have access to that  
7 information. It's not a -- and the Director participates in  
8 that briefing. So they get kind of a mirror of the briefing  
9 that we have had with the Director.

10 And then the third in the series is the  
11 briefing that took place, as shown here, on the 27th of  
12 October. This is a briefing that took place, again, the  
13 NSIA, the Clerk, the Director of CSIS, with the Prime  
14 Minister, and members of his team. There were other PCO  
15 officials, I believe, in attendance at that.

16 And we ran through the same kind of three  
17 parts of the agenda. It was an opportunity to provide an  
18 update to the Prime Minister on the kind of the threat  
19 environment that we were seeing on the part of various of our  
20 threat actors that were known in this environment; an  
21 up-to-date for the Prime Minister on steps that CSIS had  
22 taken, defensive briefings that they had done, for example;  
23 and an update on some of the other areas where -- kind of  
24 input to the policy deliberation process again, where it  
25 would be helpful to think about new tools in the toolkit, so  
26 an opportunity for an exchange in dialogue about that; and  
27 then again, for the Prime Minister, a briefing on particular  
28 cases for his situational awareness.

1 I -- there was no actions or decisions that  
2 were brought to the Prime Minister in the context of that  
3 briefing on specific cases.

4 **MS. SHANTONA CHAUDHURY:** Okay. I'm just  
5 going to stop you there and ask the clerk to bring up  
6 document CAN 015842.

7 **--- EXHIBIT No./PIÈCE No. CAN 15842:**

8 Briefing to the PM on Foreign  
9 Interference Threats to Canada's  
10 Democratic Institution

11 **MS. SHANTONA CHAUDHURY:** So Ms. Charette,  
12 these are notes for a briefing to the Prime Minister on FI.  
13 They're dated October 26, 2022. For the briefing, I assume  
14 that it was delivered on October 27th. We don't have time to  
15 go through these notes in any detail here.

16 But Mr. Clerk, I'll just ask you for the  
17 benefit of everyone here to scroll through briefly these  
18 notes.

19 And I understand you've had an opportunity to  
20 review them. Are they an accurate description of the  
21 information that was provided to the Prime Minister that day?

22 **MS. JANICE CHARETTE:** Not exactly. So let me  
23 just -- let me start with a broader caveat because I think  
24 the Commission has been provided in a number of cases with  
25 what we describe as talking points or speaking notes or a  
26 briefing like this. These are notes that would have been  
27 provided to the Director.

28 As deputy ministers, we would receive these

1 as input to a meeting that we might be participating in. So  
2 briefing notes or talking points to guide the discussion for  
3 a, in this case, a briefing with the Prime Minister. It --  
4 they are not verbatim. The Deputy Minister would very rarely  
5 deliver this as a -- it's not a speech, it's not -- this is a  
6 tool for, or input for the Director to use in this case, but  
7 a deputy to use in the context of a briefing. A guide. Some  
8 information from your team. And then the deputy, in this  
9 case the Director, would choose kind of to follow the  
10 outline. They may cover some, but not all of the topics, and  
11 the individual can also choose to add information which is  
12 not in the talking points. All to say don't read this as  
13 this is what the Director said.

14 As well, this is a briefing with another --  
15 with, in this case, the Prime Minister. And so it's very  
16 much a two-way dialogue. He can ask questions. Other -- I  
17 could ask questions. The National Security Advisor, his  
18 office, my ask questions. So it's a bit more of a free-  
19 flowing conversation than the Director reading a set of notes  
20 and the Prime Minister hearing it.

21 That being said, looking at these notes, it  
22 is fair to say that the kind of the broad topics that I  
23 discussed, an update on the kind of behaviour of threat  
24 actors and some specific cases, were drawn to the attention  
25 of the Prime Minister. And an update on some of CSIS  
26 activities and the toolkit that's available, that is  
27 reflected in the notes. What is not in the notes is  
28 information about specific cases, some of which may have been

1 redacted for the purposes of national security.

2 **MS. SHANTONA CHAUDHURY:** Thank you. The next  
3 document I'm going to take you to is CAN 001082.

4 **--- EXHIBIT No./PIÈCE No. CAN 1082:**

5 Liberal Party Representatives SITE  
6 Briefing

7 **MS. SHANTONA CHAUDHURY:** So this is a  
8 document representing something that happened in the 2021  
9 election, and we understand that on the basis of this  
10 document there was a briefing delivered in -- during the  
11 election to cleared representatives of the Liberal Party.

12 **MS. JANICE CHARETTE:** M'hm.

13 **MS. SHANTONA CHAUDHURY:** Ms. Charette, can  
14 you tell us -- what can you tell us about this briefing in  
15 this context? Were you made aware of this briefing and the  
16 content of it?

17 **MS. JANICE CHARETTE:** So I believe I spoke  
18 about this briefing yesterday in my capacity as a member of  
19 the Panel of Five. So this briefing happened during the 2021  
20 election. This was a briefing that was done by members of  
21 the service along with the Privy Council Office to the  
22 cleared representative of the Liberal Party of Canada. It  
23 was a classified briefing that was provided on a matter that  
24 was relevant to that particular party. The Panel of Five, in  
25 my capacity, I was sitting as a member of the Panel of Five  
26 was made aware of the matter that was developing. One of the  
27 things that I had a chance to -- thank you -- one of the  
28 things I had a chance to do was as we were hearing about this

1 on the Panel of Five, I also have as I -- we talked about  
2 yesterday, we retained all of our kind of powers and  
3 authorities as Deputy Ministers. And so when we were hearing  
4 about this matter in the Panel of Five, I asked the Director  
5 of CSIS what, if any, mitigation options could be taken. He  
6 and I had a meeting outside of the Panel of Five in which we  
7 discussed some of the things that could be done. And in the  
8 end, it was agreed that this briefing would take place.

9 The Panel of Five was informed afterwards  
10 about the briefing having taken place. The Panel of Five  
11 continued to follow this matter within our deliberations.  
12 And as I said yesterday, at no point did this matter reach  
13 the threshold in the minds of the Panel in terms of something  
14 which impaired the ability of Canadians to have a free and  
15 fair election. I did not -- and this is your question, I did  
16 not brief the Prime Minister on this, either during the  
17 election or after the election. And, in fact, the -- I  
18 believe the first briefing of the Prime Minister on this took  
19 place not until 2023.

20 **MS. SHANTONA CHAUDHURY:** Okay.

21 **MS. JANICE CHARETTE:** --- by the Privy  
22 Council Office.

23 **MS. SHANTONA CHAUDHURY:** Briefing by the  
24 Privy Council Office?

25 **MS. JANICE CHARETTE:** That's right.

26 **MS. SHANTONA CHAUDHURY:** Okay. Sticking with  
27 the 2021 election, I'm going to ask the clerk to bring up CAN  
28 013124\_R01.

1 --- EXHIBIT No./PIÈCE No. CAN 13124 R01:

2 CPC Concerns around Foreign Election

3 Interference 2021

4 **COMMISSIONER HOGUE:** I just have one  
5 question.

6 **MS. SHANTONA CHAUDHURY:** Oh, excusez-moi.

7 **COMMISSIONER HOGUE:** You said he was only  
8 briefed, the Prime Minister was only briefed in 2023 by the -  
9 --

10 **MS. JANICE CHARETTE:** Privy Council Office.

11 **COMMISSIONER HOGUE:** --- by the Privy  
12 Council. So are you aware of any other briefings that may  
13 have taken place ---

14 **MS. JANICE CHARETTE:** So ---

15 **COMMISSIONER HOGUE:** --- and offered by  
16 someone else to the PM?

17 **MS. JANICE CHARETTE:** I would have been aware  
18 of that. I have not ---

19 **COMMISSIONER HOGUE:** You would have been  
20 aware?

21 **MS. JANICE CHARETTE:** Not in the public  
22 service. He many have had other briefings through the  
23 Liberal Party, because as you see, this is a Liberal Party  
24 brief. I think you will be meeting with other  
25 representatives who will be able to speak to that. But as  
26 the clerk, in my capacity as the -- as his Deputy Minister, I  
27 did not take this information and brief it to the Prime  
28 Minister, either during or after the -- or in the period

1 after the election, until -- as I said, not until 2023 where,  
2 at that point in time I would say -- I got to be careful what  
3 I'm allowed to say here -- I believe that the situation had  
4 evolved, and it was for that reason that there was a  
5 subsequent briefing done.

6 **COMMISSIONER HOGUE:** Thank you.

7 **MS. SHANTONA CHAUDHURY:** So if we look now at  
8 briefly CAN 013 ---

9 **MS. JANICE CHARETTE:** Oh, yeah.

10 **MS. SHANTONA CHAUDHURY:** --- 1342, it's in  
11 front of us now. So scroll down a little bit, Mr. Clerk, to  
12 the next page and we'll all recognise this document now.  
13 This is having to do with concerns brought by the  
14 Conservative Party after the 2021 election relating to mis  
15 and disinformation.

16 So, Ms. Charette, the document that we see  
17 here is a memo from the NSIA at the time, Jody Thomas, to  
18 you, dated I believe March 28<sup>th</sup>, 2023. Can you explain the  
19 purpose of this memo? Why is a memo being provided to you on  
20 this at that time?

21 **MS. JANICE CHARETTE:** Okay. So as you said,  
22 pointed out, this memo was provided to me in 2023. At that  
23 point, there had been -- in March of 2023, at that point,  
24 there had been a media article containing comments by Mr.  
25 Walied Soliman about the concerns raised by the Conservative  
26 Party of Canada, which we discussed yesterday, after the  
27 conclusion of the 2021 election that were analysed and  
28 assessed by SITE, and where there was a follow-up briefing

1 and reporting to the Conservative Party about those. He went  
2 public about those in the spring of 2023.

3 At that point in time, I asked that my  
4 officials would go back and remind me -- this was almost two  
5 years. A lot of things happen in two years. I asked my  
6 officials to go back and remind me what was the nature of the  
7 concerns that the Conservative Party of Canada raised, what  
8 specifically had been done about those, and what, if  
9 anything, more could they tell me about that at this point in  
10 time.

11 So you see an information note here to me  
12 from the National Security and Intelligence Advisor, which  
13 explains what happened in 2021 in terms of the concerns that  
14 were raised, the process that was followed, in terms of the  
15 assessment, the communications of that, and then a heads up  
16 that it was expected that this issue may resurface again in  
17 one of the Parliamentary committees.

18 Then it goes through in background a little  
19 bit more detail on that and contains a number of tabs of  
20 attachments to that, including the email that was submitted  
21 by the Chief of Staff to the then leader of the Conservative  
22 Party with the additional information that they had provided  
23 to us after the election. You'll see it's I think dated the  
24 30<sup>th</sup> of September. Then I was provided with an -- in the  
25 second tab a summary of the assessment that we spoke about  
26 yesterday that had been done by the SITE Task Force. This  
27 was a body of work that was done over a course of  
28 approximately three weeks, which was summarised in this

1 three-page document, which was provided to me. A longer  
2 document I think is also available. We talked about  
3 yesterday kind of 11 page. And then at tabs C, it provides a  
4 summary of the information that was known at the time of the  
5 briefing to report back to the Conservative Party about the  
6 findings of that assessment. And the last tab is the  
7 speaking points I believe that were developed for the  
8 conversation that took place and where that debriefing on the  
9 results of the SITE assessment were done with the  
10 Conservative Party.

11 **MS. SHANTONA CHAUDHURY:** Okay. Were there  
12 any particular steps for you to take following the receipt of  
13 this memo?

14 **MS. JANICE CHARETTE:** No, this was really for  
15 me to make sure that I had kind of my facts straight in my  
16 mind. And it formed part of kind of the body of knowledge  
17 about the kinds of things that -- I mean, I had seen this  
18 through the Panel of Five, but again, it was kind of the body  
19 of knowledge of some of the things that we were watching for  
20 in terms of the capabilities of some of the threat actors in  
21 the foreign interference space. So I think that's also  
22 summarised as well in one of the summaries on this particular  
23 matter which has been provided to the inquiry.

24 **MS. SHANTONA CHAUDHURY:** Okay. And just  
25 another question on this, as we scroll up and down through  
26 the document, there are a number of handwritten notes. Would  
27 those be your notes?

28 **MS. JANICE CHARETTE:** They are not my notes.

1 MS. SHANTONA CHAUDHURY: Do you know who ---

2 MS. JANICE CHARETTE: I don't know who notes  
3 they are.

4 MS. SHANTONA CHAUDHURY: Okay. It's always  
5 worth ---

6 MS. JANICE CHARETTE: My handwriting is not  
7 that legible.

8 MS. SHANTONA CHAUDHURY: And then lastly,  
9 appreciating that you would not have been there in the fall  
10 of 2021 when this occurred, Mme Drouin, I believe you were,  
11 was the PM advised of these concerns in ---

12 MS. JANICE CHARETTE: I was ---

13 MS. SHANTONA CHAUDHURY: --- 2021?

14 MS. JANICE CHARETTE: --- I was there.

15 MS. SHANTONA CHAUDHURY: Oh, you were? You  
16 were. I'm sorry ---

17 MS. JANICE CHARETTE: Yeah.

18 MS. SHANTONA CHAUDHURY: --- you were, of  
19 course.

20 MS. JANICE CHARETTE: Yeah. So, no, I did  
21 not advise the Prime Minister at the time of this. I -- at  
22 the time, with the -- this was information and analysis that  
23 was occurring in the context of the Panel of Five. The Panel  
24 of Five did not find that there was information which caused  
25 us to make a public announcement under the directive and the  
26 protocol. I didn't think that there was any information that  
27 required his action, and he was generally aware of the  
28 situation in terms of the capabilities here, so I didn't

1 think there was anything new to bring to his attention.

2 **MS. SHANTONA CHAUDHURY:** Okay. Finally, the  
3 last topic I would like to ask you about briefly is a meeting  
4 that happened in 2023. So, Mr. Clerk, if we can go to CAN  
5 017676?

6 **--- EXHIBIT No./PIÈCE No. CAN 17676:**

7 Handwritten Notes of B. Clow &  
8 Meeting Invitation

9 **MS. SHANTONA CHAUDHURY:** And if you'll just  
10 scroll down to the second page, Mr. Clerk? So as I said,  
11 this is a meeting that happens in 2023. This was after some  
12 -- there have been some media leaks, obviously, on the topic  
13 of foreign interference and what's discussed in this meeting  
14 appears to be a lot having to do with the elections and  
15 things happening prior to that.

16 So the date is May 18<sup>th</sup>, the participants, we  
17 have four Ministers there, Ministers Blair, LeBlanc, Joly,  
18 and Mendicino, and then an array of both PMO staffers and  
19 officials. It starts with "Clerk intro".

20 So Ms. Charette, again, I'll just ask you to  
21 explain what was going on in this meeting on the basis of  
22 these notes?

23 **MS. JANICE CHARETTE:** As you pointed out, the  
24 time frame for this meeting was the 18<sup>th</sup> of May. At this  
25 point in time, there was a fair degree of public attention,  
26 media attention, attention in Parliament, to the matters of  
27 foreign interference. And so the Prime Minister asked that  
28 four Ministers, the four Ministers you see here, Ministers

1 Blair, LeBlanc, Joly, and Mendicino be read in, be briefed,  
2 on the current body of knowledge and understanding in the  
3 security and intelligence community around two particular --  
4 the activities of two particular state actors. In this case,  
5 this briefing was about the deep dive that happens, you can  
6 see it kind of half way down the page, starts with the PRC,  
7 the People's Republic of China.

8 Before we get to that, you see a briefing  
9 that's taking place led by the Service. So it would have  
10 been Madam Giles, with subject matter experts who came in and  
11 who would have provided some context for a group of Ministers  
12 who haven't -- don't have the same level of knowledge and  
13 understanding. So kind of, "Here is a sense, Ministers, of  
14 the kinds of capabilities that we believe hostile state  
15 actors have, and what their intentions are, and what actions  
16 we have seen. Some examples of that, of what we have seen in  
17 the past," you see 2019 there, for example.

18 And then there goes into a more comprehensive  
19 review of the particular actions and our body of knowledge  
20 with respect to the capabilities, intentions, and activities  
21 of the PRC in respect of foreign interference. We see a  
22 discussion of particular cases, some of which have been in  
23 the media. So there was Ministers were reading things in the  
24 newspapers and this was an opportunity for the intelligence  
25 community to be able to inform Ministers about what they had  
26 seen in the intelligence as opposed to necessarily what was  
27 being reported in the newspapers and to discuss -- Ministers  
28 had a chance to talk about what the impact is on Canada, on

1 the public interest in Canada, the impact on diaspora  
2 communities in Canada, lots of questions in there.

3 Again, this was a briefing, not a speech  
4 delivered. There was a very substantial solid brief that was  
5 provided to these Ministers for their awareness and  
6 understanding and an opportunity to ask questions, and you  
7 see some back and forth I think in these notes, which I  
8 believe are the notes prepared by one of the Deputy Chiefs of  
9 Staff to the Prime Minister.

10 And so there was also an opportunity in the  
11 same briefing for Ministers to be -- to have explained to  
12 them what the existing tool kit is, because part of the  
13 objective here was in addition to them just having a  
14 situational awareness, the expectation would be that they  
15 would then have a follow-along conversation and be in a  
16 position, if need be, to talk to the Prime Minister about  
17 what action, if any, the Government of Canada should be  
18 taking on the policy side or in any other front.

19 **MS. SHANTONA CHAUDHURY:** Well, I think our  
20 time is up, so in the interest of time, we're going to leave  
21 that on a cliff hanger and see what happened next, if  
22 anything.

23 **COMMISSIONER HOGUE:** Thank you.

24 So the first counsel, it's counsel for Erin  
25 O'Toole.

26 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

27 **MR. THOMAS JARMYN:**

28 **MR. THOMAS JARMYN:** Thank you, Commissioner.

1           Good morning. My name is Tom Jarmyn. I'm  
2 counsel for Erin O'Toole.

3           The first question I'd like to ask is, so if  
4 -- how does the Director get on the calendar for briefing  
5 with PMO staff?

6                   **MS. JANICE CHARETTE:** So it could happen one  
7 of two ways. The Director of CSIS may suggest to the  
8 National Security Advisor, or to the Clerk, that he has  
9 information that he thinks would be appropriate to brief to  
10 PMO staff. That would be -- usually it would be to the Prime  
11 Minister, and then there would be kind of a pre-brief of PMO  
12 staff so they have the same level of information.

13                   Normally in those instances, it would be  
14 expected, and it would be my expectation certainly, that the  
15 Director of CSIS would have already informed his Minister,  
16 the Minister of Public Safety, before that would happen.

17                   Alternatively, there could be a request from  
18 the Prime Minister's Office for a briefing that would go  
19 through either the National Security Advisor or myself, and  
20 one of us, if not both of us, would usually attend one of  
21 those briefings.

22                   **MR. THOMAS JARMYN:** So the usual course of  
23 business is that the request is funneled to the Director  
24 either through the DMO or through you, and ultimately the  
25 Clerk or the NSIA is usually informed of these things before  
26 they happen?

27                   **MS. JANICE CHARETTE:** And -- yes. And would  
28 participate.

1           **MR. THOMAS JARMYN:** And if you don't attend,  
2 someone from your staff would have attended?

3           **MS. JANICE CHARETTE:** Including the National  
4 Security Intelligence Advisor.

5           **MR. THOMAS JARMYN:** Yeah. I'd like to take  
6 you to CAN004495.

7 **--- EXHIBIT No./PIÈCE No. CAN 4495:**

8                                   Briefing to the Prime Minister's  
9                                   Office on Foreign Interference  
10                                  Threats to Canada's Democratic  
11                                  Institutions

12           **MR. THOMAS JARMYN:** And this is entitled  
13 *Briefing to the Prime Minister's Office on Foreign*  
14 *Interference Threats to Canada's Democratic Institutions.*

15           **MS. JANICE CHARETTE:** M'hm.

16           **MR. THOMAS JARMYN:** And I'm inferring that  
17 this is a note prepared by CSIS for the Director to speak to  
18 PMO?

19           **MS. JANICE CHARETTE:** That's what it looks  
20 like to me, yes.

21           **MR. THOMAS JARMYN:** And accepting your point  
22 that these are speaking notes, not verbatim notes or a  
23 transcript by any means, but generally, in your experience,  
24 Deputies tend to follow their speaking notes?

25           **MS. JANICE CHARETTE:** I did not say that,  
26 sir. I said ---

27           **MR. THOMAS JARMYN:** Okay. That's what I'm  
28 asking.

1                   **MS. JANICE CHARETTE:** It's an outline.

2                   **MR. THOMAS JARMYN:** Yeah.

3                   **MS. JANICE CHARETTE:** It's information that's  
4 available. But ultimately, the Director would have chosen  
5 what he would have briefed on and what words he would have  
6 used, including what nuance, or in the words of intelligence,  
7 what caveats he may have offered as he was going through.

8                   **MR. THOMAS JARMYN:** And, you know, early on  
9 in the process, obviously, if a question sort of went in a  
10 different direction, then maybe it's possible the matter  
11 doesn't get covered in any ---

12                   **MS. JANICE CHARETTE:** If either something  
13 didn't get covered, or something did that wasn't necessarily  
14 in the speaking notes.

15                   **MR. THOMAS JARMYN:** I'd like to scroll down  
16 to the -- page 3. Further. Further. Just a little further,  
17 please. Just up. Sorry. Thank you.

18                   And so here's a provision that discusses in  
19 response, it appears, to media stories related to Vancouver-  
20 East, the Service's current assessment with respect to what  
21 happened in the 2021 Election.

22                   And it appears to be significantly, more to  
23 use your words, mature and complete than the analysis we were  
24 seeing during the election itself. Is that a fair statement?

25                   **MS. JANICE CHARETTE:** So can I just go scroll  
26 up a little bit?

27                   **MR. THOMAS JARMYN:** Sure. Scroll up, please.

28                   **MS. JANICE CHARETTE:** Just to give you some

1 context, if I could.

2 **MR. THOMAS JARMYN:** Yeah.

3 **MS. JANICE CHARETTE:** So on page 2, you see  
4 that this section of the note -- a little bit more. A little  
5 bit more. There we go.

6 So this section of the note is entitled  
7 "Assertions in Media Reporting".

8 **MR. THOMAS JARMYN:** Yes.

9 **MS. JANICE CHARETTE:** And so this is a  
10 combination of information, some of which is related to how  
11 the media was reporting things, in addition to then some  
12 commentary about what the Service did or did not know, or did  
13 not say about that.

14 **MR. THOMAS JARMYN:** Yes.

15 **MS. JANICE CHARETTE:** So the particular  
16 paragraph you're pointing me to, just to -- now we go back  
17 down.

18 **MR. THOMAS JARMYN:** Yes, please.

19 **MS. JANICE CHARETTE:** Thank you very much,  
20 sir.

21 Is this the paragraph which it starts  
22 redacted and then "the timing of these efforts"?

23 **MR. THOMAS JARMYN:** So that whole --  
24 actually, right at the beginning:

25 "We also observed online [...] media  
26 activities aimed at discouraging  
27 Canadians, particularly of Chinese  
28 heritage, from supporting the

1 Conservative Party, leader Erin  
2 O'Toole, and particularly Steveston-  
3 Richmond East candidate Kenny Chiu."

4 A large redacted portion. And then the  
5 analysis:

6 "...the timing of these efforts [...] with Conservative polling  
7 improvements; the similarities in  
8 language with [activities] published  
9 by PRC state media; and [...] partnership agreements between these  
10 Canada-based [entities] and PRC  
11 entities; all suggest these efforts  
12 were orchestrated or directed by the  
13 PRC."  
14  
15

16 That appears to be a significantly more  
17 mature conclusion than was posed to the Panel of Five or  
18 anyone in SITE during the 2021 Election.

19 **MS. JANICE CHARETTE:** I think that, as I  
20 said, this does not necessarily represent -- I should start  
21 with, sir, I apologize, I didn't say at the beginning, I was  
22 not at this briefing. This is a briefing that was attended -  
23 --

24 **MR. THOMAS JARMYN:** Yeah.

25 **MS. JANICE CHARETTE:** --- by the National  
26 Security and Intelligence Advisor. So ---

27 **MR. THOMAS JARMYN:** And that would be Ms.  
28 Thomas?

1                   **MS. JANICE CHARETTE:** Ms. Thomas.

2                   **MR. THOMAS JARMYN:** Thank you.

3                   **MS. JANICE CHARETTE:** That's correct. What I  
4 can say is that so the information that's here may not  
5 necessarily reflect what the Director actually said. And so,  
6 I think that -- I don't want to put words in the mouth of the  
7 Director -- these are -- these were talking points prepared  
8 and briefing points prepared for him.

9                   I would go back to the information that was  
10 provided in the country and topic summaries on this matter  
11 and the information that I have previously testified about,  
12 the state of knowledge around the efforts on mis and  
13 disinformation. We had a conversation yesterday about this  
14 at some length, so if there's any particular questions, I'm  
15 happy to ---

16                   **MR. THOMAS JARMYN:** So the Director actually  
17 would be the person who is best positioned to say what he  
18 said during this meeting.

19                   **MS. JANICE CHARETTE:** That's correct.

20                   **MR. THOMAS JARMYN:** And would he have -- he  
21 would have had a staff member accompany him as a general  
22 rule?

23                   **MS. JANICE CHARETTE:** I think that's  
24 situationally dependent. If he wanted to have an expert  
25 along, sometimes he would come by himself, but not always.

26                   **MR. THOMAS JARMYN:** And would you have been  
27 made aware of these speaking notes prior to the briefing?

28                   **MS. JANICE CHARETTE:** I would not have been

1 made aware of the speaking notes. I would have been aware --  
2 the National Security Intelligence Advisor would have given  
3 me likely a heads up that the briefing was going to be taking  
4 place and I would have gotten a debrief from her on kind of  
5 the overall topics covered as part of our back and forth on  
6 kind of keeping each other in the loop on what was being  
7 discussed.

8 The timeframe here, the 21st of February, and  
9 the numerous references to media reporting and unauthorized  
10 releases of classified information illustrate to you the  
11 context that this was taking place. There was a lot of  
12 attention going on here and a request to be informed about  
13 who knew what.

14 **MR. THOMAS JARMYN:** All right. Thank you.  
15 I see my time's run out, so thank you.

16 **COMMISSIONER HOGUE:** Thank you.  
17 Counsel for the Conservative Party.

18 **MR. NANDO de LUCA:** If you could give me one  
19 second, please.

20 **--- CROSS-EXAMINATION BY / CONTRE-INTERROGATOIRE PAR**

21 **MR. NANDO de LUCA:**

22 **MR. NANDO de LUCA:** Can I have CAN 004728  
23 called up, please?

24 **--- EXHIBIT No./PIÈCE No. CAN 4728:**

25 Foreign Interference in the 2019  
26 Federal Campaign of Dong Han - CNSB  
27 23/19

28 **MR. NANDO de LUCA:** And this is a CSIS

1 national security briefing -- do you have it up? Yeah.  
2 Prepared on October 1, 2019 regarding foreign interference by  
3 the PRC in the federal campaign of Han Dong.

4 It's addressed to a great number of  
5 individuals and bodies, including the Clerk for the Privy  
6 Council and the Deputy Clerk. Did each of you review this  
7 briefing on or about October 1, 2019?

8 **MS. JANICE CHARETTE:** I did not. I was not  
9 in the role at that time.

10 **MR. NANDO de LUCA:** How about you, Ms.  
11 Drouin?

12 **MS. NATHALIE DROUIN:** I was not Deputy Clerk.  
13 Also, October 1 I was, however, a member of  
14 the Panel of Five.

15 **MR. NANDO de LUCA:** Okay. And do you  
16 otherwise know if the Clerk or Deputy Clerk at the time  
17 received a copy of this briefing?

18 **MS. NATHALIE DROUIN:** Except from what is  
19 being said at the top of this document, I cannot confirm  
20 anything else.

21 **MR. NANDO de LUCA:** Okay. And do you --  
22 would you know if the Clerk or Deputy Clerk at the time would  
23 have made the PMO -- the PM or the PMO aware of the contents  
24 of this briefing?

25 **MS. NATHALIE DROUIN:** So you know, I'm now  
26 going to testify in terms of a member of the Panel '19.

27 No PMO or PM briefing in terms of intel  
28 regarding Don Valley North happened during the writ period in

1 '19.

2 **MR. NANDO de LUCA:** Okay. But you can't tell  
3 us whether any briefing emanated from the PCO Office to the  
4 PM in respect of this briefing.

5 **MS. NATHALIE DROUIN:** Well, I am not aware  
6 and as a member of the Panel of Five -- and if you look at  
7 the PMO institutional report in terms of the briefing,  
8 there's no briefing from PCO and also from the PCO  
9 institutional office -- no briefing from PCO to the PM during  
10 the writ period.

11 **MR. NANDO de LUCA:** Okay. Can I have WIT35  
12 called up? And in particular, I'd like to draw the  
13 witnesses' attention to the bottom of page 4, top of page 5.

14 And while you're looking at that, we heard  
15 evidence from the CSIS witnesses that some time after 2022,  
16 there was a meeting between a CSIS agent and PMO staff, the  
17 PM, the Prime Minister, the Clerk of the Privy Council, the  
18 NSIA and the CSIS Director and that the purpose of the  
19 meeting, as is stated there, was to discuss after the media  
20 leaks all intelligence regarding Han Dong.

21 And I believe you may have mentioned this or  
22 referenced this, Ms. Charette, in your evidence just now.

23 And as a result of that meeting, CSIS  
24 actually recalled or corrected its previous assessment of the  
25 PRC foreign interference assessment. And ---

26 **MS. JANICE CHARETTE:** I'm sorry. Can you --  
27 we're on page 4 of a document.

28 **MR. NANDO de LUCA:** Right.

1                   **MS. JANICE CHARETTE:** If you wouldn't mind,  
2 can we go back to the beginning just so I know who we're  
3 talking about here?

4                   I believe I do, but just so I can ---

5                   **MR. NANDO de LUCA:** Sure. Yeah, go ahead.

6                   **MS. JANICE CHARETTE:** Thank you.

7                   So can we go to page 1 for me, please?

8                   Thank you.

9                   ADR Director witnesses. Thank you very much.

10                  And then back to the bottom of page 3.

11                  Page 4, sir, did you say?

12                  **MR. NANDO de LUCA:** Page 4, yeah.

13                  **MS. JANICE CHARETTE:** Okay. And it's

14 describing a briefing that took place in 2022.

15                  Your point, please?

16                  **MR. NANDO de LUCA:** I believe it says some  
17 time after 2022 in the words of the document, so presumably  
18 2023 or 2024.

19                  **MS. JANICE CHARETTE:** Keep going, please.

20                  Okay. Your question, sir. Thank you.

21                  **MR. NANDO de LUCA:** And I believe -- am I  
22 correct that in your evidence in-chief you indicated that you  
23 or someone from the PCO Office actually attended that  
24 meeting?

25                  **MS. JANICE CHARETTE:** I was at this briefing  
26 that's described here as a post-2022 meeting.

27                  **MR. NANDO de LUCA:** Okay. And are you able  
28 to disclose what advice you gave the PM or the PMO as a

1 result of this meeting?

2 **MS. JANICE CHARETTE:** The -- your question  
3 touches on a particularly sensitive word in your question,  
4 which is the question of "advice". And so the -- so there's  
5 two things here.

6 One of them is this is, as you're aware, a  
7 highly classified matter. There is a summary on this topic  
8 of Mr. Dong in the summary -- the country and topic summaries  
9 that have been provided.

10 As to which -- what advice in particular I  
11 would have provided in this meeting ---

12 **MR. NANDO de LUCA:** Or as a result of this  
13 meeting.

14 **MS. JANICE CHARETTE:** Or as a result of this  
15 meeting, I'll have a caveat and then I'll have an answer.  
16 How's that?

17 **MR. NANDO de LUCA:** Sure.

18 **MS. JANICE CHARETTE:** So the caveat is,  
19 traditionally the matter of advice between a Deputy Minister  
20 and a Minister is a highly privileged space. My job is to  
21 provide advice. Ultimately, the accountable office holder,  
22 in this case the Prime Minister, can make his decisions. And  
23 so the idea of -- my advice is privileged to him. He makes  
24 whatever decision he wants. And then I am responsible for  
25 overseeing the implementation of that decision whether I said  
26 no or yes.

27 So it's a privileged space to be able to  
28 preserve for the Prime Minister and for Ministers the ability

1 to make their own decisions as appropriate.

2 And so I'm not going to talk about advice,  
3 but I can tell you that this meeting, there were no actions  
4 or decisions required of the Prime Minister.

5 **MR. NANDO de LUCA:** Okay. Without getting  
6 into it, I take it from your answer, did you give advice one  
7 way or the other without disclosing what it was?

8 **MS. JANICE CHARETTE:** There were no decisions  
9 or actions requiring my advice in this meeting.

10 **MR. NANDO de LUCA:** So the answer to that is  
11 no.

12 **MS. JANICE CHARETTE:** Correct.

13 **MR. NANDO de LUCA:** Thank you. Those are my  
14 questions.

15 **COMMISSIONER HOGUE:** Thank you.

16 Jenny Kwan's counsel.

17 **--- CROSS-EXAMINATION BY / CONTRE-INTERROGATOIRE PAR**

18 **MR. SUJIT CHOUDHRY:**

19 **MR. SUJIT CHOUDHRY:** Good morning. My name  
20 is Sujit Choudhry. I'm counsel to Jenny Kwan, Member of  
21 Parliament for Vancouver East.

22 Could I please ask that document CAN 4495 be  
23 called up again? It's the one that counsel for Mr. O'Toole  
24 also had called up.

25 And could we -- if we could please, I'd like  
26 to take the panel to page 5. And there is -- if you could  
27 scroll down, yes, Conclusion.

28 If you could put the conclusion at the top of

1 the page there.

2 So I guess I have a question to the panel,  
3 and I understand all the caveats about what these are, what  
4 they aren't and so forth. But what I'd like to take you  
5 through are some of the points that are advanced in these  
6 talking points and, based on your current roles or former  
7 roles, ask for your views of some of the statements made here  
8 because these are quite deliberate points that are made. So  
9 the first is -- the first bullet point it says,

10 "Better protecting Canadian democratic  
11 institutions against [foreign  
12 interference] will require a shift in  
13 the Government's perspective and [...]  
14 willingness to take decisive action and  
15 impose consequences on perpetrators."

16 So as I read that, and I'd ask for your  
17 reactions, it suggests that they -- to do more, to protect  
18 against foreign interference will require a change and a  
19 willingness to do something that impliedly is not being done,  
20 which is to take decisive action and impose consequences. So  
21 I'm wondering if you agree with that statement, and if not,  
22 why?

23 **MS. JANICE CHARETTE:** So just to repeat the  
24 caveats, just to say briefing note for ---

25 **MR. SUJIT CHOUDHURY:** Sure.

26 **MS. JANICE CHARETTE:** --- a meeting to be ---

27 **MR. SUJIT CHOUDHURY:** Of course.

28 **MS. JANICE CHARETTE:** So it was written by

1 not the director. It was written by someone for the director  
2 for a meeting I wasn't at. Given all of that. I guess what  
3 I would say is, as I think you've heard from us on a few  
4 occasions, the nature of a threat from foreign interference  
5 is a real threat to this country, and it is a threat which is  
6 evolving. Our ability and our knowledge of that threat is  
7 growing, and as are the capabilities of those who seek to  
8 disrupt and to interfere, whether it's in our economy, our  
9 society, or our democratic processes. So your premise --  
10 your question said, you know -- your inference in this is the  
11 government is not. I would say government has not yet taken  
12 all the actions because, in fact, this is an area where the  
13 policy approach of the government and the toolkit of the  
14 government has evolved, starting with, and we can go through  
15 the long list of steps ---

16 **MR. SUJIT CHOUDHURY:** Right.

17 **MS. JANICE CHARETTE:** --- the government has  
18 already taken, and there are a number of actions which are  
19 continuing in term -- that have taken place even since I  
20 retired at the end of June, and which are still under  
21 discussion and deliberation and in consultation with  
22 communities.

23 **MR. SUJIT CHOUDHURY:** So my time's limited.  
24 So there's two more bullets I'd like to take you to ---

25 **MS. JANICE CHARETTE:** Of course.

26 **MR. SUJIT CHOUDHURY:** --- if I may. So and  
27 this is also for Me Drouin as well. I didn't mean to direct  
28 it just to Mme Charette. So ---

1                   **MS. NATHALIE DROUIN:**  Merci.

2                   **MR. SUJIT CHOUDHURY:**  --- so for bullet two,  
3                   it says,

4                                   "State actors are able to conduct  
5                                   [foreign interference] successfully  
6                                   in Canada..."

7                   So it's successful foreign interference is  
8                   that assertion,

9                                   "...because there are few legal of  
10                                  political consequences.  [Therefore,  
11                                  foreign interference] is low-risk and  
12                                  high-reward."

13                   As within our constraints of time, do you  
14                   agree with that statement, and if not, why?

15                   **MS. NATHALIE DROUIN:**  So I -- first of all, I  
16                   do not agree with that statement.  I don't know if that  
17                   statement was also shared at the time with the Prime  
18                   Minister.

19                   **MS. JANICE CHARETTE:**  His office.

20                   **MS. NATHALIE DROUIN:**  And his office.

21                   **MS. JANICE CHARETTE:**  Right.

22                   **MS. NATHALIE DROUIN:**  One thing that I think  
23                   we should look at, and I discussed that a little bit  
24                   yesterday, is foreign interference is evolving.  Since 2016 a  
25                   lot of things have been done, the action plan to address  
26                   foreign interference, for example, the NSICOP committee, the  
27                   NSIRA committee.  So a lot of things have been done.  Whether  
28                   or not other things need to be done in terms of, for example,

1 doing a modernisation of the *CSIS Act*, this is something that  
2 can be looked at and will be discussed with the Commissioner  
3 in the next phase. So, yes, for sure, we -- as I said  
4 yesterday, FI evolves, and our tools need to evolve.

5 One thing that I would like to say is here  
6 the expression "successfully" can be seen as it means  
7 impactfully, if that word's ---

8 **MS. JANICE CHARETTE:** Yeah, but ---

9 **MS. NATHALIE DROUIN:** --- that word exists.

10 **MR. SUJIT CHOUDHURY:** Well, it exists now.

11 **MS. NATHALIE DROUIN:** Parfait. And we should  
12 not confuse the two. I think we have said, and we repeat  
13 that FI exist in Canada, and we have said also that we  
14 haven't seen that those attempt and activities of FI had a  
15 impact in the two election. So we need to make the  
16 difference between FI activities, they are happening and we  
17 are not denying that, we are monitoring that, but the impact,  
18 this is not what we are talking about here.

19 **MR. SUJIT CHOUDHURY:** Okay. Commissioner,  
20 with leave, there is one final bullet point. May I have your  
21 permission to put it to them?

22 **COMMISSIONER HOGUE:** Yes.

23 **MR. SUJIT CHOUDHURY:** Thank you. If you  
24 could put -- oh, please scroll down to page 6. And so I just  
25 want to take you to the final bullet point here. It says,  
26 "Until foreign interference is viewed  
27 as an existential threat to Canadian  
28 democracy..."

1           And this is a bullet point that's appeared in  
2 other documents that we have -- that have been produced,  
3           "...and governments forcibly and  
4           actively respond, these threats will  
5           persist."

6           So the implication again on an ordinary  
7 reading is it's not viewed yet as an existential threat. And  
8 because it isn't being viewed as an existential threat and  
9 therefore governments are not responding forcefully and  
10 actively, the threats are persisting. So I'm wondering,  
11 again, for either member of the panel, what your reaction is  
12 to that bullet point.

13           **Mme NATHALIE DROUIN:** Si je peux me  
14 permettre, je l'ai dit à plusieurs reprises hier aussi,  
15 plusieurs documents ont été publiés, hein, sur l'ingérence  
16 étrangère, la menace, plusieurs breffages aussi ont été  
17 offerts aux partis politiques. Est-ce que ça résonnait  
18 vraiment chez les Canadiens, les mises en garde qui ont été  
19 données? Peut-être qu'on peut se poser la question et peut-  
20 être que ce que l'on vit présentement, l'exercice de la  
21 Commission contribue à un éveil du Canada et des Canadiens  
22 sur la menace de l'ingérence étrangère et c'est peut-être une  
23 des opportunités que nous donne l'exercice présentement.

24           **MR. SUJIT CHOUDHURY:** Okay. Well, I think  
25 I'm out of time. Thank you very much.

26           **COMMISSIONER HOGUE:** Thank you.

27           So counsel for Michael Chong?

28           **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

1 **MR. FRASER HARLAND:**

2 **MR. FRASER HARLAND:** Good morning,  
3 Commissioner. I'm Fraser Harland, counsel for Michael Chong.  
4 I just had a couple questions to understand the relationship  
5 between the clerk of the Privy Council and deputy ministers.  
6 Ms. Charette, I believe you described one of the clerk's  
7 roles as head of Canada's public -- federal public service;  
8 is that right?

9 **MS. JANICE CHARETTE:** That was correct.

10 **MR. FRASER HARLAND:** And you spoke about one  
11 of the roles of clerk as first among equals in the group of  
12 deputy ministers; is that ---

13 **MS. JANICE CHARETTE:** That's how I would  
14 describe the role.

15 **MR. FRASER HARLAND:** Okay. And so is it  
16 right that the clerk coordinates and manages all of the other  
17 deputy ministers as part of that role?

18 **MS. JANICE CHARETTE:** The clerk works with  
19 the community. I would say we -- I work with my team in the  
20 Privy Council Office to coordinate the work across  
21 departments and agencies. I have a number of mechanisms  
22 available to me as the clerk with deputy ministers to form  
23 committees, for example, to do a -- you see a host of them in  
24 the National Security and Intelligence space, to coordinate  
25 work across groups of deputy ministers. Manage deputy  
26 ministers, I think that might be -- we work as colleagues.  
27 We are working together to try and help, as I said earlier,  
28 to help the government to develop and implement its agenda

1 and manage issues that come up in the course of governing a  
2 complicated piece of a country.

3 **MR. FRASER HARLAND:** Fair enough. In that  
4 work as colleagues, if there is a disagreement between two  
5 deputy ministers, would the clerk be expected or involved in  
6 helping to resolve such a disagreement?

7 **MS. JANICE CHARETTE:** That is one of the  
8 roles that myself as the clerk, the deputy clerk, or other  
9 deputy secretaries who hold the rank of deputy minister  
10 within the Privy Council Office, there's a series of deputy  
11 secretaries, the NSIA, so if there's a disagreement,  
12 depending on the nature of the disagreement, that might be  
13 something where we would bring people together, attempt to  
14 share information, see where the points of agreement and  
15 disagreement are, and offer to try to figure out a way  
16 forward. That is one of the things that we do.

17 **MS. NATHALIE DROUIN:** If I may, disagreements  
18 between two DMs is something that I don't see very often. I  
19 see that but very often. What I see though is disagreement  
20 in terms of the way forward on a piece of policy, for  
21 example, and that is because their respective ministers may  
22 have different views regarding the way forward. And this is  
23 the role of PCO as a central agency to try to align sometime  
24 those different views and to give the best advice to the  
25 Prime Minister on, you know, what should be the outcome at  
26 the end of the day.

27 **MS. JANICE CHARETTE:** Can I just add a  
28 thought on this, if I could? We are a community of

1 professionals. We have -- many of us have worked our entire  
2 careers in the public service. Part of my -- part of what I  
3 saw my responsibilities as clerk is to actually encourage  
4 healthy debate and discussion amongst deputy ministers. We  
5 don't all come to the table thinking the same thing. We come  
6 from different backgrounds, we have different mandates and  
7 responsibilities, we have different kind of knowledge and  
8 experience, we come as individuals with a diverse background.

9 And so as a Clerk, I actually want to see and  
10 want to encourage a community of deputy ministers which feel  
11 comfortable to have healthy debate and discussion about  
12 ideas, about issues that are before us.

13 **MR. FRASER HARLAND:** That's helpful. I guess  
14 I wonder if -- I imagine there are scenarios when some parts  
15 of a disagreement can be resolved but there is others where  
16 there remains a disagreement. At the end of the day, is it  
17 the Clerk who would have to say, "This is the direction we're  
18 going"? It's part of the Clerk's role to sort of take charge  
19 and say, "This is the decision that we're going to make in  
20 this particular situation"? "I've heard X and I've heard Y,  
21 and this is the direction that we have to move on this  
22 issue."

23 **MS. JANICE CHARETTE:** It's very fact -- it  
24 depends on the facts that you're talking about. That is one  
25 option, or I could suggest that perhaps, as Madam Drouin  
26 suggested, the disagreement could be about reflecting the  
27 positions of two ministers coming together on a topic. There  
28 could be a meeting of ministers that might have to be held.

1 So there's a number of different kind of avenues, including,  
2 you know, one of the tools available would be for me to kind  
3 of decide, but that would be only one of many, many different  
4 options in terms of trying to come to an agreement.

5 **MR. FRASER HARLAND:** But it is an option  
6 available to you, and if you do decide that would be  
7 something that the deputy ministers would have to respect.  
8 Is that right?

9 **MS. JANICE CHARETTE:** In fact ---

10 **MS. NATHALIE DROUIN:** I will -- I think that  
11 Madam Charette described her roles in three things. And when  
12 it comes to managing the government, for example, let's talk  
13 about whether or not we remain an organisation with hybrid  
14 workplace. A lot of debates ---

15 **MS. JANICE CHARETTE:** Oh, yes.

16 **MS. NATHALIE DROUIN:** --- happen, different  
17 views amongst DMs. That is about the management of  
18 government. At the end of the day, she had the final word on  
19 that, for sure, because it's about how we manage us as an  
20 organisation.

21 But when it comes to policies and views on  
22 the way forward, this is most of time not only about a DM  
23 function, it's about the ministers' views. So PMO will -- PM  
24 will be also involved, PMO will also be involved. So it's  
25 trying to bring, as we use this language, bring the town  
26 together and find the best way forward. Like it's not that  
27 binary when it comes to policies and views.

28 **MR. FRASER HARLAND:** Fair enough. Just --

1 Ms. Charette, when I posed the question, it sounded like you  
2 were about to give an answer and ---

3 MS. NATHALIE DROUIN: Oh, sorry.

4 MS. JANICE CHARETTE: No, no.

5 MR. FRASER HARLAND: --- Madam Drouin  
6 interrupted, so I just wanted to make sure you had an ---

7 MS. JANICE CHARETTE: No. Thank you.

8 MR. FRASER HARLAND: Okay. Those are my  
9 questions. Thank you very much.

10 MS. JANICE CHARETTE: Thank you.

11 COMMISSIONER HOGUE: Thank you.

12 Human Rights Coalition?

13 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

14 MS. HANNAH TAYLOR:

15 MS. HANNAH TAYLOR: Good morning.

16 MS. JANICE CHARETTE: Good morning.

17 MS. HANNAH TAYLOR: Good morning. So this  
18 morning, you've talked about how in your roles as Clerk and  
19 Deputy Clerk you receive a certain amount of information and  
20 intelligence, and it sounds like a large amount, on a weekly  
21 basis. And then during the election period, that includes a  
22 daily bulletin focussed on foreign interference. Then  
23 alongside the NSIA, you decide what, if anything, needs to be  
24 brought to the Prime Minister's attention. Is that an  
25 accurate, like, summary?

26 MS. JANICE CHARETTE: Yes, with, again,  
27 sorry, a caveat. So you describe two different periods, and  
28 so I just will point out the period of the election is

1 different than when there is a government in power with a  
2 Parliament that's sitting that can hold the government to  
3 would account. And that period of the election is what's  
4 called the Caretaker Convention, and so we exercise the  
5 convention of restraint, that is the convention in  
6 Westminster democracies.

7 And Prime Minister retains all of his  
8 functions as the Prime Minister; he is also full time on the  
9 campaign trail. And so I would say that the way I would look  
10 at information during a campaign, recognising that the  
11 ability of the government to make decisions or take actions  
12 is subject to the convention of restraint, would be more  
13 limited than it would be on a day-to-day basis when  
14 government is outside of the caretaker period. I hope that -  
15 --

16 **MS. HANNAH TAYLOR:** No, certainly. Thank  
17 you, Ms. Charette.

18 And this is a question for both or either of  
19 you, Ms. Charette or Ms. Drouin. Surrounding the 2021  
20 election, did the intelligence products and information you  
21 received include information about foreign interference as it  
22 related or relates to diaspora communities, targeted diaspora  
23 communities?

24 **MS. NATHALIE DROUIN:** Yes.

25 **MS. HANNAH TAYLOR:** Okay. Would you be able  
26 to tell me about how much of the information you received  
27 focussed on that issue?

28 **MS. NATHALIE DROUIN:** So -- no. I cannot

1 tell you how much, however, I can assure you that what was  
2 published, if I may use that term, or produced by the Agency,  
3 everything has been shared with the Commission.

4 **MS. HANNAH TAYLOR:** Okay. And was any of  
5 this information brought to the attention of the Prime  
6 Minister?

7 **MS. NATHALIE DROUIN:** So I didn't understand.

8 **MS. JANICE CHARETTE:** In the 2021 election, I  
9 did not brief the Prime Minister on matters related to  
10 foreign interference.

11 **MS. HANNAH TAYLOR:** Okay. And in your role,  
12 Ms. Drouin, you wouldn't have ---

13 **MS. NATHALIE DROUIN:** Same thing. No.

14 **MS. HANNAH TAYLOR:** Okay. Thank you.

15 **COMMISSIONER HOGUE:** Thank you.

16 UCC?

17 **MR. JON DOODY:** No questions, Commissioner.

18 **COMMISSIONER HOGUE:** RCDA?

19 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

20 **MR. GUILLAUME SIROIS:**

21 **MR. GUILLAUME SIROIS:** Bon matin.

22 **MS. NATHALIE DROUIN:** Bon matin.

23 **MS. JANICE CHARETTE:** Bon matin.

24 **MR. GUILLAUME SIROIS:** Guillaume Sirois,  
25 avocat pour l'Alliance canadienne démocrat... l'Alliance  
26 démocratique des canadiens russes.

27 J'aimerais demander l'autorisation de la  
28 Commissaire de montrer le document CAN 014285.

1 It's CAN 014285.

2 --- EXHIBIT No./PIÈCE No. CAN 14285:

3 Foreign Interference

4 **MR. GUILLAUME SIROIS:** It's a document that -  
5 - C'est un document que j'ai essayé de montrer hier, NSIA, et  
6 un des témoins a mentionné que c'était un document qui  
7 semblait être préparé par le Bureau du Conseil privé.

8 Pour voir si je peux le présenter, j'aimerais  
9 savoir si c'est vraiment un document qui a été préparé par le  
10 Bureau du Conseil privé.

11 **COMMISSAIRE HOGUE:** Vous pouvez le présenter.

12 **Me GUILLAUME SIROIS:** Et en passant, j'ai  
13 demandé... j'ai soulevé ceci hier soir après le témoignage  
14 devant les témoins..

15 **COMMISSAIRE HOGUE:** D'accord.

16 **Me GUILLAUME SIROIS:** ...avec la Commission.  
17 Est-ce que vous pouvez...

18 **Mme JANICE CHARETTE:** Excusez-moi, j'ai pas  
19 écouté la question.

20 **Me GUILLAUME SIROIS:** Oui. Désolé. C'était  
21 surtout adressé à Madame la commissaire, mais pouvez-vous,  
22 s'il vous plait, juste confirmer que c'est un document qui  
23 semble provenir du Bureau du Conseil privé ou qui a été  
24 produit par le Bureau du Conseil privé?

25 **Mme JANICE CHARETTE:** Oui, c'est un exemple  
26 d'une note de breffage qui a été préparée par le Bureau du  
27 Conseil privé. Dans ce cas, c'est la conseillère à la  
28 Sécurité nationale de renseignement du premier ministre. Le

1 but de cette note, c'était pour l'information du premier  
2 ministre.

3 **Me GUILLAUME SIROIS:** Est-ce que vous avez  
4 connaissance de cette note particulière?

5 **MS. JANICE CHARETTE:** I have refamiliarized  
6 myself with this note in the context of my preparations for  
7 my testimony.

8 **MR. GUILLAUME SIROIS:** OK. Super.

9 Donc, comme on voit, c'est une note qui a été  
10 préparée pour... à l'intention du premier ministre le  
11 30 novembre 2022 par Me MacDonald.

12 On peut descendre un peu plus bas, s'il vous  
13 plait. J'aimerais aller à la page 3, en fait.

14 Donc, ici au début de la page 3, on voit :  
15 « What Was Known & When ».

16 **Mme NATHALIE DROUIN:** Oui.

17 **Me GUILLAUME SIROIS:** Donc, ce qui était  
18 connu, et j'imagine que c'est un peu pour informer et mettre  
19 à jour le premier ministre en 2022 de ce qui s'est passée par  
20 rapport à l'ingérence étrangère. C'est bien ça?

21 **Mme NATHALIE DROUIN:** Si je peux peut-être  
22 préciser, ce document-là a été vraiment préparé à la suite de  
23 ce qui a été sorti dans les médias et où la question... en  
24 fait, la question même qui était dans les médias, c'est : Qui  
25 savait quoi, quand, hein? C'était ça, la question. Et donc,  
26 le premier ministre se posait la même question, à savoir :  
27 « Moi, j'ai appris ça quand? Qu'est-ce qui est nouveau pour  
28 moi? » Donc, c'était vraiment dans le cadre... dans le but de

1 répondre à ça que ce document-là a été produit.

2 **Me GUILLAUME SIROIS:** Merci.

3 J'aimerais...

4 **Mme JANICE CHARETTE:** Vous ferez attention  
5 ici, c'est sur l'élection de 2019. J'ai entendu dire « 21 ».

6 **Me GUILLAUME SIROIS:** OK.

7 **Mme JANICE CHARETTE:** Alors, juste pour être  
8 certaine que cette note relève de l'élection de 2019.

9 **Me GUILLAUME SIROIS:** Mais si je ne me trompe  
10 pas, il y a une mention de 2019, mais on peut aller voir dans  
11 le document juste pour confirmer.

12 On peut descendre un petit peu, s'il vous  
13 plait? On peut descendre encore? Oui, ici. Merci.

14 D'accord. Donc, on voit... en fait, peut-être  
15 que ça ne parlait pas spécifiquement de 2021, mais on parle  
16 de « These conclusions stand today (2022) ». Donc, j'imagine  
17 que les problèmes qu'il avait mentionnés sont probablement  
18 applicables aussi à l'élection de 2021.

19 **Mme NATHALIE DROUIN:** Ben...

20 **Me GUILLAUME SIROIS:** Ou... non?

21 **Mme NATHALIE DROUIN:** En fait, c'est... on l'a  
22 dit à plusieurs reprises, les documents ou l'information qui  
23 nous provient des agences de renseignement, c'est un  
24 continuum, et donc, l'objectif de la note, c'était de savoir  
25 qu'est-ce qu'on savait en 2019, par rapport aux élections de  
26 2019, et qu'est-ce qu'on sait aussi maintenant.

27 Et c'est dans ce cadre-là que vous avez, de  
28 la part de la conseillère en sécurité nationale, Jody Thomas,

1 une évaluation à l'effet que ces conclusions-là tiennent  
2 encore avec la mise à jour de toute l'information que l'on  
3 connaît maintenant.

4 **Mme JANICE CHARETTE:** En lien avec les  
5 paragraphes qui sont intérieur de cette conclusion. Si on  
6 peut regarder les paragraphes qui sont avant cette  
7 conclusion.

8 **Me GUILLAUME SIROIS:** Oui, je comprends.  
9 Donc, un des paragraphes, justement, c'est le deuxième point  
10 qu'on voit ici, qu'on note des points morts, « blind  
11 sports », en déterminant l'attribution étatique et en faisant  
12 une distinction entre la désinformation étrangère ou  
13 domestique.

14 J'ai pas nécessairement une question sur ce  
15 point-là, mais j'aimerais monter un peu plus haut. Je vais  
16 juste porter votre attention là-dessus. Et j'aimerais  
17 remonter un peu le document à la page précédente, s'il vous  
18 plait. Oui, OK. Donc, c'est le 6 juillet 2020. Premier  
19 point en dessous, on voit :

20 « Les activités d'ingérence étrangère  
21 ont été dirigées par la Chine et, à  
22 une moins grande mesure, par l'Inde  
23 et le Pakistan. » (Tel que lu)

24 Ma question, c'est pourquoi la Russie n'est  
25 pas mentionnée ici? Est-ce que c'est possible que ça soit un  
26 des « blind spots » qui est mentionné dans... quelques points  
27 plus bas?

28 **Mme NATHALIE DROUIN:** Non. Les... la... vous

1       avez vu à quel point on reçoit beaucoup d'information sur une  
2       base quotidienne et hebdomadaire. On savait que la Russie a...  
3       ou, on sait que la Russie a des capacités, mais on avait  
4       aucune information nous disant que la Russie avait un intérêt  
5       dans des circonscriptions particulières ou sur les élections  
6       en général de 2019.

7                   **Me GUILLAUME SIROIS:** OK. Mon temps est  
8       écoulé, malheureusement, mais je vous remercie pour votre  
9       temps.

10                   **COMMISSIONER HOGUE:** Counsel for Han Dong?

11                   **MS. EMILY YOUNG:** We have no questions.

12       Thank you.

13                   **COMMISSIONER HOGUE:** No questions.

14                   AG?

15                   **MR. GREGORY TZEMENAKIS:** We have no  
16       questions. Thank you.

17                   **COMMISSIONER HOGUE:** Re-examination, Me  
18       Chaudhury?

19                   **MS. SHANTONA CHAUDHURY:** No re-examination.

20                   **COMMISSIONER HOGUE:** So we are in advance 15  
21       minutes.

22                   **MS. JANICE CHARETTE:** It's because I spoke  
23       too ---

24                   **COMMISSAIRE HOGUE:** Oui, c'est ça.

25                   **Mme JANICE CHARETTE:** J'ai parlé trop vite.

26                   **COMMISSIONER HOGUE:** It's a gift. Thank you  
27       very much.

28                   **MS. JANICE CHARETTE:** Thank you.

1                   **COMMISSIONER HOGUE:** And I suggest we'll take  
2 the break right away and we'll come back at 11:15.

3                   **THE REGISTRAR:** Order, please. À l'ordre,  
4 s'il vous plaît.

5                   This hearing is in recess until 11:15. La  
6 séance est en pause jusqu'à 11 h 15.

7 --- Upon recessing at 11:00 a.m./

8 --- La séance est suspendue à 11 h 00

9 --- Upon resuming at 11:20 a.m./

10 --- La séance est reprise à 11 h 20

11                   **THE REGISTRAR:** Order please. À l'ordre,  
12 s'il vous plaît.

13                   This sitting of the Foreign Interference  
14 Commission is back in session. Cette séance de la Commission  
15 sur l'ingérence étrangère a repris.

16                   **MS. ERIN DANN:** Morning, Commissioner. Good  
17 morning. It's Erin Dann, Commission counsel. Our next  
18 witnesses are Mr. Stewart and Mr. Rochon. Can the witnesses  
19 be sworn, please?

20                   **THE REGISTRAR:** Mr. Stewart, could you please  
21 state your name and spell your last name for the record,  
22 please?

23                   **MR. ROB STEWART:** Rob Stewart. S-T-E-W-A-R-  
24 T.

25 --- MR. ROB STEWART, Sworn/Assertmenté:

26                   **THE REGISTRAR:** Thank you very much.

27 And, Monsieur Rochon, en français?

28                   **MR. DOMINIC ROCHON:** Either way.

1           **THE REGISTRAR:** Okay. Could you please state  
2 your name and spell your last name for the record?

3           **MR. DOMINIC ROCHON:** Dominic Rochon. R-O-C-  
4 H-O-N.

5 **--- MR. DOMINIC ROCHON, Sworn/Assertmenté:**

6           **THE REGISTRAR:** Thank you very much.  
7 Counsel, you may proceed.

8 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR**

9 **MS. ERIN DANN:**

10           **MS. ERIN DANN:** Thank you. Good morning.  
11 We'll start off with just a few housekeeping matters. You  
12 were interviewed together by Commission counsel on February  
13 6<sup>th</sup>, 2024.

14           And if I could just ask the Court Operator to  
15 bring up WIT 59?

16 **--- EXHIBIT No./PIÈCE No. WIT 59:**

17           R. Stewart and D. Rochon (Public  
18 Safety) Public Summary of Classified  
19 Interview

20           **MS. ERIN DANN:** Have you had a chance to  
21 review this publicly disclosable summary of that interview?

22           **MR. ROB STEWART:** I have.

23           **MR. DOMINIC ROCHON:** So have I.

24           **MS. ERIN DANN:** And is it accurate?

25           **MR. ROB STEWART:** Yes.

26           **MR. DOMINIC ROCHON:** It is.

27           **MS. ERIN DANN:** And are you prepared to adopt  
28 the contents as part of your evidence before the Commission?

1 MR. ROB STEWART: Yes.

2 MR. DOMINIC ROCHON: Yes.

3 MS. ERIN DANN: Next we'll bring up WIT 54.

4 --- EXHIBIT No./PIÈCE No. WIT 54:

5 In Camera Examination Summary Rob  
6 Stewart

7 MS. ERIN DANN: Mr. Stewart, I'll direct  
8 these questions to you. You were examined, I understand, by  
9 Commission counsel in-camera? Is that right?

10 MR. ROB STEWART: That's right.

11 MS. ERIN DANN: And have you had a chance to  
12 review the document before you, which is a publicly  
13 disclosable summary of that examination?

14 MR. ROB STEWART: I have.

15 MS. ERIN DANN: And is it accurate?

16 MR. ROB STEWART: Yes.

17 MS. ERIN DANN: And are you prepared to adopt  
18 the contents of that summary as part of your evidence before  
19 the Commission?

20 MR. ROB STEWART: Yes.

21 MS. ERIN DANN: Thank you. The final piece  
22 of housekeeping is the Institutional Report prepared by  
23 Public Safety.

24 And for the record, that is CAN.DOC 15, and  
25 CAN.DOC 16 is the French version.

26 --- EXHIBIT No./PIÈCE No. CAN.DOC 15:

27 Public Safety (PS) Institutional  
28 Report

1 --- EXHIBIT No./PIÈCE No. CAN.DOC 16:

2 Sécurité Publique Canada (SP) Rapport  
3 Institutionnel

4 **MS. ERIN DANN:** Those -- the Institutional  
5 Report will be going in by way of affidavit, which I believe  
6 is now in the database as CAN.DOC -- you don't need to pull  
7 this up, Mr. Operator, but CAN.DOC 9.001, for the benefit of  
8 the parties and participants.

9 --- EXHIBIT No./PIÈCE No. CAN.DOC 9.001:

10 Affidavit of Samantha Maislin  
11 Dickson, Assistant Deputy Minister  
12 for the Public Safety, Defence and  
13 Immigration Portfolio at the  
14 Department of Justice, attaching the  
15 Unclassified Department of Justice  
16 Institutional Report (EN and FR)

17 **MS. ERIN DANN:** So I understand that Public  
18 Safety -- the Public Safety portfolio is composed of the  
19 Department of Public Safety and Emergency Preparedness, along  
20 with five agencies: the RCMP; the Canadian Border -- Canada  
21 Border Services Agency; CSIS; Correctional Service of Canada;  
22 and the Parole Board of Canada. Is that right?

23 **MR. ROB STEWART:** That is correct. Plus a  
24 few small review agencies.

25 **MS. ERIC DANN:** Thank you. And Mr. Stewart,  
26 we'll start with you. Can you identify your role -- sorry,  
27 let me begin here. I know we heard from you yesterday, but I  
28 understand that you were the Deputy Minister of Public Safety

1 from December of 2019 to October 2022. Have I got that  
2 right?

3 **MR. ROB STEWART:** That's correct.

4 **MS. ERIC DANN:** And can you briefly describe  
5 that role and your primary functions as Deputy Minister of  
6 Public Safety?

7 **MR. ROB STEWART:** My primary function as a  
8 Deputy Minister, is of course to support the Minister, who is  
9 the Deputy Head of Public Safety as a department and also the  
10 Minister responsible for all of the agencies. So in that  
11 context, I delivered advice and support to the Minister on  
12 matters that were directed by Public Safety on behalf of the  
13 portfolio, and as well on issues arising within the  
14 portfolio, as the occasion required.

15 **MS. ERIN DANN:** Thank you. We'll get back to  
16 some of your other roles, Mr. Stewart, or other parts of that  
17 job.

18 Mr. Rochon, just turning to you for a moment,  
19 you were the Senior Assistant Deputy Minister, National and  
20 Cyber Security Branch from October 19<sup>th</sup>, 2019 until December  
21 31<sup>st</sup>, 2022? Is that right?

22 **MR. DOMINIC ROCHON:** Sorry, did you say  
23 December 31<sup>st</sup>? No, it was October to October.

24 **MS. ERIN DANN:** October to October.

25 **MR. DOMINIC ROCHON:** Yeah.

26 **MS. ERIN DANN:** Thank you.

27 **MR. DOMINIC ROCHON:** But that's otherwise  
28 correct.

1                   **MS. ERIN DANN:** October 2019 to October 2022?

2                   **MR. DOMINIC ROCHON:** Correct.

3                   **MS. ERIN DANN:** Right. And what is the  
4 National and Cyber Security Branch?

5                   **MR. DOMINIC ROCHON:** It's a branch  
6 responsible for -- well, in my tenure, it was responsible for  
7 National Security policy, National Security operations from a  
8 coordination perspective, Cyber Security policy, and Critical  
9 Infrastructure.

10                  **MS. ERIN DANN:** Mr. Stewart, returning to  
11 you, can you describe the relationship between the Deputy  
12 Minister of Public Safety and the heads of the agencies that  
13 fall within the Public Safety portfolio? And for our  
14 purposes, or the Commission purposes, I think it would be  
15 most helpful to focus on CSIS and the RCMP.

16                  **MR. ROB STEWART:** The relationship was  
17 largely one of colleagues reporting to the same boss. And we  
18 had, as colleagues, matters of common concern. They  
19 differed, of course, between the RCMP and CSIS. The RCMP is  
20 largely in the business of combating crime and CSIS is, of  
21 course, a national security institution. But we had  
22 collective concerns when it came to issues like foreign  
23 interference, which we would discuss.

24                  **MS. ERIN DANN:** And am I right that there's  
25 no sort of reporting relationship between the agencies and  
26 the Deputy Minister?

27                  **MR. ROB STEWART:** That's correct. I exercise  
28 no formal authority over any of the portfolio agencies.

1 Public Safety as an institution coordinates policy,  
2 particularly where it concerns changes to law or regulation,  
3 or Ministerial Directives, and it also does a standard  
4 reporting on behalf of the portfolio, which includes things  
5 like tabling of Departmental Reports in Parliament.

6 **MS. ERIN DANN:** And so for sort of practical  
7 purposes, Public Safety would not be directing, for example,  
8 the RCMP or CSIS to take out particular investigative steps  
9 in the case of the RCMP for example or particular actions?  
10 There's no direction from Public Safety to CSIS in terms of  
11 its operations?

12 **MR. ROB STEWART:** There's no direction to  
13 CSIS, and of course the RCMP operates under the principle of  
14 police independence.

15 **MS. ERIN DANN:** I understand during your  
16 tenure, Mr. Stewart and Mr. Rochon, at Public Safety, there  
17 was no specific group or committee within Public Safety that  
18 focused exclusively on foreign interference? Is that fair?

19 **MR. ROB STEWART:** That is correct.

20 **MS. ERIN DANN:** And at the relevant time,  
21 public service understood foreign interference as a subset,  
22 if I can call it that, of a sort of broader concept of  
23 hostile activity by state actors? Is that right?

24 **MR. ROB STEWART:** That is absolutely correct.

25 **MS. ERIN DANN:** And we heard this term  
26 yesterday and earlier in the proceedings, the hostile  
27 activity of state actors. Can you help us understand that  
28 concept and how it relates to foreign interference from the

1 perspective of Public Safety?

2 **MR. ROB STEWART:** Certainly. Foreign  
3 interference is a subset of activities that are undertaken by  
4 hostile states, which can also include hostile cyber  
5 activity, activity that is directed at undermining Canadian -  
6 - the activities of our citizens, that's foreign  
7 interference, but also crime and a variety of other things  
8 like research security where, you know, they're undertaking  
9 activities that are contrary to the national interests of  
10 Canada.

11 **MS. ERIN DANN:** And can I ask the Court  
12 Operator to bring up CAN 3326?

13 **--- EXHIBIT No./PIÈCE No. CAN 3326:**

14 Letter from Public Safety Minister

15 **MS. ERIN DANN:** This is a letter dated  
16 December 18<sup>th</sup>, 2020. Then Minister of Public Safety, Bill  
17 Blair. Do you recognize this letter?

18 **MR. ROB STEWART:** I do.

19 **MS. ERIN DANN:** Right. And did you have any  
20 involvement in the development -- this is a letter to  
21 Parliamentarians. Did you have any involvement in the  
22 development or preparation of the letter?

23 **MR. ROB STEWART:** Mr. Rochon's staff wrote  
24 the letter.

25 **MS. ERIN DANN:** And it starts, if we look at  
26 the last paragraph on the first page, it begins:

27 "We understand foreign interference  
28 to be hostile activity undertaken by

1 foreign states that is purposely  
2 covert, malign, clandestine, and  
3 deceptive. It can include threats,  
4 harassment, and intimidation."

5 And it goes on from there in terms of  
6 describing foreign interference.

7 But is this is a sort of fair definition or  
8 consistent with the way that Public Safety interpreted  
9 foreign interference or hostile activities by state actors?

10 **MR. ROB STEWART:** Yes, it is.

11 **MS. ERIN DANN:** And what was the purpose of  
12 this, perhaps you can help us understand the purpose of this  
13 letter and what it was directed at achieving ---

14 **MR. ROB STEWART:** Well ---

15 **MS. ERIN DANN:** --- either ---

16 **MR. ROB STEWART:** You go ahead.

17 **MR. DOMINIC ROCHON:** Okay. So maybe -- as we  
18 arrived in our tenure, roughly October 2019, December 2019,  
19 there were already reports being written, policy work  
20 underway with regard to foreign interference. National  
21 security review bodies were writing about foreign  
22 interference. I believe CSIS already in their annual report  
23 was starting to reference foreign interference. So from a  
24 policy perspective it was topical.

25 And throughout the first year of my tenure  
26 there, certainly the National Security Policy Group under me  
27 was looking at understanding what are the forms of foreign  
28 interference, and that's where we came up with a broader

1 definition of hostile activities and state actors and looking  
2 at the different types of activities that would be occurring  
3 from those hostile state actors, and then understanding what  
4 tools are available in the toolkit to address those.

5 And so this letter gave us an opportunity for  
6 our minister at the time to communicate with other members of  
7 Parliament to, of course, increase awareness with regard to  
8 the issue and the toolkit that we had at play and the policy  
9 work that was needed to progress and continue to address this  
10 increasing issue.

11 **MS. ERIN DANN:** And can you speak to any of  
12 the policy or legislative developments in regard to this  
13 issue that were occurring during your tenure?

14 **MR. ROB STEWART:** Yes, certainly. So in the  
15 context of the concept of HASA or hostile activities as state  
16 actors, we were developing a set of proposals and actions  
17 that the government could potentially take to mitigate the  
18 threat, and they included a suite of communications tools.

19 And this letter, in a sense, manifests the  
20 view that the communications and the public awareness are one  
21 of the key defences against foreign interference, but we also  
22 were looking at issues of governance within the system of the  
23 flow of information, coordination and responses. We were  
24 looking at the issue of toolkit, and at the end of the day,  
25 communications that we would -- that the government would be  
26 undertaking to speak to issues when they arose.

27 **MS. ERIN DANN:** And can you speak to -- I  
28 understand developing, you were looking at the sort of the

1 nature of the threat and the tools to respond. Can you speak  
2 at all to the evolution of hostile activities of state actors  
3 or foreign interference, particularly in the years that we're  
4 talking about, after the 2019 general election and moving  
5 into the 2021 general election? Can you speak at all about  
6 any changes or evolution that you saw in terms of that threat  
7 environment?

8 **MR. ROB STEWART:** I'll speak, and then  
9 Mr. Rochon can join me. As a general matter, I would say  
10 that we saw an increase over that period of time in the  
11 prevalence of efforts at foreign interference. And I'll  
12 distinguish between efforts and outcomes because in many  
13 cases it was either seen and mitigated or it was just  
14 ineffective, but in terms of the information we were  
15 receiving, I would say that, and in particular as it pertains  
16 to China, we were seeing a steady increase in the amount of  
17 activity that was going on.

18 **MR. DOMINIC ROCHON:** Maybe I'll just add one  
19 little nuance. Of course, so there is foreign interference  
20 specifically related to democratic events for which there was  
21 policy evolutions that you've been speaking about in this  
22 Commission now, and it was more the purview of PCO democratic  
23 institutions that were leaning on those policy developments  
24 and the introduction of a SITE team, for example, the  
25 introduction of RRM. So there was an evolution from a policy  
26 perspective there.

27 And then from within Public Safety, we were  
28 looking at what other tools may be available, but also

1 looking at the authorities that exist to counter foreign  
2 interference within the various bodies that you've been  
3 introducing witnesses to. For example, CSE has cyber  
4 activities that they can engage in. You have CSIS that can  
5 counter foreign interference under their authorities with the  
6 *CSIS Act*. You've got the RCMP and what they can do with  
7 regard to the *Criminal Code*.

8 So typically, we coordinate the community to  
9 ask questions about what are we seeing, and as Mr. Stewart  
10 just pointed out, we were seeing an increase in reporting  
11 with regard to the types of activities that existed and then  
12 we were having conversations within Public Safety about what  
13 policy work is required.

14 **MS. ERIN DANN:** And so you spoke about sort  
15 of the increase in prevalence at least with attempts, if not  
16 successful attempts, necessarily. Can you speak to the  
17 nature of the types of interference or the nature of the  
18 threats? Was there an evolution there? For example, did  
19 anything change as a result of COVID-19 or were you seeing  
20 different forms of threats?

21 **MR. ROB STEWART:** I would have a hard time  
22 saying that there was any particular form of threat that took  
23 precedence or occurred in a more prevalent way. There is a  
24 variety of forms of foreign interference that are undertaken  
25 by hostile actors, as mentioned in this document that  
26 Minister Blair sent to parliamentarians. There can be  
27 threats, harassment, coercion, intimidation, influence of  
28 various forms. It can vary, but the -- in general, the

1 reporting we were receiving demonstrated all of them.

2 **MS. ERIN DANN:** And we've heard a lot  
3 yesterday and throughout the hearings about sort of malign  
4 online activity. Was that something that Public Safety was  
5 observing, foreign interference or attempts at foreign  
6 interference through online activity, whether misinformation,  
7 disinformation, cyber attacks, those -- things of that sort?

8 **MR. ROB STEWART:** Yes, the use of, obviously,  
9 communications technologies and networks, like WeChat, are  
10 subject to that kind of abuse. Disinformation and  
11 misinformation is a broader category threat to the wellbeing  
12 of Canadians, just to note, because it emanates from other  
13 sources other than just state actors. But yes, it's in the  
14 toolkit, absolutely.

15 **MR. DOMINIC ROCHON:** Maybe I would just add,  
16 the difficulty here is from a Public Safety perspective we're  
17 looking at issues with regard to cyber security, economic  
18 security, terrorism related threats, information  
19 mis/disinformation was another theme that was emerging. And  
20 they're not all neatly boxed away. They all sort of  
21 intertwine and overlap. So hence why our attempt to sort of  
22 capture hostile activities as a state actor as one bucket of  
23 things for which we could apply a policy lens, but clearly  
24 there are other factors that come into play across all of  
25 those. And we were seeing, you know, different evolutions  
26 across all of those themes.

27 **MS. ERIN DANN:** All right. I want to move on  
28 to sort of the flow of information and intelligence at Public

1 Safety.

2 My understanding in reviewing your -- the  
3 summaries that we've spoken to earlier today, is that Public  
4 Safety is a large consumer of intelligence, not a producer of  
5 intelligence. Is that fair?

6 **MR. ROB STEWART:** That's how we would concede  
7 it.

8 **MS. ERIN DANN:** And Mr. Stewart, I think you  
9 described in one of the interviews the flow of intelligence  
10 information to Public Safety as a river. It's a large volume  
11 of material that Public Safety receives?

12 **MR. ROB STEWART:** Indeed.

13 **MS. ERIN DANN:** And what percentage -- I know  
14 you can't probably put a precise number on this, but what  
15 percentage of that intelligence relates to foreign  
16 interference? Is it a majority, less than half, less than a  
17 quarter? Do you -- can you put the -- a rough estimate?

18 **MR. ROB STEWART:** I have estimated it as less  
19 than a quarter. I don't have a clear and direct memory.

20 **MS. ERIN DANN:** I want to talk about why  
21 Public Safety receives intelligence information, and also,  
22 how that information is managed within Public Safety.

23 Mr. Rochon, at paragraph 9 of your interview  
24 -- of the interview summary, you explain that Public Safety  
25 consumes intelligence from a context or policy perspective,  
26 not an action or operational perspective.

27 Can you elaborate on that and explain what  
28 that means?

1           **MR. ROB STEWART:** Certainly. I think from a  
2 contextual perspective, as you can appreciate, we sit at a  
3 place within the security and intelligence community where  
4 we're having conversations with all the various members in  
5 that community to understand whether or not they have the  
6 appropriate authorities, the appropriate policies and  
7 wherewithal to actually counter threats and address matters  
8 of national security. And our role is primarily one of  
9 writing policy or supporting those departments and agencies  
10 in getting additional authorities, or amending their  
11 authorities if there are gaps.

12                       So in order for us to be able to understand  
13 how to do that appropriately, we need access to intelligence.

14                       I will point, however, that of course we do  
15 have certain delegated authorities from the Minister to do  
16 certain operational things: the *Secure Air Travel Act*, where  
17 we have to list -- we're responsible for the list of  
18 terrorist entities. So there are certain things for which we  
19 have operational actions, but there's never something that is  
20 a direct action onto an intelligence report. So an  
21 intelligence report, when we see it, particularly a raw  
22 intelligence report, is always contextual in order for us to  
23 understand how to better support the policy that we're doing.

24                       That's mainly how I'd frame it.

25           **MS. ERIN DANN:** And so you ---

26           **COMMISSIONER HOGUE:** You ---

27           **MS. ERIN DANN:** I'm sorry.

28           **COMMISSIONER HOGUE:** You mean no action is

1 expected from ---

2 **MR. DOMINIC ROCHON:** Correct. There's no  
3 expectation ---

4 **COMMISSIONER HOGUE:** --- Public Safety?

5 **MR. DOMINIC ROCHON:** Correct. So unlike in  
6 the U.S., our counterparts at Homeland Security actually have  
7 action taskforces that do something about it. If there's  
8 something happening in a cyberspace that would help for Cyber  
9 Policy, we need to be aware of the types of threats happening  
10 in cyber.

11 The operational arm of Cyber Activity is the  
12 Communications Security Establishment.

13 **COMMISSIONER HOGUE:** I see.

14 **MR. DOMINIC ROCHON:** But Public Safety would  
15 be responsible for the overall policy, writing a strategy for  
16 the Government. We would be lead on that. But of course,  
17 policy doesn't happen without a hand-in-hand -- hand-in-glove  
18 interaction with the operational departments and agencies.  
19 Hence why we need to see intelligence to understand the  
20 operational challenges and the actual reality of what they're  
21 seeing and facing so that we can better do policy.

22 **COMMISSIONER HOGUE:** Thank you.

23 **MR. ROB STEWART:** We will talk about the  
24 committees, I assume?

25 **MS. ERIN DANN:** We will talk about the  
26 committees, but please, Mr. Stewart, if one applies right  
27 now, perhaps we can go directly to that? I know we heard  
28 yesterday that in your capacity as Deputy Minister, you sat

1 on the DMOC, Deputy Minister Operations Committee. Does that  
2 -- perhaps you can explain your role on that? Or if there is  
3 another committee you were thinking of?

4 **MR. ROB STEWART:** Well indeed, there was. I  
5 think it's worth putting a little bit more of a frame around  
6 this, in the sense that, as an institution, Public Safety  
7 sits at the center of a couple of webs. One is the portfolio  
8 web of institutions, where we are, you know, sort of engaged  
9 in supporting their agendas in the broader context,  
10 particularly as it pertains to things that are going through  
11 Parliament. And then there's the broader context, which is  
12 the security and intelligence community.

13 And in that context, Public Safety does have  
14 a convening role. It has the role of chairing committees on  
15 which matters of policy and operations are discussed. It  
16 does not translate into direct responsibility for operational  
17 activity, except in a couple of areas.

18 But for the most part, we are plugged into  
19 and party to discussions at the Deputy Minister level and at  
20 the Assistant Deputy Minister level that involve dealing with  
21 issues where, you know, action is required. Deputy Minister  
22 Operations Committee is one of them, Deputy Ministers of  
23 National Security is another. And that's one that deals  
24 largely with policy matters.

25 And then at the ADM level, I'll leave it to  
26 Mr. Rochon to mention a couple, perhaps.

27 **MR. DOMINIC ROCHON:** Yeah, we -- well, again,  
28 we can get into it. I'm not going to get into the alphabet

1 soup of committees that we have.

2 Maybe one other example that I think would be  
3 relevant is in the realm of economic security. So there's a  
4 National Security Review that is done with regard to the  
5 *Investment Canada Act*. Public Safety has a key role in that,  
6 and so we would need access to intelligence to understand  
7 exactly whether or not there's a threat and to bring to bear  
8 a decision with regard to whether or not there's an action  
9 required when we see a nefarious actor involved in a  
10 potential investment.

11 **MS. ERIN DANN:** Thank you very much. And  
12 just for the benefit of everyone, the various committees that  
13 you've spoken about are included information -- more  
14 information on those are included in the interview summaries  
15 at page 6 of the -- of WIT 59 and at page 6 also of WIT 54.

16 I think, Mr. Rochon, you had -- you answered  
17 my -- in answering the Commissioner's question, you answered  
18 my follow up question, which was about the phrase you used,  
19 "action on". And as I understand it, your answer to the  
20 Commissioner that there was not an expectation in sort -- in  
21 Public Safety receiving this information that you would take  
22 a particular action -- particular action or specific response  
23 to, as you say, a specific raw intelligence report or other  
24 intelligence product you received? Is that right?

25 **MR. DOMINIC ROCHON:** Correct. There wouldn't  
26 have been an expectation from any of the producers of the  
27 intelligence that we, Public Safety, would be doing something  
28 specific on a piece of intelligence, other than consuming it

1 for our understanding in order to better inform the policy  
2 work that we were involved in.

3 **MR. ROB STEWART:** And facilitating access of  
4 the agencies, in particular CSIS, where required, to the  
5 Minister, such that, you know, they could give advice and the  
6 Minister could act appropriately.

7 **MS. ERIN DANN:** Understood. Turning to the  
8 management of that river of intelligence that's coming to  
9 Public Safety, Mr. Rochon, you mentioned the National  
10 Security Operations Directorate generally acts as a keeper of  
11 intelligence within Public Safety. What is the NSOD and  
12 what's the relationship with the NS -- NCSB that we spoke  
13 about earlier?

14 **MR. DOMINIC ROCHON:** So the National Security  
15 branch, the National Security and Cyber Branch, is the branch  
16 underneath the responsibility that I had as the ADM -- senior  
17 ADM of National Cyber Security.

18 Underneath that, there were four  
19 directorates. One of the directorates was the National  
20 Security Operations Directorate. That directorate had  
21 responsibility with regard to *Investment Canada Act* national  
22 security operations, for example. It had responsibilities  
23 with regard to tracking the aforementioned *Secure Air Travel*  
24 *Act* activity, but it also had the responsibility of looking  
25 at intelligence as it flowed into the department.

26 They are the ones that had access to secure  
27 areas, secure systems, and therefore access to the flow of  
28 information that exists within the security and intelligence

1 community.

2 And I think even you heard Ms. Charette this  
3 morning explaining that that flow is rather vast. We have a  
4 very large number of producers of intelligence throughout the  
5 Federal Government, and indeed throughout the community when  
6 you include also our allies.

7 So you have CSIS, CSE primarily, ITAC, RCMP,  
8 DND, PCO, Intelligence Assessment Secretariat, and all of  
9 their equivalents across all the Five Eyes and other partners  
10 who are all producing daily products. And so there's a  
11 significant amount of information available on a vast amount  
12 of threats. And that covers obviously not just foreign  
13 interference. As Mr. Stewart pointed out, that's just a  
14 small subset of the enormous amount of information and  
15 intelligence that is produced.

16 **MS. ERIN DANN:** And how would information  
17 from that vast sort of array that's coming in, who decides or  
18 how is it decided what is of interest to the two of you, or  
19 to others in the office, and how does that -- how is that  
20 triaged, flagged, or delivered for your review?

21 **MR. DOMINIC ROCHON:** So I would look at it in  
22 two ways. First of all, the producers of the intelligence,  
23 CSE, CSIS, and I think you probably would have heard this  
24 from testimony from people representing those departments and  
25 agencies, they would produce something but seek feedback in  
26 order to ascertain whether or not it was actually dealing  
27 with issues that were of importance to their clients.

28 So there would be times where CSIS, CSE, or

1 others would say, "This is of interest. We want to make sure  
2 Public Safety sees this." And they could actually name me,  
3 or the Deputy Minister, or indeed the Minister, on a  
4 particular product.

5 In the absence of that very specific  
6 provision, provision of intelligence, the National Security  
7 Operations Directorate would, themselves, look through the  
8 amount of intelligence that existed through systems in order  
9 to see what would be of interest.

10 So clearly if we were dealing with economic  
11 security issues, or cyber security issues, or indeed hostile  
12 activities from state actors, they would pick out  
13 assessments, or sometimes pieces of raw intelligence that  
14 were of interest, and they would then -- they would produce  
15 that and come up with a list of those intelligence products,  
16 put them in a folder. And during my tenure, that folder  
17 would come up to me twice a week. And typically I would look  
18 through that and request that that same folder be produced  
19 for the Deputy Minister.

20 **MS. ERIN DANN:** And would there also be a  
21 folder prepared for the Minister ---

22 **MR. DOMINIC ROCHON:** Yes.

23 **MS. ERIN DANN:** --- by that group?

24 **MR. DOMINIC ROCHON:** It would -- it would  
25 normally be a subset. That folder would include anything  
26 that was specifically directed or asked to be given to the  
27 Minister, and CSIS would be the ones in particular that would  
28 produce something that they would want to be brought to the

1 attention of the Minister and it would be more convenient to  
2 have that flow through our National Security Operations  
3 Directorate because we had access to the Minister, we were in  
4 the same building.

5 Typically, we would then produce that more  
6 for the Minister's office and it would be up to the  
7 Minister's office then to provide us with feedback to say --  
8 and it will depend on the Minister's office, in my  
9 experience. They would then say, "Too much, too little, do  
10 you have something about this?".

11 So there could be a way of saying, "We'd like  
12 to see more about something", but it would be at the  
13 discretion of the Minister's office and it wouldn't be  
14 happening, necessarily, through the ADM or the Deputy  
15 Minister.

16 **MR. ROB STEWART:** And there's an asterisk  
17 we've got to put on this, which is called COVID.

18 So in the COVID period for which our tenure  
19 largely overlapped, circumstances did vary and the Minister  
20 was not very often in Ottawa. More so towards the latter  
21 part of the period than at the beginning, certainly, and  
22 operated out of Toronto. And in that case, what we would be  
23 doing would we would be collating information or deciding  
24 what, you know, we thought the Minister needed to see in  
25 conjunction with -- of course, with CSIS, and sending it to  
26 the Minister via the CSIS office in Toronto.

27 And at that point, he could either go into  
28 the CSIS office or it could be delivered to his house, you

1 know, in a secure way with someone waiting to take it away  
2 after he'd read it. And that happened quite frequently.

3 **MS. ERIN DANN:** And was there any change to  
4 what the Minister received during a writ period?

5 So in the lead-up to the 2021 election, would  
6 there be a difference in sort of what information in the  
7 information flow to the Minister during that period?

8 **MR. DOMINIC ROCHON:** I don't think anything  
9 would flow during that period.

10 **MR. ROB STEWART:** We would have suspended all  
11 advice and flow of information to the Minister unless it were  
12 absolutely necessary for decision-making purposes, which is  
13 on an exceptional basis.

14 **MS. ERIN DANN:** And just one final point on  
15 the -- on information flow.

16 Do I understand correctly that during your  
17 tenures there was no way within Public Safety to track who  
18 had seen a particular intelligence product?

19 **MR. ROB STEWART:** Again I would use the COVID  
20 asterisk here. We were, prior to COVID, when we had many  
21 people in the office every day, able to support a more  
22 effective record-keeping regime.

23 When we got into the COVID period, we were  
24 prioritizing action and the flow of information over the  
25 matter of, you know, detailed record-keeping, so we did not  
26 keep a log of the specific pieces of information that were  
27 going to the Minister.

28 They would have been the same, largely

1 speaking, as the pieces of information I saw, so I can attest  
2 to the fact that, you know, his office was provided with  
3 similar information to what I and Dom were seeing.

4 **MS. ERIN DANN:** But was there a way that  
5 tracked what you and Mr. Rochon received?

6 **MR. ROB STEWART:** Not in a detailed form. Of  
7 course, we were being tracked at the other end of things,  
8 right. CSIS was keeping a track of the record numbers of the  
9 things that they were sending to us, but if it -- if the  
10 question is directed as to having a detailed understanding of  
11 what was consumed, it does not exist for the COVID period.

12 **MS. ERIN DANN:** Thank you.

13 And then turning just to the last topic as  
14 our time winds down here, both of you came into your  
15 positions shortly after or right after the 2019 General  
16 Election. Were you briefed on any intelligence or  
17 assessments in relation to foreign interference in your role  
18 at Public Safety?

19 **MR. ROB STEWART:** Yes. I would say that CSIS  
20 was very eager to tell us about the things that they were  
21 concerned about and we would have been briefed on a  
22 progressive basis over time with the various reports and  
23 assessments that CSIS and others were producing. It was in  
24 the natural scheme of things.

25 **MS. ERIN DANN:** And in particular to one of  
26 the topics that we've seen here today, it's CAN.SUM 1, this  
27 relates to allegations of foreign interference in the Don  
28 Valley North nomination race.

1 --- EXHIBIT No./PIÈCE No. CAN.SUM 1:

2 Don Valley North (DVN) Liberal Party  
3 Nomination Race in 2019

4 **MS. ERIN DANN:** Mr. Stewart, you indicated --  
5 or we heard yesterday that you participated in the DMOC  
6 committee. I understand that, on occasion, that committee  
7 would have -- would examine or discuss issues of foreign  
8 interference and that one of those issues related to the Don  
9 Valley North nomination in 2019. Is that right?

10 **MR. ROB STEWART:** Not at the DMOC table at  
11 that point in time. I think, you know, the election had come  
12 and gone. This material appeared and was gathered  
13 subsequently and -- because it wasn't visible, as I  
14 understand it, to the Panel of Five that existed at that  
15 time.

16 And it wasn't a DMOC issue because DMOC  
17 issues were taken up as matters of operational immediate  
18 concern. It was definitely noted in the broader context of  
19 discussions around foreign interference and was a reference  
20 point, certainly, in the preparation of the panel for 2021.

21 **MS. ERIN DANN:** Thank you.

22 I'm sorry I had that point wrong.

23 And just in terms of the participation of  
24 Public Safety on DMOC, we heard yesterday that there was sort  
25 of pushing and pulling that happened at those DMOC meetings,  
26 that the NSAI expected would give an update and expected  
27 people to bring to attention what others needed to know.

28 Given that Public Safety didn't have a

1 particular operational role and wasn't a producer of  
2 intelligence, can you help us understand your role on that  
3 committee and speak to any other intergovernmental committees  
4 that we didn't touch on earlier?

5 **MR. ROB STEWART:** I would describe the role  
6 of the Public Safety Deputy Minister on the DMOC committee as  
7 being a role of -- I don't want to call it observer, but  
8 there for awareness.

9 Where we brought things to the attention of  
10 the committee would be things that were perhaps going to  
11 Cabinet in the near future or, you know, issues that were  
12 surfacing that we were briefing on, but otherwise, I think we  
13 were there to be aware of the operational activities of other  
14 members of that committee.

15 **MR. DOMINIC ROCHON:** Maybe if I could just  
16 elaborate.

17 So I was not a member of DMOC and it was  
18 during our -- during my tenure at Public Safety, it was  
19 exclusive to Deputy Ministers' participation. However, I did  
20 co-chair a committee that was supportive of DMOC called the  
21 Assistant Deputy Ministers' National Security Operations  
22 Committee.

23 I co-chaired that with my counterpart in the  
24 Privy Council Office Security and Intelligence Secretariat,  
25 who was also, coincidentally, the Secretariat for the DMOC  
26 committee.

27 At the ADM National Security Operations  
28 Committee, we would meet weekly and typically, as the chair,

1 I would go around the table and it would have members of  
2 every department and agency that had a role to play with  
3 regard to security and intelligence, so not just your classic  
4 RCMPs, CSEs, CSISes, but you would have the Public Health  
5 Agency there, you would have Transport Canada there. Anyone  
6 that might have a role to play with regard to national  
7 security.

8 And once a week, we would get together and  
9 have a conversation about what we were seeing in the threat  
10 landscape.

11 We wouldn't necessarily speak about specific  
12 pieces of raw intelligence. It would be an opportunity for  
13 each department and agency to discuss what they were seeing.

14 And again, Public Safety's role, which is my  
15 point here, is more one of awareness and one of convening and  
16 coordinating the community.

17 **MS. ERIN DANN:** Thank you very much.

18 Those are my questions.

19 **COMMISSIONER HOGUE:** Thank you.

20 So cross-examination. The first counsel is  
21 counsel for RCDA.

22 **--- CROSS-EXAMINATION BY / CONTRE-INTERROGATOIRE PAR**

23 **MR. GUILLAUME SIROIS:**

24 **MR. GUILLAUME SIROIS:** Good morning. I'm  
25 Guillaume Sirois, counsel for the RCDA.

26 Just to go briefly back on your testimony  
27 this morning, I believe you mentioned that operations and  
28 Public Safety work hand in glove. Is that -- do you recall

1 saying this?

2 **MR. DOMINIC ROCHON:** Operations in Public  
3 Safety? What do you mean by that?

4 **MR. GUILLAUME SIROIS:** That you, Public  
5 Safety, work hand in gloves with the operations side to  
6 develop public policy and so on.

7 **MR. DOMINIC ROCHON:** So yeah, I would  
8 characterize it as national security. The security and  
9 intelligence community has operators, and in our case we were  
10 more of a policymaker. But in order to understand -- like  
11 with any policy work, there's an inherent tension with the  
12 people that are actually doing the operations and we need to  
13 understand those operations because, ultimately, we're making  
14 policy for them. So it doesn't make any sense to do  
15 something without understanding what they're doing, hence why  
16 my hand in glove comment.

17 **MR. GUILLAUME SIROIS:** Excellent. Yes,  
18 that's -- I wanted to talk to you about -- little bit about  
19 operations and what you were aware of. That's why I'm  
20 asking. So I would like to discuss about the document CAN  
21 008045, please. It's a RCMP Ministerial Briefing dated April  
22 20, 2023.

23 **--- EXHIBIT No./PIÈCE No. CAN 8045:**

24 RCMP Ministerial Briefing 2023-04-20

25 **MR. DOMINIC ROCHON:** M'hm.

26 **MR. GUILLAUME SIROIS:** If we can go at page  
27 13, please, at the bottom of the page. Yeah. Yes, exactly.  
28 Thank you.

1           So it says here state specific threats.  
2       There's a question that I understand is to prepare the RCMP  
3       for potential questions about foreign interference. And the  
4       question is,

5                                "Is the RCMP aware of specific  
6                                countries conducting foreign  
7                                interference activities in Canada?"

8       And the bullet -- first bullet point here  
9       says,

10                               "While the RCMP is aware of threats  
11                               emanating from countries including  
12                               the Russian Federation, Iran and the  
13                               [PRC], I want to underline that it  
14                               does not target any particular  
15                               country or government in its  
16                               investigations."

17           So my questions, obviously, will concern the  
18       Russian Federation part of that sentence. Was Public Safety  
19       aware of any threats coming from the Russian Federation with  
20       respect to foreign interference?

21                       **MR. ROB STEWART:** Maybe I'll answer that.  
22       Absolutely, in the sense of over time, and going back in time  
23       -- this is 2023, which is post our tenure, just to note, but  
24       is consistent with information and the understanding we had  
25       prior to that date. But over time, there has been a concern  
26       about the threat posed by the Russian Federation in terms of  
27       disinformation and foreign interference, such that it is the  
28       subject of intelligence reporting.

1           **MR. GUILLAUME SIROIS:** And it was not just a  
2 concern, but the -- you heard that there was things happening  
3 on the ground; right? It's not just a general concern. RCMP  
4 is witnessing threats and that's what you heard through your  
5 -- their reports; right?

6           **MR. ROB STEWART:** Threats.

7           **MR. GUILLAUME SIROIS:** Yes.

8           **MR. ROB STEWART:** By which I take to mean,  
9 you know, activity, which is possibly having the effect of  
10 foreign interference, but otherwise, you know, just covert  
11 and clandestine and, you know, with the intention of  
12 achieving a goal that the Russians would prefer we not know  
13 about.

14           **MR. GUILLAUME SIROIS:** Okay. And would those  
15 apply to the general election of 2019 and 2021 as well?

16           **MR. ROB STEWART:** I believe we answered that  
17 question yesterday. No is the conclusion that was reached by  
18 the SITE Task Force. There was no apparent manifestation of  
19 a particular Russian threat of foreign interference in those  
20 contexts, and we were watching very closely, of course,  
21 through the SITE Task Force.

22           **MR. GUILLAUME SIROIS:** Okay. I would -- in  
23 fact, this -- I would like to pull TRN 10, please, at page  
24 82. While the document's being pulled, it's the transcript  
25 of the hearings of the RCMP. So we can go, please, at page  
26 82. So here is the cross-examination of Matthew Johnson on  
27 the Government of Canada. He's taking the RCMP back to a  
28 question asked by the European Canadian Congress, asked

1 whether you were -- the RCMP was aware of Russian engaging in  
2 foreign interference. They said that they had no information  
3 about Russian foreign interference. Can we go down a little  
4 bit? And they ask about the SITE Task Force, for instance,  
5 which relate to, obviously, the elections. And Michael  
6 Duheme says,

7 "Writ large, at the larger -- so I  
8 want a caveat here, I was referring  
9 to 43, 44; right? But writ large, at  
10 the larger perspective, yeah, we know  
11 that there is some form of  
12 interference being done by Russia.  
13 And this is from the numerous meeting  
14 that I have gone to at the DM  
15 levels." (As read)

16 So that's basically the same thing you're  
17 saying here is that there is no foreign interference during  
18 the two elections, but there's generally foreign interference  
19 by Russia; is that right?

20 **MR. ROB STEWART:** I would agree with the  
21 Commissioner.

22 **MR. GUILLAUME SIROIS:** And isn't it strange  
23 that Russia would stop interfering with Canadian democratic  
24 institutions only during the two general elections, but  
25 conduct such indifference at large?

26 **MR. ROB STEWART:** That's a hypothetical  
27 question. Whether or not a foreign state chooses to  
28 interfere in an election is a discretionary matter. And if

1 you're trying to on the whole be covert and clandestine, it  
2 may be the wrong time to do so.

3 **MR. GUILLAUME SIROIS:** I'm out of time, but I  
4 thank you for your time.

5 **COMMISSIONER HOGUE:** Thank you.

6 Next one is UCC?

7 **MR. JON DOODY:** No questions, Commissioner.

8 **COMMISSIONER HOGUE:** No question.

9 Human Rights Coalition?

10 **MS. HANNAH TAYLOR:** No questions, Madam  
11 Commissioner.

12 **COMMISSIONER HOGUE:** Counsel for Jenny Kwan?

13 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

14 **MS. MANI KAKKAR:**

15 **MS. MANI KAKKAR:** Thank you, Commissioner,  
16 and good afternoon to the panel. I have one very simple  
17 question for you. In your witness summary, you mention that  
18 there was no definition of foreign interference at public  
19 safety. However, in your testimony this morning, you looked  
20 at a letter with Ms. Dann which did incorporate a definition,  
21 and so I just wanted to understand which of those statements  
22 is accurate or how they work together.

23 **MR. ROB STEWART:** A simple question. Thank  
24 you. Well, I think I'd differentiate between the sort of  
25 definition in the dictionary sense of the word, which is the  
26 covert, clandestine, malign part of it and foreign  
27 interference as a concept, where I wanted to strike the  
28 broader kind of reference point to the way in which it

1 manifests itself and its goals, which are not strictly of  
2 course, a difference in our democratic institutions, but in  
3 our communities through our institutions, our economic  
4 institutions and businesses and, indeed, cyber. So there are  
5 many ways in which I would see foreign interference  
6 manifesting itself, and that may be my best explanation as to  
7 why I was in the interview summary trying to strike a broader  
8 note.

9 **MS. MANI KAKKAR:** That answer makes me feel  
10 like my question was simple enough but thank you so much.

11 **COMMISSIONER HOGUE:** Counsel for Michael  
12 Chong?

13 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

14 **MR. FRASER HARLAND:**

15 **MR. FRASER HARLAND:** Good afternoon. Just a  
16 couple of short questions as well, I think. We heard  
17 evidence from you that public safety is not playing an  
18 operational role and it -- except with very specific  
19 exceptions like the *Secure Air Travel Act*. Operations is for  
20 the agencies and not for the department; is that fair?

21 **MR. ROB STEWART:** It's fair.

22 **MR. FRASER HARLAND:** But, Mr. Stewart, I  
23 think you also said that public safety provides CSIS access  
24 to the minister as necessary, so that he can act. I was just  
25 wondering, if the department isn't acting but the minister  
26 is, I just want to clarify what you mean by what kind of  
27 actions the minister would be taking on the advice of  
28 intelligence from CSIS.

1           **MR. ROB STEWART:** Well, couple of things.  
2           Physically, we provide the space -- provided the space. The  
3           minister is, when in Ottawa, in his departmental office is  
4           resident in the building Public Safety occupies, so we  
5           provide the secure space, which would allow for either a  
6           virtual or a in-person briefing by the CSIS director and his  
7           staff. So that's one level of it. We also convey documents  
8           as required. We -- we'll -- we'd undertake to ensure that  
9           the minister's staff were aware that CSIS was seeking, you  
10          know, to brief on an issue. So we were facilitating, in  
11          large measure, the flow of information from CSIS and other  
12          intelligence agencies to the minister. We were not acting as  
13          an agent on behalf of the -- of CSIS in terms of seeking any  
14          formal authority or decision, other than through the form of  
15          warrants, where when CSIS seeks a warrant from the federal  
16          court, the rules of the system require us to review it and  
17          put a cover note on it, explaining what is being sought, and  
18          I review it, I sign off, and it goes to the minister after  
19          that.

20                   **MR. FRASER HARLAND:** Okay. Thank you.  
21          That's all.

22                   **COMMISSIONER HOGUE:** Thank you.  
23          Counsel for Han Dong?

24                   **MS. EMILY YOUNG:** No questions. Thank you.

25                   **COMMISSIONER HOGUE:** Conservative Party?

26          **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

27          **MR. NANDO de LUCA:**

28                   **MR. NANDO de LUCA:** Thank you. Can I have

1 CAN 4728 called up, please?

2 And gentlemen, this is a CSIS national  
3 security brief prepared on October 1, 2019, regarding foreign  
4 interference by the People's Republic of China and the  
5 federal campaign of Han Dong, and it's addressed to a great  
6 number of individuals, including the Associate Deputy  
7 Minister of Public Safety.

8 And can I ask, who would that have been? Who  
9 would the ADM have been at this point on October 1 of 2019?

10 **MR. ROB STEWART:** The associate would have  
11 been Monik Beauregard, who was on the Panel of 2019  
12 yesterday.

13 **MR. NANDO de LUCA:** Okay. And can you  
14 confirm that she would have received this briefing at the  
15 time that it was prepared?

16 **MR. ROB STEWART:** Sorry. No.

17 **MR. NANDO de LUCA:** Why not?

18 **MR. ROB STEWART:** I wasn't there.

19 **MR. NANDO de LUCA:** Okay. And can you give  
20 the Commissioner a sense as to why the ADM for Public Safety  
21 would have been a recipient or a consumer of this briefing?

22 **MR. ROB STEWART:** I think the answer to that  
23 question is in the general course Public Safety is in the  
24 flow of information as it pertains to matters of foreign  
25 interference, and this is a particular notable one.

26 **MR. NANDO de LUCA:** Okay. And would it have

27 ---

28 **MR. DOMINIC ROCHON:** Can I just make a

1 clarification? Because you keep using the word "ADM", just  
2 so that -- her title was Associate Deputy Minister. So she  
3 was in the deputy ranks not an Assistant Deputy Minister,  
4 which would have been my level. Right?

5 **MR. NANDO de LUCA:** Thank you.

6 **MR. ROB STEWART:** And to further clarify, she  
7 would have been the Acting Deputy Minister.

8 **MR. DOMINIC ROCHON:** At times she would have  
9 been Acting Deputy Minister.

10 **MR. NANDO de LUCA:** Thank you for the  
11 clarification. Can you tell me, would it have been part of  
12 the Minister of Public Safety's mandate, or that of his  
13 Ministry, to consult with the PM or the PMO or even the PCO  
14 in connection with the intelligence reflected in this type of  
15 briefing?

16 **MR. ROB STEWART:** It is at the discretion of  
17 the Minister to choose to do what he see -- he or she sees  
18 necessary given the information that's provided to them. It  
19 is not a requirement of the mandate of the Minister to do so.

20 **MR. NANDO de LUCA:** Okay. And can you tell  
21 me with respect to this particular briefing what if any  
22 action the Minister or members of his Ministry took in  
23 connection with the intelligence that was contained herein?

24 **MR. ROB STEWART:** Sorry. No.

25 **MR. NANDO de LUCA:** Why not?

26 **MR. ROB STEWART:** I was not there at the  
27 time.

28 **MR. NANDO de LUCA:** Sir?

1                   **MR. DOMINIC ROCHON:** Nor was I.

2                   **MR. NANDO de LUCA:** Thank you. Those are my  
3 questions.

4                   **COMMISSIONER HOGUE:** Thank you.

5                   AG, do you have any questions?

6                   **MR. MATTHEW JOHNSON:** (Off microphone/hors  
7 microphone)

8                   **COMMISSIONER HOGUE:** Yes, I'm sorry, I was  
9 too quick. You're right.

10                   Counsel for Erin O'Toole.

11                   **MR. THOMAS JARMYN:** Pretty sure I have no  
12 questions. Thank you.

13                   **COMMISSIONER HOGUE:** That's the reason why  
14 I....

15                   **MR. MATTHEW JOHNSON:** And that makes it my  
16 turn, Madam Commissioner. And I'll confirm that the AGC also  
17 has no questions.

18                   **COMMISSIONER HOGUE:** Any re-examination?

19                   **MS. ERIN DANN:** No, thank you.

20                   **COMMISSIONER HOGUE:** So it's 12:15. We'll  
21 break for lunch. I suggest, though, that we come back before  
22 2:20. The schedule provides for -- yes, at 2:20. So we'll  
23 come back at ---

24                   **MS. ERIN DANN:** Two o'clock.

25                   **COMMISSIONER HOGUE:** --- at two o'clock  
26 instead of two-twenty.

27                   **THE REGISTRAR:** Order, please. À l'ordre,  
28 s'il vous plaît.

1           The hearing is now recessed until two  
2 o'clock. La séance est maintenant pause jusqu'à deux heures.

3 --- Upon recessing at 12:14 p.m./

4 --- La séance est suspendue à 12h14

5 --- Upon resuming at 2:24 p.m./

6 --- La séance est reprise à 14 h 24

7           **THE REGISTRAR:** Order, please. À l'ordre,  
8 s'il vous plait.

9           This sitting of the Foreign Interference  
10 Commission is back in session. Cette séance de la Commission  
11 sur l'ingérence étrangère a repris.

12           **COMMISSIONER HOGUE:** Good afternoon. Sorry  
13 for the delay. There was some housekeeping to do.

14 Me Chaudhury?

15           **MS. SHANTONA CHAUDHURY:** Good afternoon,  
16 Commissioner. Our witnesses this afternoon after four  
17 members of the staff from the Prime Minister's Office. May I  
18 ask the witnesses be sworn or affirmed?

19           **THE REGISTRAR:** Starting with you, Ms.  
20 Telford, would you want to be sworn or affirmed?

21           **MS. KATHERINE TELFORD:** Affirmed.

22           **THE REGISTRAR:** Could you please state your  
23 name and spell your last name for the record?

24           **MS. KATHERINE TELFORD:** Katherine Telford, T-  
25 e-l-f-o-r-d.

26 **--- MS. KATHERINE TELFORD, Affirmed/Sous affirmation**  
27 **solennelle:**

28           **THE REGISTRAR:** And starting with you, do you

1 want to be sworn or affirmed?

2 MR. JEREMY BROADHURST: Affirmed, please.

3 THE REGISTRAR: Okay. Could you please state  
4 your name and spell your last name for the record?

5 MR. JEREMY BROADHURST: It's Jeremy  
6 Broadhurst. B-r-o-a-d-h-u-r-s-t.

7 --- MR. JEREMY BROADHURST, Affirmed/Sous affirmation  
8 solennelle:

9 THE REGISTRAR: And Mr. Clow?

10 MR. BRIAN CLOW: I will affirm.

11 THE REGISTRAR: Could you please state your  
12 name and spell your last name for the record?

13 MR. BRIAN CLOW: Brian Clow, C-l-o-w.

14 --- MR. BRIAN CLOW, Affirmed/Sous affirmation solennelle:

15 THE REGISTRAR: Mr. Travers?

16 MR. PATRICK TRAVERS: Affirm.

17 THE REGISTRAR: Could you please state your  
18 name and spell your last name for the record?

19 MR. PATRICK TRAVERS: Patrick Travers, T-r-a-  
20 v-e-r-s.

21 --- MR. PATRICK TRAVERS, Affirmed/Sous affirmation  
22 solennelle:

23 THE REGISTRAR: Counsel, you may proceed.

24 MS. SHANTONA CHAUDHURY: Thank you.

25 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR  
26 MS. SHANTONA CHAUDHURY:

27 MS. SHANTONA CHAUDHURY: So witnesses, we'll  
28 begin with the routine housekeeping that we normally have to

1 go through, starting with Mr. Clerk, can you please pull up  
2 WIT 69, which is the public version of the PMO's interview  
3 summary.

4 --- EXHIBIT No./PIÈCE No. WIT 69:

5 Katie Telford, Jeremy Broadhurst,  
6 Brian Clow, Patrick Travers Public  
7 Interview Summary

8 **MS. SHANTONA CHAUDHURY:** So I'll just ask  
9 each of you to confirm that you recall being interviewed by  
10 Commission counsel on February 21st, 2024?

11 **PANEL MEMBERS:** Yes.

12 **MS. SHANTONA CHAUDHURY:** Thank you.

13 And can you each confirm that you've reviewed  
14 the summary of that interview, that the summary is accurate  
15 and that you adopt it as part of your evidence before the  
16 Commission?

17 **PANEL MEMBERS:** Yes.

18 **MS. SHANTONA CHAUDHURY:** Thank you.

19 Mr. Clerk, you can take that one down, and  
20 please pull up WIT 68.

21 --- EXHIBIT No./PIÈCE No. WIT 68:

22 K. Telford J. Broadhurst B. Clow and  
23 P. Travers Public Summary of In  
24 Camera Examination

25 **MS. SHANTONA CHAUDHURY:** So this is the  
26 public version of the *in camera* examination held earlier this  
27 year.

28 So witnesses, again, I'll ask you to confirm

1 that you recall being examined *in camera* by Commission  
2 counsel?

3 **PANEL MEMBERS:** Yes.

4 **MS. SHANTONA CHAUDHURY:** And that you've  
5 reviewed the summary of this examination, that the summary is  
6 accurate and that you adopt it as part of your evidence.

7 **PANEL MEMBERS:** Yes.

8 **MS. SHANTONA CHAUDHURY:** Perfect.

9 Last, but not least, the PMO institutional  
10 report, so let's do this through Ms. Telford.

11 Mr. Clerk, can you bring up CAN.DOC 13,  
12 please.

13 **--- EXHIBIT NO./PIÈCE NO. CAN.DOC 13:**

14 Institutional Report - Prime  
15 Minister's Office

16 **MS. SHANTONA CHAUDHURY:** So this is another  
17 one that's been referred to, but not yet officially  
18 introduced. Ms. Telford, you're aware that the PMO prepared  
19 an institutional report for filing with the Commission. Can  
20 you confirm that you've reviewed it and that it represents  
21 part of the PMO's evidence?

22 **MS. KATHERINE TELFORD:** Yes.

23 **MS. SHANTONA CHAUDHURY:** Perfect.

24 And then for the record, the French version  
25 of that institutional report is CAN.DOC 14.

26 **--- EXHIBIT NO./PIÈCE NO. CAN.DOC 14:**

27 Cabinet du Premier Ministre (CPM)  
28 Rapport Institutionnel

1                   **MS. SHANTONA CHAUDHURY:** Okay. To start off  
2 with, can you each briefly describe your roles at PMO during  
3 the time period that is relevant to the Commission to now?  
4 So starting with you, Ms. Telford.

5                   **MS. KATHERINE TELFORD:** I have served as the  
6 Chief of Staff to the Prime Minister since we formed  
7 government in 2015, with the exception of two periods where I  
8 was on an unpaid leave during the writ periods of 2019 and  
9 2021 elections.

10                  **MS. SHANTONA CHAUDHURY:** Thank you.  
11 Mr. Travers?

12                  **MR. PATRICK TRAVERS:** Yes. From early 2016  
13 to fall 2020, I served as an advisor on the PMO Policy Team.  
14 From fall 2020 onwards, I've been Senior Global Affairs  
15 Advisor with responsibility for international issues.

16                  **MS. SHANTONA CHAUDHURY:** Okay. And am I  
17 correct that you were, during the writ period, on the  
18 Caretaker Team?

19                  **MR. PATRICK TRAVERS:** On the Caretaker Team  
20 in both writ periods.

21                  **MS. SHANTONA CHAUDHURY:** Okay. So that means  
22 remaining at PMO not out on the campaign?

23                  **MR. PATRICK TRAVERS:** Correct.

24                  **MS. SHANTONA CHAUDHURY:** Thank you.  
25 Mr. Clow?

26                  **MR. BRIAN CLOW:** Since the 2021 election, I  
27 have been Deputy Chief of Staff. Prior to that, I was  
28 Executive Director Issues Management Parliamentary Affairs

1 and Canada/U.S. Relations. And prior to the 2019 election, I  
2 was solely focussed on Canada/U.S. relations. I also took  
3 unpaid leaves during the last two elections.

4 **MS. SHANTONA CHAUDHURY:** Thank you.

5 Mr. Broadhurst.

6 **MR. JEREMY BROADHURST:** In 2019, I was Chief  
7 of Staff to Chrystia Freeland, who was Minister of Foreign  
8 Affairs. I went with her to Intergovernmental Affairs and  
9 Finance as she moved on.

10 I took unpaid leave absence in 2019 to be the  
11 National Campaign Director of the Liberal Party of Canada.  
12 And again, in the summer of 2021, to be a senior official on  
13 that -- on the Liberal Party campaign team in that election  
14 campaign. I then returned to the PMO after that election  
15 campaign as a senior advisor.

16 **MS. SHANTONA CHAUDHURY:** Thank you.

17 Witnesses, as you know, one of the topics that this  
18 Commission is examining is the flow of information and flow  
19 of intelligence.

20 So can I ask you to -- probably this is best  
21 addressed to Ms. Telford. Can you explain how the PMO  
22 receives intelligence?

23 **MS. KATHERINE TELFORD:** So this has evolved  
24 over time due to events, due to different NSIAs, National  
25 Security and Intelligence Advisors, but I think it's  
26 important to note that throughout members of the Prime  
27 Minister's Office's we are consumers of intelligence only,  
28 and we receive the intelligence that we do receive, and any

1 briefings associated to that intelligence from the Privy  
2 Council Office. They may at times bring in members from  
3 other departments or agencies, but they would be the ones  
4 making those decisions as to who attends the briefings and  
5 putting together the agendas for such briefings, though  
6 sometimes we'll ask for things.

7 In addition -- and they will determine  
8 whether that's something they can or can't provide. The  
9 National Security and Intelligence Advisor reports directly  
10 to the Prime Minister, and will also go directly to the Prime  
11 Minister and brief him sometimes directly, sometimes directly  
12 alongside me, and sometimes alongside other staff.

13 We also receive some paper products. We used  
14 to receive more of them on a more regular basis in the early  
15 years. And in kind of general terms, I would divide things  
16 up into sort of three different periods. One was pre  
17 pandemic, then there was the pandemic, and then there has  
18 been since the leaks where we've seen significant changes,  
19 though there have been some more minor changes over time,  
20 just as we've all learned each other a bit.

21 In the earlier days, we received daily,  
22 oftentimes daily products, as well as weekly products that  
23 would summarise the daily products, and then we would receive  
24 specific intelligence on specific events when they arose. So  
25 we would get specific briefings on, for example, when the  
26 "Two Michaels" were arbitrarily detained, when there was an  
27 invasion of Ukraine, and prior to that invasion, when PS752  
28 was shot down. There have been a number of instances where

1 we have received briefings on those topics beyond sort of the  
2 topical summaries that we would receive.

3 And then in the pandemic period, it obviously  
4 became much more complicated, particularly during the strict  
5 lockdowns. So we received with far less frequency the paper  
6 products, and -- but if something ever needed to get to us  
7 there were numerous ways that information could get to us and  
8 of course to the Prime Minister. And the National Security  
9 and Intelligence Advisor always had ways, including having  
10 client relations officers at times come to my home, or going  
11 into the office.

12 And then post leaks, we watched the National  
13 Security and Intelligence Advisor take further steps to make  
14 the processes even more rigorous in terms of tracking  
15 information.

16 As well, I would say post pandemic for a  
17 variety of reasons, including just events going on in the  
18 world and the number of them that involved the need to see  
19 intelligence, we see a lot more raw intelligence in these  
20 last couple of years than we did in the early years of  
21 government.

22 **MS. SHANTONA CHAUDHURY:** And when you say you  
23 received more raw intelligence, are you differentiating that  
24 from assessed intelligence or ---

25 **MS. KATHERINE TELFORD:** I'm differentiating  
26 that from the sort of daily and weekly products, which would  
27 be a mixture. Sometimes those products would include open  
28 source information. They were summaries of sort of what was

1 going on in the world, though they would sometimes include  
2 some intelligence within them as well. But they'd be  
3 referenced as opposed to including any source material.

4 **MS. SHANTONA CHAUDHURY:** Okay. And you  
5 mentioned that you've been receiving fewer and fewer paper  
6 products over time. When you receive paper products are you  
7 always able to read them?

8 **MS. KATHERINE TELFORD:** No, because we could  
9 only read them in certain places given the classified nature  
10 of them. So sometimes, especially if we're on the road for a  
11 period of time travelling internationally, or domestically  
12 for that matter, or days like today, it's more complicated to  
13 follow the daily summaries as they were in those early years.  
14 I would be particularly reliant on weekly summaries and  
15 sometimes even have to catch up with them with time.

16 But I never relied on those products as a  
17 way, and I don't believe anyone did, relied on those products  
18 as a way of briefing us on any specific issue. They were  
19 more interesting things that were doing on in the world at  
20 the time and a way of keeping us abreast of an election, for  
21 example, that had happened somewhere in the world and letting  
22 us know what it meant in a couple of paragraphs, if that.

23 **MS. SHANTONA CHAUDHURY:** Okay. So you've  
24 sort of described these three time periods, pre pandemic,  
25 then the pandemic, which changes a lot of things in terms of  
26 how information is conveyed generally, and then post leaks.

27 There is one other period that we could talk  
28 about which is the caretaker period. So Mr. Travers, I think

1 I'll ask you to address that.

2 **MR. PATRICK TRAVERS:** Absolutely. During an  
3 election the government operates with restraint for the  
4 convention or the Caretaker Convention, which means that  
5 necessary business, it can be routine or urgent, does  
6 continue, but everything else is restrained per the election  
7 period. There is a scaled down PMO during that time that  
8 works closely with PCO for the purpose of supporting the  
9 Prime Minister in his role as Prime Minister should the need  
10 arise.

11 One of the reasons that I would stay behind  
12 is international events and crises are the kinds of things  
13 that might require government attention. During that time,  
14 there was a limited flow of information that would proceed  
15 according to normal procedures, but everything was restrained  
16 because of convention.

17 **MS. SHANTONA CHAUDHURY:** Okay. So  
18 essentially you receive what is urgent or what would require  
19 urgent attention, despite the fact that it's the caretaker  
20 period?

21 **MR. PATRICK TRAVERS:** Correct.

22 **MS. SHANTONA CHAUDHURY:** So that's the flow  
23 of intel into PMO. Now, once the intelligence comes into  
24 PMO, what role, if any, do you play in providing that  
25 intelligence to the Prime Minister?

26 **MS. KATHERINE TELFORD:** I'll take first crack  
27 at that anyways. The -- as I mentioned earlier, the NSIA can  
28 and does brief the Prime Minister directly. We will often

1 look at intelligence that we will see ahead of him, not  
2 always but sometimes, and we will ensure in talking to the  
3 client relations officer, who will be sitting opposite us as  
4 we read the documents, has the Prime Minister seen this  
5 document yet, and if not, this is one that we think should go  
6 to him. And he will then flag that back to the NSIA if they  
7 haven't already flagged that as a document that's going to  
8 the Prime Minister.

9 We will also sometimes, though not always,  
10 have a briefing with officials that they will request to  
11 brief us on something ahead of them meeting with the Prime  
12 Minister. I sometimes view it almost as a bit of a pre-brief  
13 because they can -- we can sometimes anticipate or at least  
14 it gives us first run at what some of the questions might be  
15 coming from fresh eyes in our office. And though oftentimes  
16 I will get briefed right alongside the Prime Minister and  
17 receive documents in concurrence with him.

18 **MS. SHANTONA CHAUDHURY:** Okay.

19 **MR. BRIAN CLOW:** I would just add, the key  
20 point we would make is when information needs to get from  
21 officials to the Prime Minister it gets to him, and it's not  
22 generally through paper. If there's something serious that  
23 senior officials, the Clerk, the NSIA, the Director of CSIS,  
24 if they want the Prime Minister to know something, they call  
25 us, they organize a briefing, they come see us. Some way or  
26 another they will tell us that information. If it's of that  
27 level of importance, it's not going to be paper alone.

28 **MS. SHANTONA CHAUDHURY:** Okay. And it would

1 generally be the NSIA?

2 **MR. BRIAN CLOW:** NSIA, Clerk, Director of  
3 CSIS would be the main three, ---

4 **MS. SHANTONA CHAUDHURY:** The three?

5 **MR. BRIAN CLOW:** --- I would say.

6 **MS. SHANTONA CHAUDHURY:** Okay. Ms. Telford,  
7 in your examination -- I'm going to take you back to  
8 something you mentioned in your examination, which is that  
9 when it comes to intelligence, you've described PMO as having  
10 a challenge function with respect to intelligence. Can you  
11 explain what you meant by that?

12 **MS. KATHERINE TELFORD:** So as I said at the  
13 outset, we are consumers of this information. And so I  
14 believe it's our responsibility in seeing it to ask as many  
15 questions as we can about it, at times challenge it, we have  
16 come across errors at times, and ensure that, you know,  
17 appropriate validation has happened. And sometimes we can  
18 also bring information and shed light on it that might cause  
19 officials to look at something a little differently.

20 **MS. SHANTONA CHAUDHURY:** Okay. Mr. Clerk, if  
21 you can just bring up WIT 68, please? This is the interview  
22 summary. Or the examination summary, I'm sorry. So scroll  
23 down to paragraph 20, please. There we go.

24 So in this section, Ms. Telford, I'm going to  
25 take you to sort of two examples of what may be this  
26 challenge function. The first one is down at paragraph 23.  
27 I think you mentioned here that one context in which PMO  
28 requires or receives intelligence is with respect to security

1 clearances for MPs who may wish to be appointed to Cabinet or  
2 to -- as Parliamentary Secretaries.

3 Can you elaborate a bit on how the challenge  
4 function may play out in that context?

5 **MS. KATHERINE TELFORD:** So in this paragraph,  
6 it references -- so MPs go through security clearances,  
7 whether it's to be on NSICOP, whether it's become a  
8 Parliamentary Secretary, or to become a Minister. And flags  
9 will sometimes be raised, and flags can be any number of  
10 things. The individual who is going through the clearance  
11 process rarely has the opportunity to know what the flags  
12 are, or to be able to challenge them, which is where we in  
13 particular see a responsibility to ensure that if a  
14 politician, an elected official's career is going to be  
15 impacted, which if flags come up such that they cannot take on  
16 a role, it's impacting their career, we need to challenge  
17 that and just ensure that there is appropriate and enough  
18 kind of validation and substantiated information behind those  
19 flags.

20 And there was one instance that's referenced  
21 here where there was a mistake made where there was a threat  
22 linked to an MP that didn't seem right, and so we asked  
23 officials to please go and do whatever work they could to  
24 further substantiate that and verify that. And to the credit  
25 of the officials involved, they went and they worked through  
26 the night and they came to us the next day and reversed their  
27 assessment because they had made a mistake in how they were  
28 looking at the information, which I think it was really

1 important, because if we had not done that -- and it taught  
2 us not to have blind faith in -- or first blush pressed in  
3 the information that we would see, because we watched that  
4 reversal of the assessment happen and it would have had a  
5 significant impact on this person's career.

6 Having said that, I cannot think of a time  
7 where we have not deferred, ultimately, to an assessment that  
8 is made that hasn't been reversed to any assessment given to  
9 us by officials.

10 **MS. SHANTONA CHAUDHURY:** So the role is to  
11 question; not to overpower?

12 **MS. KATHERINE TELFORD:** Correct.

13 **MS. SHANTONA CHAUDHURY:** Okay. You mentioned  
14 sometimes having to correct intelligence. So I'll just take  
15 you to another document which may be an example of this.

16 Mr. Clerk, can you pull up CAN 18009?

17 **--- EXHIBIT No./PIÈCE No. CAN 18009:**

18 Handwritten Notes of B. Clow

19 **MS. SHANTONA CHAUDHURY:** While you're doing  
20 that, I'll just pause here. Obviously I should have  
21 mentioned this at the outset, but we're obviously talking a  
22 lot about -- about a lot of the things in this examination  
23 that have classified information behind them, and if ever a  
24 question is asked which leads too close to the classified  
25 information, you just say that it will and counsel will move  
26 on to the next question. It's a protocol that we've  
27 developed in the Commission here.

28 So this is skipping very, very, way ahead in

1 technology here, but this -- this is -- I think refers to a  
2 meeting that took place on March 19<sup>th</sup> or 20<sup>th</sup>.

3 **MR. BRIAN CLOW:** These are my notes from a  
4 meeting on March 20<sup>th</sup>. I wrote the wrong date down. It was  
5 the Prime Minister, Director of CSIS, the NSAI, the Clerk,  
6 three of us, not Patrick, and you see the word "analyst"  
7 because a CSIS analyst was brought in to directly discuss  
8 with us a lot of the intelligence.

9 To situate ourselves, this is March 20<sup>th</sup>,  
10 2023. Well after and many months into the media leaks. So  
11 this was one example of a briefing and discussion with the  
12 Prime Minister where, in this particular meeting, my  
13 recollection is there wasn't new information presented. It  
14 was a deep dive into a few different topics, including Don  
15 Valley North. And it was -- there was a back and forth where  
16 we questioned some of what was being told to us. And these  
17 notes, if you scroll down, show some of those examples.

18 I'd particularly point out -- if you scroll  
19 up a little bit more -- the reference to *Charter* rights as  
20 one example. A reference to the Prime Minister identifying  
21 no June 2019 meeting is another example.

22 We have to be careful what we get into here.  
23 As you can see a lot of this is redacted and we're not able  
24 to fully tell the story of what was discussed in this  
25 meeting. But *Charter* rights, no June 2019 meeting, there  
26 were -- there was specific information presented to us that  
27 we believe was wrong. And in the case of the meeting with  
28 the Prime Minister, definitely wrong. And so we pointed that

1 out to officials.

2 **MS. SHANTONA CHAUDHURY:** Thank you, Mr.  
3 Clerk. You can take that one down. We're going to stay here  
4 on the topic of 2019. Actually, before we do that -- well,  
5 this is still 2019, but Mr. Clerk, can you pull up CAN004727?  
6 And scroll down to page 2, please.

7 **--- EXHIBIT No./PIÈCE No. CAN 4727:**

8 FW: DIR briefing to PM - Follow-ups

9 **MS. SHANTONA CHAUDHURY:** So this is an  
10 internal email between -- well, it's pretty redacted, but  
11 unnamed CSIS representatives.

12 And if you scroll down just a little bit  
13 more, Mr. Clerk, you'll see what we can see of this exchange  
14 here.

15 "PM/PMO commented on [blank] which  
16 contains the following comment:  
17 [blank]."

18 And then we have something that is attached  
19 that had been prepared earlier, but then on feedback from  
20 PMO, it appears to have been modified.

21 Does that reflect a change being made  
22 pursuant to what we just talked about, to your knowledge?

23 **MR. BRIAN CLOW:** So we only saw this email  
24 exchange in the last few weeks in preparation for the  
25 appearance here. It does appear to flow from that meeting we  
26 just discussed and I am speculating to a certain extent, but  
27 it looks like there was a discussion amongst CSIS about the  
28 inaccuracies we pointed out in the underlying intelligence.

1                   **MS. SHANTONA CHAUDHURY:** That's right. Okay.  
2 Thank you. That's -- I realize that it's not your document  
3 and that it's fairly redacted here, but I just wanted to draw  
4 that link.

5                   Thank you, that's enough. Okay. Mr. Clerk,  
6 can you now pull up CAN005461, please?

7 **--- EXHIBIT No./PIÈCE No. CAN 5461:**

8                   FI Efforts against Dong Han

9                   **MS. SHANTONA CHAUDHURY:** So the next topic  
10 that we're addressing here, witnesses, is allegations of  
11 irregularities in the DVN nomination race in the 2019  
12 election.

13                   So what we have here is a document that's  
14 been seen in various forms over the last few days in the  
15 Commission. And as you know, it represents a briefing that  
16 was given to security cleared representatives of the Liberal  
17 Party on September 28<sup>th</sup>, 2019.

18                   We know that much has happened. We don't  
19 know thus far in the record much about what happened after  
20 that.

21                   So Mr. Broadhurst, I think you're probably  
22 best placed to take us through what unfolded from there?

23                   **MR. JEREMY BROADHURST:** Sure. So as you  
24 said, there were Liberal Party representatives who were  
25 cleared to the secret level as part of the new protocols that  
26 were put in place for the 2019 election campaign that allowed  
27 intelligence, National Security officials to talk with the  
28 parties and highlight possible concerns that would come up.

1 Two individuals from the Liberal Party went and had a meeting  
2 with intelligence officials where they were provided with  
3 information concerning potential irregularities in -- that  
4 took place around the nomination, the Liberal nomination for  
5 the seat at Don Valley East -- sorry, North. I was not one  
6 of those individuals, but I did have from -- I still had my  
7 top-secret clearance that I had as with my job at Foreign  
8 Affairs, and we had pre-discussed with security officials  
9 that in the event that something like this happened and those  
10 cleared Liberal representatives for people to talk to me  
11 about it. I -- so I did talk to them. They gave me the  
12 information that they had received from the intelligence  
13 officials at that meeting.

14 I contacted senior public servants in the PCO  
15 to sort of make sure I was understanding the information  
16 correctly that had been given to see if there was any  
17 additional context or information that they wanted to share,  
18 and then I determined that this was something that did need  
19 to be brought to the attention of the Prime Minister, and I  
20 looked for the earliest opportunity to do that. I believe  
21 the briefing had taken place on sort of a Friday during a  
22 national campaign. Obviously, the Prime Minister is on the  
23 road most days, but he was going to be returning to the  
24 national capital region that weekend, and I was able to brief  
25 him on the substance of -- that had been shared with us on  
26 the Sunday.

27 **MS. SHANTONA CHAUDHURY:** Okay. That was  
28 pretty impressive from memory. I'll just ask the clerk to

1 pull up the witness summary again, please. So that would be  
2 witness summary 68 and scroll down to paragraph 26. So  
3 that's the point in your summary where this issue is  
4 discussed, Mr. Broadhurst. So let me ask you this, why did  
5 you consider it necessary to brief the PM on this?

6 **MR. JEREMY BROADHURST:** We were being  
7 presented with information from intelligence reporting that  
8 suggested that there could have been irregularities in the  
9 nomination process, the Liberal Party's nomination process  
10 for one of our candidates in the general election. That is  
11 important enough for me to think that the leader of the party  
12 should be aware of them and making determination about if  
13 there was any action that he felt it was appropriate to take.  
14 I provided him with the information based on the information  
15 that we had at that time, and based on what I thought was --  
16 should be an extremely high bar for overturning a democratic  
17 result, I had recommended to the Prime Minister that no  
18 action be taken. I did that after -- in addition to having,  
19 you know, received this information from intelligence  
20 officials. I made sure that we did a review of our own  
21 process to see if Liberal Party officials at the nomination  
22 meeting had reported any irregularities. If there had been -  
23 - you know, in these nomination meetings, there is a process  
24 for different camps to challenge the legitimacy of voters who  
25 present themselves to vote. It's -- I wanted to see if there  
26 was an abnormal amount of challenges that were made at that  
27 place or if there was any sort of irregularities on that  
28 side.

1           We also, within the rules of the Liberal  
2 Party, have a process for contestants in a nomination to  
3 challenge the validity of the entire meeting. They can -- if  
4 they think that there's widespread administrative problems,  
5 or, you know, if the meeting was conducted inappropriately,  
6 or, you know, anything like that, they have a chance to  
7 challenge it. We have a quasi-judicial body within the  
8 Liberal Party that would review the evidence and, you know,  
9 pass judgment on that, and it has been used a number of times  
10 over the years. No one brought any such challenge in this  
11 case. There were no abnormal amount of challenges. There  
12 were no irregularities cited. We talked to the experienced  
13 Liberal Party volunteer who ran the meeting to see if there  
14 was anything out of the usual. It was a hotly contested  
15 nomination. It was busy, but there was nothing that stood  
16 out as abnormal, irregular or out of sort.

17           So based on that and based on the fact that,  
18 at this point, there was intelligence reporting but there was  
19 no -- there were a lot of gaps and questions that remained,  
20 and, you know, hundreds of people have come out to express  
21 their democratic will, I thought that the bar for overturning  
22 that, especially since we would have no means to discuss  
23 anything, as it was based on intelligence reporting, that  
24 that bar should be extremely high. And so I made that  
25 recommendation to the Prime Minister while presenting  
26 everything that we had learned on that and he decided at that  
27 time that there was no action for him to take. And,  
28 obviously, we knew we would be hearing more about this if

1       there was more -- there was going to be more intelligence  
2       reporting, but at that time, there was nothing to do.

3                   And I should also point out that intelligence  
4       officials as they had provided the information, at no point  
5       did they make a recommendation. They wanted us to be aware  
6       that this allegation was out there, but they weren't making a  
7       recommendation that the party should do anything. They  
8       weren't advising that the Prime Minister should take any  
9       specific actions. They just wanted us to have the  
10      information that they had at that time.

11                   **MS. SHANTONA CHAUDHURY:** Is that something  
12      that you would have expected them to do the intelligence  
13      agencies?

14                   **MR. JEREMY BROADHURST:** So this was a new  
15      process. Obviously, it had never happened before. It was  
16      something that our government had put in place to try to  
17      address the growing concerns around foreign interference that  
18      were taking place around the world, and wanted -- we wanted a  
19      mechanism where there could be an interaction between  
20      political parties and intelligence national security  
21      officials. So it was a brand new process. It was a little  
22      bit difficult -- or it was, you know, we didn't know how it  
23      was going to play out, but it would have been very, very  
24      surprising to me, and I'd been somewhat welded in, you know,  
25      some of the work around the creation of this, it would have  
26      been very surprising to me if intelligence officials had felt  
27      it was their place to advise a party about whether or not to  
28      drop candidates on something. This -- that was not set up to

1 be a vetting process for parties. This was meant to be an  
2 information exchange and parties -- you know, it's not the  
3 place of intelligence officials to make that kind of  
4 recommendation. And I think I -- you know, from the director  
5 of CSIS on that and many people would agree with that  
6 assessment or have agreed publicly with that assessment.

7 **MS. SHANTONA CHAUDHURY:** Okay. So let's  
8 leave 2019 now, and I appreciate that we're flying ---

9 **COMMISSIONER HOGUE:** Sorry, one question.

10 **MS. SHANTONA CHAUDHURY:** Oh ---

11 **COMMISSIONER HOGUE:** No, it's okay. You just  
12 said that there were gaps actually that were remaining at the  
13 time. Did you ask anyone to look more deeply into the issue  
14 at the time?

15 **MR. JEREMY BROADHURST:** When I consulted with  
16 the security officials after the briefing that the party rep  
17 said I wanted to try to get an understanding of, you know --  
18 this was reporting that -- an allegation that there was  
19 perhaps a plan to do something. And so I asked if there were  
20 specifics, you know, I think there's enough data to be able  
21 to say that -- I mean, this was about, you know, whether or  
22 not some people who shouldn't have been able to vote in the  
23 nomination were bussed to the nomination and voted illegally.  
24 I asked for, you know, were there evidence of the buses?  
25 Were there people -- were there names that they could point  
26 us to, to help evaluate whether or not -- that, you know that  
27 we had inappropriate -- you know, people who were not  
28 otherwise allowed to vote, vote.

1           At that time, I was not provided with any  
2 such information. And, you know, I could understand that.  
3 That intelligence reporting is not -- was not being presented  
4 to us as an indictment. It was not being presented to us as  
5 here's the truth. It was just this allegation exists. It  
6 has enough credibility that we're sharing it with you, but we  
7 can't point to, you know, here's a voter that voted  
8 illegally. They couldn't point to a picture of a bus that  
9 had showed up and said, "That's the bus we're talking about.  
10 Anybody on that bus was a problem." So this was, at that  
11 moment in time, this is what could have been shared with us,  
12 and we did our best to sort of assess whether we could,  
13 because of that information, see -- sorry, see something  
14 inappropriate and we could not.

15           **COMMISSIONER HOGUE:** Okay. But just to make  
16 sure I understand your ---

17           **MR. JEREMY BROADHURST:** Sure. Sorry.

18           **COMMISSIONER HOGUE:** --- answer properly, I  
19 gather that your -- you had not ask anyone to check any of  
20 these things at that point in time? You just ---

21           **MR. JEREMY BROADHURST:** No, no ---

22           **COMMISSIONER HOGUE:** --- receive the  
23 information. You ---

24           **MR. JEREMY BROADHURST:** Correct.

25           **COMMISSIONER HOGUE:** --- use it to inform the  
26 Prime Minister, but you didn't ask for any additional  
27 information at this point.

28           **MR. JEREMY BROADHURST:** I did not, no. And

1 beyond sort of pushing to see if there was more that could be  
2 provided, as -- at that point as a -- somebody running a  
3 national political campaign, it would have been, I think,  
4 inappropriate for me to give direction to public servants on  
5 how they should do their job.

6 **COMMISSIONER HOGUE:** Okay. But you didn't  
7 ask neither anybody within your Party to do that.

8 **MR. JEREMY BROADHURST:** We examined our own  
9 nomination process to see like with this information in mind  
10 whether anything stood out as irregular. And based on that  
11 review, we saw nothing that stood out as irregular.

12 And having done a lot of these nominations,  
13 you do sometimes see irregularities, and -- but it's -- you  
14 know, at the end of the day, there's a limit to what the  
15 Party can do. We're not a forensic organization, right.

16 We reviewed the conduct of the meeting, we  
17 reviewed whether or not there had been complaints about the  
18 meeting. At that point, you know, without more specifics, I  
19 did not feel there was anything the party could do.

20 **COMMISSIONER HOGUE:** Okay. Thank you.

21 **MS. SHANTONA CHAUDHURY:** So just so that's  
22 completely clear for the record, you did ask questions at the  
23 time within the Party ---

24 **MR. JEREMY BROADHURST:** Absolutely.

25 **MS. SHANTONA CHAUDHURY:** --- but you did not  
26 ask for further intelligence.

27 **MR. JEREMY BROADHURST:** Correct.

28 **MS. SHANTONA CHAUDHURY:** Okay.

1                   **MR. JEREMY BROADHURST:** No, I had asked the  
2 intelligence officials whether there was anything more that  
3 could be shared at this time, and there was not. I felt we  
4 took every step we could at the Party's end, bearing in mind  
5 I was under an obligation not to reveal to anybody else,  
6 including the people I was asking questions of, the subject  
7 matter of the intelligence reports. So I could only ask  
8 general questions about the conduct of the meetings, but I  
9 was satisfied from those answers that there was no alarming  
10 event that suddenly made sense in light of these intelligence  
11 reports.

12                   **MS. SHANTONA CHAUDHURY:** So now let's leave  
13 2019 -- a few minutes off schedule, but that's fine -- and  
14 move to 2021.

15                   So Mr. Clerk, I'll ask you to pull up CAN  
16 001082.

17                   So this is a similar-looking document. So  
18 this is a briefing that was given to the security cleared  
19 Liberal Party representatives in 2021. I believe the day of  
20 the briefing was around September 12th, 2021.

21                   Mr. Broadhurst, again, I think you're  
22 probably best placed to tell us what you are able to tell us  
23 based on the materials that are available in this forum what  
24 happened there.

25                   **MR. JEREMY BROADHURST:** So this was, again,  
26 part of the similar process that had been set up that allowed  
27 intelligence officials to reveal certain intelligence  
28 reporting to political parties during an election campaign.

1 In this case, a foreign interference matter was brought to  
2 the attention of the Liberal Party.

3 There was no action required. There was no  
4 action requested or follow-up requested. And this was very -  
5 - this was very late in the campaign. I think this document  
6 is dated September 11. The election date itself was  
7 September 20th.

8 **MS. SHANTONA CHAUDHURY:** Sorry, Mr.  
9 Broadhurst. I'm just going to stop you there ---

10 **MR. JEREMY BROADHURST:** Yes.

11 **MS. SHANTONA CHAUDHURY:** --- and ask the  
12 clerk to scroll down a little bit so we can see a little bit  
13 more of what is on this document.

14 There's not much, but just for the record.  
15 Thank you. Please go on.

16 **MR. JEREMY BROADHURST:** So in this case, as  
17 this was information -- really, a briefing of information  
18 that had no need for follow-up at that time, I -- had the  
19 Prime Minister been accessible to me in that final week, I  
20 would have shared this information to him, but he was on the  
21 road for the entire week. The end of a campaign is a -- what  
22 we sometimes refer to as a sprint, multiple cities over the  
23 course of the final days.

24 I looked logistically to see if there was a  
25 way that we could, you know, carve out some time for us to  
26 talk. It did not seem to be, so I made the determination  
27 that I would share this information post-election day at the  
28 earliest convenience, which was done.

1                   **MS. SHANTONA CHAUDHURY:** Okay. So you did  
2 not advise the PM of this during the election, but you did so  
3 after.

4                   Okay. Just looking at the part of this  
5 document that's up on the screen right now where it says:

6                                 "Importantly, we regret to have to  
7                                 inform you of this activity and  
8                                 understand the difficulties  
9                                 associated with the limitations on  
10                                what you can do with it. It's being  
11                                provided for awareness based on your  
12                                judgment."

13                   I'm wondering if you can comment a little bit  
14 on that paragraph and what it means to you when you receive  
15 this kind of information.

16                   **MR. JEREMY BROADHURST:** Well, I think that,  
17 again in this process, which even in 2021, while it had been  
18 in the second -- this was its second general election, was  
19 still relatively new. There were sort of efforts made, I  
20 think appropriately, by the intelligence community to try to  
21 help the parties understand why the information was being  
22 given and then the limitations with which those  
23 representatives -- what they could do with that information  
24 given that it was based on intelligence reporting that  
25 normally would not be generally provided to the public.

26                   And so I think this paragraph -- I mean, it's  
27 a little bit difficult with the redactions, but I think this  
28 is just sort of saying from the intelligence community, over

1 to you, but remember the restrictions that are involved here.  
2 We are not giving you any recommendations. This is on your  
3 judgment.

4 **MS. SHANTONA CHAUDHURY:** Thank you, Mr.  
5 Clerk. You can take that one down.

6 So I'm going to take you to a couple of  
7 incidents from the -- I call it incidents, but things that  
8 happened in the 2021 elections for which there have been  
9 topical summaries provided to the Commission. And so we'll  
10 do this with reference to those specific topical summaries.

11 The first one is CAN.SUM 4, please.

12 **--- EXHIBIT No./PIÈCE No. CAN.SUM 4:**

13 Possible People's Republic of China  
14 Foreign Interference-Related Mis or  
15 Disinformation

16 **MS. SHANTONA CHAUDHURY:** So this document  
17 describes a number of, again, incidents or allegations of mis  
18 and disinformation about the Conservative Party, its leader,  
19 Erin O'Toole, and MP candidate Kenny Chiu.

20 My question at this point is, is this  
21 something that you were aware of during the 2021 election?

22 **MR. JEREMY BROADHURST:** During the 2021  
23 election, I was not aware of allegations of, you know, any  
24 kind of foreign -- like any foreign state propagating this  
25 kind of misinformation or disinformation.

26 I would say, however, that the topic of the  
27 Conservative Party of Canada's electoral platform  
28 specifically as it related to China was a widely-discussed

1 topic from a year before the campaign, throughout the  
2 campaign and its impact and its -- and how it was being  
3 received specifically by the Canadian Chinese communities  
4 across the country and the impact it was -- you know, that  
5 people were theorizing about what it would have on the  
6 election campaign, that was a well-known and public debate  
7 that was happening and that was -- we were observing having  
8 significant impact on the electorate.

9 **MS. SHANTONA CHAUDHURY:** Okay. Mr. Clerk,  
10 you can take that one down and now pull up -- oh, I'm sorry,  
11 Mr. Clow.

12 **MR. BRIAN CLOW:** To answer your question, we  
13 learned about the Conservative claims almost immediately  
14 after the election because they made them public.

15 But I do want to scroll down to the bottom of  
16 that page because I think there's a really important point  
17 here.

18 So this is from the intelligence community,  
19 from CSIS, and the facts matter here. There's a lot of  
20 people claiming that this disinformation is -- alleged  
21 disinformation is confirmed to come from the PRC, but this  
22 document at the very bottom says, "No PRC state direction of  
23 the incident was detected or reported." And I think that's  
24 an important fact that is understood by observers.

25 **MR. JEREMY BROADHURST:** And the controversy  
26 around the policy proposals of the Conservative Party of  
27 Canada were playing out in mainstream media. There were  
28 think pieces being published. There were, in some cases,

1 Conservative Party sources were contributing to the pieces,  
2 saying this is actually going to be a positive electoral  
3 move, but it was -- it just -- it is not something that was  
4 contained only within, you know, whether it's WeChat or  
5 certain English language Chinese media, this was a very, I  
6 would call it a very central element of the 2021 election  
7 campaign.

8 **MS. SHANTONA CHAUDHURY:** Any further comments  
9 before I pull up the next one?

10 **MR. JEREMY BROADHURST:** I'll leave it at that  
11 for now, I think.

12 **MS. SHANTONA CHAUDHURY:** Okay.

13 So Mr. Clerk, can you please pull up  
14 CAN.SUM 13. Scroll down a little bit, please, until we get  
15 to -- past the page of very important caveats.

16 So here we have -- this one is titled,  
17 essentially, PRC Expressed Partisan Preferences in the 2019  
18 and 2021 General Elections. We see it at paragraph 3 there,  
19 it talks about in 2019, certain PRC officials expressing  
20 political preferences, and describes them as:

21 "...party agnostic and opportunistic  
22 at a riding level."

23 If we go down to paragraph 4, it says:

24 "In 2021, there was reporting that  
25 some individual PRC officials in  
26 Canada made comments expressing a  
27 preference for a Liberal Party  
28 minority government."

1           So again, my question to you is, is this  
2 something of which you were aware during the 2021 election?

3           **MS. KATHERINE TELFORD:** We were not. And I  
4 would just go further to say it was surprising to us when we  
5 were learning this much, much later this -- that this  
6 intelligence existed, given the state of relations between  
7 the two countries at the time going into both of those writ  
8 periods.

9           And Patrick, of course, was dealing the  
10 closest with it, but we were all actively working on trying  
11 to get the Two Michaels home to Canada. We were rallying  
12 countries around the world to show up alongside Canada in  
13 courthouses in China to -- in support of the Two Michaels who  
14 had been arbitrarily detained. So it didn't add up for us  
15 when we did see this as something we would've conceived of at  
16 the time.

17           I don't know if you want to add anything,  
18 Patrick.

19           **MR. PATRICK TRAVERS:** No. As the Senior  
20 Global Affairs Advisor, I would have been very surprised to  
21 see this. As Katie has said, we were in the middle of a  
22 widespread global campaign to get the Two Michaels home and  
23 to deal with China's behaviour. Relationship was very tense,  
24 and rightly so because we were defending Canadians. So this  
25 would have been very surprising.

26           **MS. SHANTONA CHAUDHURY:** You mentioned, Ms. -  
27 - oh, I'm sorry. Mr. Broadhurst?

28           **MR. JEREMY BROADHURST:** Sorry. I was just

1 going to say, I think it is worth noting also, seeing the  
2 language of the summary, we're talking about PRC officials in  
3 Canada. That's what it is limited to in terms of this  
4 summary.

5 **MS. SHANTONA CHAUDHURY:** Correct.

6 Ms. Telford, you mentioned that when you  
7 learned of this much, much later, are you able to say when  
8 you learned of this?

9 **MS. KATHERINE TELFORD:** I believe this was  
10 after the leaks. This was one of the many things ---

11 **MR. BRIAN CLOW:** It's when it was first  
12 reported in the media.

13 **MS. SHANTONA CHAUDHURY:** Okay.

14 **MR. PATRICK TRAVERS:** Then there were further  
15 discussions.

16 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.

17 Mr. Clerk, you can take that one down now.

18 So we're going now to some specific briefings  
19 on foreign interference that were given, I think we can say,  
20 before the leaks and then after the leaks.

21 So starting just with, this probably won't  
22 take very long, CAN 10803.

23 **--- EXHIBIT No./PIÈCE No. CAN 10803:**

24 Handwritten Notes of K. Telford

25 **MS. SHANTONA CHAUDHURY:** So scroll down a  
26 little bit until we can see some text.

27 Ms. Telford, I believe these are your notes.  
28 Are you able to, A, tell us the approximate date of that --

1 of these notes and what they would have been about?

2 **MS. KATHERINE TELFORD:** It -- we believe they  
3 were from 2018, a briefing with Minister Gould, who was  
4 working on the whole of government plan to protect our  
5 democracy, which led to the creation of the Panel and SITE  
6 and many more measures, actually. And yes, that's a scribble  
7 on the left that says that there were four women and seven  
8 men in the room because I used to track that in meetings.

9 **MS. SHANTONA CHAUDHURY:** Okay. And sorry,  
10 just -- you said you believe that, so I take it from that you  
11 don't recall this meeting specifically.

12 **MS. KATHERINE TELFORD:** I do not.

13 **MS. SHANTONA CHAUDHURY:** You can take that  
14 one down. Thank you, Mr. Clerk. The next one is CAN.DOC 13,  
15 please. Apparently it's not. It is -- oh, no, I'm sorry.  
16 We don't have notes for this one, it's just referred to at  
17 page 9 of this briefing.

18 So this is a briefing that took place.

19 If you can scroll down to page 9, you'll see  
20 the little notation I was talking about.

21 A briefing that took place on February 9th,  
22 2021. So Mr. Travers, I believe you were at that briefing?

23 **MR. PATRICK TRAVERS:** I was.

24 **MS. SHANTONA CHAUDHURY:** And Ms. Telford as  
25 well?

26 **MR. PATRICK TRAVERS:** It wasn't uncommon at  
27 that point that the Prime Minister would be getting thematic  
28 briefings on important topics in the national security space.

1 My recollection of the briefing is that it was a broad  
2 discussion of the status of foreign interference. It covered  
3 a range of states. It also covered a range of tactics that  
4 they employ with respect to foreign interference. And I  
5 remember that Don Valley North was raised as an example. It  
6 was a very broad update on foreign interference.

7 **MS. SHANTONA CHAUDHURY:** Okay.

8 You can take that one down, Mr. Clerk. The  
9 next one, so the document I'm going to ask you to pull up,  
10 Mr. Clerk, is CAN 017998.

11 **--- EXHIBIT No./PIÈCE No. CAN 17998:**

12 Handwritten Notes of B. Clow &  
13 Meeting Invitation

14 **MS. SHANTONA CHAUDHURY:** And Witnesses, to  
15 situate you, this a meeting or a series of meetings that took  
16 place in the fall of 2022. So we've heard some evidence on  
17 this already from the Clerk of the Privy Council, and she  
18 explained that there were actually three separate meetings.  
19 One was on September 13th between officials, and then there  
20 was a September 28th briefing to PMO, and that was followed  
21 by an October 27th briefing to the Prime Minister.

22 So the document I've pulled up now is --  
23 again, I think these are your notes, Mr. Clow ---

24 **MR. BRIAN CLOW:** Yes.

25 **MS. SHANTONA CHAUDHURY:** --- from this  
26 meeting on September 28th. So I'll ask you to take us  
27 through them. Who was present? What was it about?

28 **MR. BRIAN CLOW:** So I'll start by saying I

1 said earlier when officials want us or the Prime Minister to  
2 be aware of something they deem of a significant level they  
3 cause a briefing to happen or they otherwise will come and  
4 talk to us. This is an example of that.

5 So a few days before September 28th in 2022,  
6 officials reached out through the office of the NSIA,  
7 specifically to me and Patrick, and said, "We want to talk to  
8 you and inform you of a few foreign interference related  
9 situations."

10 The first example, which we can actually talk  
11 about, it's here unredacted. There were -- so the first item  
12 they walked us through there were a series of invitations  
13 issued from the Chinese Ambassador to Canada to several  
14 ministers to have a meeting in Montreal. The meeting was --  
15 were proposed to take place at a business, so it would have  
16 been the business, the Chinese Ambassador, and the ministers.

17 CSIS became aware of this, and informed us  
18 that they would be approaching the ministers and cautioning  
19 them that this is Chinese tradecraft. This is the type of  
20 thing that they might do to try to get a person in a  
21 comfortable environment.

22 So they told us about this. We said and we  
23 asked, "What are you proposing to do about it?". They told  
24 us they would be communicating with the ministers. My  
25 understanding is, and I obtained this knowledge very  
26 recently, the meetings never happened and I don't believe  
27 they were going to happen. But this is an example of the  
28 type of thing they would inform us of.

1           The rest of the meeting, which I'm not able  
2 to get into specifics about, was also foreign interference  
3 related, but it was not federal foreign interference related.

4           **MS. SHANTONA CHAUDHURY:** That's helpful.

5           Thank you, Mr. Clerk. You can take that one  
6 down and then we'll just pull up, briefly, CAN 015842.

7           So these we understand to be briefing notes  
8 that were prepared for the CSIS Director for the meeting of  
9 October 27th, 2022, which was a briefing at this point then  
10 to the Prime Minister.

11           And if you can just scroll down again quite  
12 quickly.

13           Again, we heard some evidence from the Clerk  
14 on this this morning, but having looked at this document, and  
15 I assume you've reviewed it before as I'm scrolling through  
16 it right here, but does this represent your recollection of  
17 what took place at that meeting?

18           **MR. BRIAN CLOW:** So the short answer is no.  
19 These bullet points, which we only saw in -- again, in  
20 preparation for the appearance here, have very little  
21 resemblance to what the Prime Minister was told in that  
22 briefing of October 27th. Some of the topics in that  
23 October 27th briefing matched the briefing that Patrick and I  
24 received in late September, a month earlier. As I said,  
25 these were not federal election foreign interference related.

26           So the answer's no, a lot of this information  
27 was not specifically presented to the Prime Minister in that  
28 briefing.





1 together, both because of the classified nature of the  
2 briefing, but also because I am not entirely certain what I  
3 have down there.

4 **MS. SHANTONA CHAUDHURY:** Okay. And the line  
5 that says, "amplifying CPC narrative", do you have any  
6 recollection of what that may have been about?

7 **MS. KATHERINE TELFORD:** Not really. Looking  
8 back and putting it together with some of the other  
9 information that we have from -- including Mr. Clow's notes,  
10 I believe it -- I'm actually referring to the Chinese  
11 Communist Party there.

12 **MS. SHANTONA CHAUDHURY:** So the CCP ---

13 **MS. KATHERINE TELFORD:** It could be. Yes.

14 **MS. SHANTONA CHAUDHURY:** Okay. So we can  
15 take that one down.

16 And now we're going to move into some  
17 briefings that happened in the post-leak period. I'm sure  
18 there were a number, but we'll only go through a few of them.

19 So the first one, Mr. Clerk, I'll ask you to  
20 bring up CAN004495.

21 The date of this briefing or meeting is  
22 February 21<sup>st</sup>, 2023, I believe.

23 And once again, I'll ask you to go through it  
24 fairly quickly so the witnesses get an idea what the document  
25 is about, and then I'm going to pull up another one.

26 Okay. I think we can probably take that one  
27 down now. And I'll ask you to pull up CAN017675.

28 **--- EXHIBIT No./PIECE No. CAN 17675:**

1 Handwritten Notes of B. Clow &  
2 Meeting Invitation

3 **MS. SHANTONA CHAUDHURY:** And scroll down to  
4 the second page of that document.

5 So here we go. I think, Mr. Clow, these are,  
6 again, your notes. And they're from this meeting that  
7 happened on February 23<sup>rd</sup>, 2023. And given that they are  
8 your notes, I'll ask you to take us through them in some  
9 detail.

10 **MR. BRIAN CLOW:** So to situate ourselves  
11 again, this is -- the media leaks are well underway at this  
12 point. The Globe and Mail had a very big story just a few  
13 days before that.

14 So similar to the March 2023 meeting where  
15 officials met with the Prime Minister to do a deep dive on  
16 what had appeared in the media, this was the staff version of  
17 that. So Jeremy and I had been approached by the NSIA, we  
18 met with the NSIA, we met with the Director of CSIS, and we  
19 talked through what had appeared in the media and additional  
20 intelligence.

21 Again, there are no recommendations here.  
22 There was no really new information here, but we discussed  
23 things like what was true, what was not in the media, how --  
24 we looked at the flow of information. You'll see some notes  
25 at the bottom here. JT is Jody Thomas.

26 "will do better on flagging [...] what  
27 should be read."

28 There's an acknowledgement very much so at

1 this point that given a whole bunch of information is  
2 appearing in the media that we had not seen, that's obviously  
3 something that was being considered and looked at.

4 I'll point out:

5 "DV - did not make that advice, would  
6 never have."

7 That, I believe, is a reference to the  
8 Director of CSIS stating that he made no recommendation --  
9 CSIS made no recommendation in the Don Valley North situation  
10 when it presented information to the Liberal Party in 2019.

11 But again, you see here what type of meeting  
12 this was. Jody Thomas, in that discussion, I wrote down  
13 we're:

14 "examining policy advice on whether  
15 to recommend to pol[itical] leaders  
16 to take action."

17 There was no decision in that meeting. It  
18 was that type of discussion and reflection was going on.

19 What I will add in relation to the speaking  
20 points that you just showed and which became a big news story  
21 here in Ottawa yesterday, once again, most of the information  
22 in that document was not -- that briefing note which was for  
23 the CSIS Director, most of what was in that document was not  
24 relayed to us in that meeting, particularly the very stark  
25 conclusions at the bottom of the document. So it again  
26 speaks to a briefing note presented to somebody who is  
27 briefing us does not necessarily mean that the person  
28 briefing chooses to actually relay that information.

1                   **MR. JEREMY BROADHURST:** Could I add just one  
2 thing? I mean, at the time the leaks were happening, I mean,  
3 what happens with the leaks is that pieces of intelligence  
4 were again sort of taken out of context and put out there.  
5 That was happening for us in the same way that it was  
6 happening for the general public. We were learning things in  
7 these leaks. We wanted to try to work with the intelligence  
8 agencies to recreate the mosaic of information that usually  
9 surrounds intelligence, other pieces of intelligence,  
10 context, and the sources, all that kind of stuff, to  
11 understand what's the full story, what's the full picture  
12 that we can have here? You don't get that with the leak.

13                   And, I mean, the speaking points, I mean,  
14 it's like they're -- I'm not sure why they would have been  
15 prepared for this meeting, because this meeting was always  
16 supposed to be about the intelligence officials working with  
17 us to help us better understand the context of the  
18 information that was now out in public. That context which,  
19 of course, wasn't included in the leaks, but, you know, it  
20 was the only way to sort of properly understand it.

21                   **MS. SHANTONA CHAUDHURY:** Okay. And if we can  
22 just scroll down to the rest of that document so it's up on  
23 the screen?

24                   Sorry, Mr. Clow, did I interrupt you? You  
25 were about to say something?

26                   **MR. BRIAN CLOW:** I was going to make a point  
27 about another note, but I'm happy to speak about this one as  
28 well.

1                   **MS. SHANTONA CHAUDHURY:** Okay. There's just  
2 the last paragraph that we didn't touch here. Mr. Clow, can  
3 you give us your recollection of I believe what Mr. Vigneault  
4 was -- had said there?

5                   **MR. BRIAN CLOW:** So because in this meeting,  
6 amongst other meetings, we were digging into what was in the  
7 media, my recollection is this is the CSIS Director  
8 confirming that the allegations about 11 candidates had not  
9 been briefed up to a certain level until media began asking  
10 questions about it.

11                   And similarly, if you scroll back up, there's  
12 a confirmation from the CSIS Director where it starts with  
13 250,000. There was a lot of media reporting that either said  
14 or implied that \$250,000 went directly to candidates, and the  
15 CSIS Director confirmed there -- it had already been  
16 confirmed to us, but confirmed once again, there was no  
17 conclusion of that by CSIS.

18                   **MS. SHANTONA CHAUDHURY:** Okay. I think  
19 that's probably good for that document.

20                   The next briefing I was going to take you to  
21 was March 20<sup>th</sup>, but I think we covered it earlier on in a  
22 different context talking about the challenge function, so  
23 let's go to March 28<sup>th</sup>. Mr. Clerk, that's CAN 017672.

24                   Oh, we seem to be missing a CAN 017672.  
25 Should we take a minute? I do want to bring this document  
26 up, so let's just take a minute and make sure that the clerk  
27 has the document.

28                   **COMMISSIONER HOGUE:** We'll go to ---

1                   **MS. SHANTONA CHAUDHURY:** Just probably in one  
2 minute. Thank you.

3                   **THE REGISTRAR:** Order please. À l'ordre, s'il  
4 vous plait.

5                   This hearing will be recessed for five  
6 minutes.

7 --- Upon recessing at 3:25 p.m./

8 --- La séance est suspendue à 15 h 25

9 --- Upon resuming at 3:32 p.m./

10 --- La séance est reprise à 15 h 32

11                   **THE REGISTRAR:** Order please. À l'ordre, s'il  
12 vous plait.

13                   This sitting of the Foreign Interference  
14 Commission is back in session. Cette séance de la Commission  
15 sur l'ingérence étrangère a repris.

16 --- MS. KATHERINE TELFORD, Resumed/ Sous la même affirmation:

17 --- MR. JEREMY BROADHURST, Resumed/ Sous la même affirmation:

18 --- MR. BRIAN CHOW, Resumed/ Sous la même affirmation:

19 --- MS. PATRICIA TRAVERS, Resumed/ Sous la même affirmation:

20 --- EXAMINATION-IN-CHIEF BY/INTERROGATOIRE-EN-CHEF PAR

21 MS. SHANTONA CHAUDHURY (cont'd/suite):

22                   **COMMISSIONER HOGUE:** The lost document has  
23 been found?

24                   **MS. SHANTONA CHAUDHURY:** It has been.  
25 Apologies, Commissioner, you can dock that from my time.

26                   So the document -- actually, there's two, so  
27 I'll ask you to bring up the first one, Mr. Clerk, and then  
28 I'll ask you to bring up the second one in short succession.

1 So the first one is 19497, please.

2 --- EXHIBIT No./PIÈCE No. CAN 19497:

3 Handwritten Notes of B. Clow

4 **MS. SHANTONA CHAUDHURY:** Okay. So you'll see  
5 there a textbox that says,

6 "Briefing on intelligence report  
7 relating to allegations in media that  
8 Han Dong advised the PRC to extend the  
9 detention of the "Two Michaels"

10 That's a summary of the intelligence that was  
11 redacted on that page. Then, Mr. Clerk, the next one is  
12 19498.

13 --- EXHIBIT No./PIÈCE No. CAN 19498:

14 Handwritten Notes of B. Clow

15 **MS. SHANTONA CHAUDHURY:** So, again, these are  
16 pages from Mr. Clow's notebook, and that document when it's  
17 pulled up will show some notes taken that day.

18 So, Mr. Clow, I'll ask you to again explain  
19 what the discussion being had here was, and in particular,  
20 the lines that refer to want CSIS not to have final say, need  
21 to understand, and then options to declassify.

22 **MR. BRIAN CLOW:** So the first document you  
23 showed entirely redacted were my notes of reviewing the so-  
24 called transcript of the conversation between Han Dong about  
25 which included the very significant and explosive allegation  
26 that Han Dong had asked a Chinese official to delay the  
27 release of the Two Michaels. Media started asking us about  
28 that in late February, early March 2023. We immediately

1       tried to figure out what the facts were. I will point out,  
2       once again, we had not heard about this until the media began  
3       asking questions. Here, this is now a month later, when  
4       after the story had been published, and Han Dong has stepped  
5       aside to clear his name, and we had a number of conversations  
6       about how we can get the truth out about this document, so  
7       that it could be known that Han Dong did not actually  
8       advocate for the delay of the release of the Two Michaels.  
9       So when you see me say options to declassify, it's because we  
10      were having a discussion. I don't specifically remember who  
11      was in the meeting, but the NSIA was certainly there. We are  
12      asking ourselves and officials are also asking, is there a  
13      way to put this information out in the public. At this time,  
14      the conclusion was, no, this -- it's -- it cannot be made  
15      public, so we couldn't actually in a clear way defend Han  
16      Dong against this allegation, which was wrong.

17                    Want CSIS to not have final say, again, it's  
18      the same version -- a version of the same thing that if a  
19      document is leaked to the media, it appears in the news, that  
20      can't be the last word. There should be a way to get more  
21      facts out so a person can defend themselves and so Canadians  
22      can know the truth. So that's what these notes reflect.

23                    **COMMISSIONER HOGUE:** Pardon me. Just has  
24      been briefed. To whom did you refer?

25                    **MR. BRIAN CLOW:** I'm not sure what that  
26      refers to.

27                    **COMMISSIONER HOGUE:** And just at the top, is  
28      it David, David that ---

1           **MR. BRIAN CLOW:** I'm also not sure. Clearly,  
2 I'm writing these notes very quickly. It could be David  
3 McGuinty. It could be David Morrison. Those are -- David  
4 McGuinty is chair of NSICOP, David Morrison as former NSIA  
5 and at that point Deputy Minister of Foreign Affairs. It  
6 could be that we were wanting to discuss with one or both of  
7 them, but I am speculating. At this point, I don't remember.

8           **COMMISSIONER HOGUE:** And you don't recall  
9 whether there have been any discussion about David? No?

10          **MR. BRIAN CLOW:** I don't. I don't recall  
11 what that refers to.

12          **COMMISSIONER HOGUE:** And you don't know  
13 neither if has been briefed refer to David?

14          **MR. BRIAN CLOW:** I don't. I don't recall.

15          **COMMISSIONER HOGUE:** Okay. Thank you.

16          **MS. SHANTONA CHAUDHURY:** Mr. Clerk, you can  
17 take that one down and pull up CAN 017676. So this is the  
18 last document I'll be asking you about today. It -- these  
19 are notes from a meeting that happened on May 18<sup>th</sup>, 2023.  
20 Mr. Clerk, if you can just scroll down to the page where we  
21 can see things? Okay. There we go. So we heard some  
22 evidence again from the clerk this morning about this  
23 meeting, but, Mr. Clow, these are your notes, so I'll again  
24 ask you to go through them and help the Commission  
25 understand, in our remaining, I think it's about three  
26 minutes, what was going on in this meeting, who was there and  
27 what was being said and why?

28          **Mr. BRIAN CLOW:** So this is a similar kind of

1 meeting to earlier meetings I talked about, well after the  
2 media leaks and media stories. This meeting specifically was  
3 for several Ministers; you see Minister Blair, Leblanc, Joly,  
4 and Mendicino. The Prime Minister wanted to -- he and Lee  
5 were getting frequent updates on what was appearing in the  
6 media, what was true, what was not true. And Prime Minister  
7 wanted to ensure those four Ministers were also just as up to  
8 speed as we were. All of them were to significant extent,  
9 but so much information was coming out so fast, this meeting  
10 was organized to go through many of the different allegations  
11 that were in the media.

12 **MS. SHANTONA CHAUDHURY:** Okay. So I think  
13 we'll see here around the middle of the page, "Indian FI in  
14 2019," something, something, "some" and "opportunistic"  
15 "Pakistani - some in 2019," and then "Russia, Iran."

16 And then the next part says, "No threats of  
17 physical harm to MPs or families, would cross line." Then  
18 there's a part about -- and again, this seems to be referring  
19 to the PRC's potential partisan preferences.

20 **MR. BRIAN CLOW:** Right.

21 **MS. SHANTONA CHAUDHURY:** Scroll down again,  
22 "Not coordinated across [the] country, ridings/individuals.  
23 WeChat. Goes through 11 candidates."

24 So essentially, you're saying this was a  
25 briefing to get the Ministers up to speed?

26 **MR. BRIAN CLOW:** Exactly. And to also  
27 discuss, as we constantly were at that time, what could we be  
28 doing about this; what should we be doing, are there actions

1 that should be taken; is there options to make any of this  
2 information public? You'll note that I note Marco Mendicino  
3 stated that we did not report or assess that Don suggested  
4 not releasing the two Michaels. That's another example where  
5 that was confirmed to us internally, but we were not able to  
6 say that publicly at that time.

7 I will note the first section of notes up  
8 there, that's me noting down what CSIS officials are telling  
9 us, and a lot of that information we had been presented in  
10 some other way, but it could have been the first time some of  
11 those Ministers were learning some of those specific details.

12 **MS. SHANTONA CHAUDHURY:** Thank you.

13 I believe that's all my time, so those are  
14 all my questions for today.

15 **COMMISSIONER HOGUE:** Thank you.

16 It's 3:39, so we'll take the break; 20-  
17 minutes break. So we'll come back at 4:00.

18 **THE REGISTRAR:** Order, please. À l'ordre,  
19 s'il vous plaît.

20 This hearing is in recess until 4 o'clock.

21 La séance est en pause jusqu'à quatre heures.

22 --- Upon recessing at 3:40 p.m./

23 --- La séance est suspendue à 15 h 40

24 --- Upon resuming at 4:05 p.m./

25 --- La séance est reprise à 16 h 05

26 **THE REGISTRAR:** Order please. À l'ordre,  
27 s'il vous plaît.

28 This sitting of the Foreign Interference

1 Commission is back in session. Cette séance de la Commission  
2 sur l'ingérence étrangère a repris.

3 MS. KATHERINE TELFORD, Resumed/Sous la même affirmation:

4 MR. JEREMY BROADHURST, Resumed/Sous la même affirmation:

5 MR. BRIAN CLOW, Resumed/Sous la même affirmation:

6 MR. PATRICK TRAVERS, Resumed/Sous la même affirmation:

7 **COMMISSIONER HOGUE:** Just before we start, I  
8 have been informed that some parties would like David  
9 Vigneault to be recalled as a witness to be questioned on a  
10 document that was not available at the time he testified.

11 I will hear the parties' representations  
12 after the cross-examinations. So make sure if you have to  
13 get instruction, to receive these instructions between now  
14 and then because, as you know, tomorrow is our last day. In  
15 principle.

16 You can go -- oh, no, it's the cross-  
17 examination. I'm sorry. It's counsel for Han Dong.

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **MS. EMILY YOUNG:** Good afternoon, witnesses.  
20 And good afternoon, Madam Commissioner.

21 **COMMISSIONER HOGUE:** Good afternoon.

22 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

23 MS. EMILY YOUNG:

24 **MS. EMILY YOUNG:** my name is Emily Young; I'm  
25 counsel to Han Dong. And we just want to go into a little  
26 bit more detail on a few of the matters you discussed with  
27 Ms. Chaudhury earlier.

28 Starting with Mr. Broadhurst; you've spoken

1 about the practice of busing potential voters to nomination  
2 meetings in your interview and testimony before the  
3 Commission, and this was, of course, in the context of  
4 intelligence that referred to allegations around busing in  
5 the 2019 nomination race in Don Valley North. Do you recall  
6 that?

7 **MR. JEREMY BROADHURST:** I do.

8 **MS. EMILY YOUNG:** In your interview, you  
9 described busing potential voters to a nomination vote as  
10 common practice. Is that right?

11 **MR. JEREMY BROADHURST:** That is correct.

12 **MS. EMILY YOUNG:** It's fair to say the  
13 objective of bussing or providing other transportation to  
14 voters is to make it as easy as possible for party members to  
15 vote in a nomination contest?

16 **MR. JEREMY BROADHURST:** Correct.

17 **MS. EMILY YOUNG:** And this is especially  
18 important for voters who might have difficulty getting to the  
19 poles, like seniors or students?

20 **MR. JEREMY BROADHURST:** Yes. I can think of  
21 other examples as well, but those would be two primary ones.

22 **MS. EMILY YOUNG:** So it's normal to see  
23 bussing, other forms of group transportation, in the  
24 nomination contest?

25 **MR. JEREMY BROADHURST:** In a contested  
26 nomination, would not surprise me at all to see busses or  
27 other forms of transportation.

28 **MS. EMILY YOUNG:** Right. And there's nothing

1 contrary to the applicable party rules about bussing  
2 potential voters in itself?

3 **MR. JEREMY BROADHURST:** Well if the bussing  
4 is being arranged by one of the candidates, they would -- it  
5 would be an expense related to their nomination. At the end  
6 of the nomination campaign, they would have to -- they file  
7 an audited expense return and it would obviously have to be  
8 accounted for.

9 It is not unusual for -- or not unheard of,  
10 certainly, for other groups to provide bussing. For example,  
11 I can think of examples where if a riding has a significant  
12 post-secondary, you know, institution in it, a young Liberal  
13 club on the campus might provide bussing for anybody to go to  
14 the nomination -- like, you know, not -- irregardless (*sic*)  
15 of who they intended to support as a way of encouraging  
16 student voting, for example, in a nomination.

17 But if it is being organized by the  
18 contestants in order to be their -- you know, who they  
19 believe to be their supporters, they should account for the  
20 expense of it.

21 **MS. EMILY YOUNG:** Okay. And that would be  
22 done in the ordinary course?

23 **MR. JEREMY BROADHURST:** Correct.

24 **MS. EMILY YOUNG:** And this question is more  
25 so directed towards Ms. Telford, given the discussion that  
26 you've had about the challenge function to intelligence and  
27 the importance of context in understanding intelligence.

28 Is it fair to say that the fact that bussing

1 is a common practice in nomination campaigns is political  
2 context about how nominations work that intelligence agencies  
3 might not be fully aware of?

4 **MS. KATHERINE TELFORD:** I'm not sure I can  
5 speak to the specifics of our conversations, but we certainly  
6 do have conversations and back and forth around political  
7 context. And obviously we certainly talked about this.

8 **MS. EMILY YOUNG:** Right. And so the point  
9 I'm trying to make is that the intelligence agencies might  
10 not have that context before speaking to somebody like you  
11 about that?

12 **MS. KATHERINE TELFORD:** We have certainly  
13 discussed with some of the senior security officials that  
14 there is more learning to do as it relates to political  
15 processes, and we've tried to help with some of that  
16 clarification where it makes sense, and I'm sure other party  
17 representatives have too at various points.

18 **MS. EMILY YOUNG:** And this type of political  
19 context about, you know, the commonplace nature of using  
20 busses and other forms of transportation in a nomination  
21 race, is it fair to say that this is context that the media  
22 and the public more broadly might also not know about how  
23 nominations actually work on the ground?

24 **MS. KATHERINE TELFORD:** I can't speak for  
25 everyone on that, but I think generally speaking, that is  
26 true. Nominations are not widely understood processes.  
27 They're slightly different in different parties. Very  
28 contested nominations in particular are different than

1 nominations that might happen that are less competitive,  
2 where there are multiple candidates, urban versus rural.  
3 Like, there's all kinds of different things that come into  
4 play in nominations.

5 **MS. EMILY YOUNG:** Okay. And so would it be  
6 fair to say that this lack of understanding about the  
7 nomination process could contribute to misunderstanding  
8 something that's a normal part of that process as something  
9 that is nefarious?

10 **MS. KATHERINE TELFORD:** I think that's  
11 possible.

12 **MS. EMILY YOUNG:** Okay. And for Mr.  
13 Broadhurst again, a couple of questions about the Liberal  
14 Party rules that were in effect in 2019.

15 Am I right that those who are 14 years or  
16 older could become members of the Liberal Party and vote in a  
17 nomination contest?

18 **MS. JEREMY BROADHURST:** That's correct. We  
19 refer to them as registered Liberals. Yes.

20 **MS. EMILY YOUNG:** And the party allows these,  
21 perhaps you might call them youth members, to join partly to  
22 promote engagement?

23 **MS. JEREMY BROADHURST:** That's correct. It  
24 is a deliberate policy choice of the Liberal Party that's  
25 been validated through votes and conventions and stuff like  
26 that to have a larger voting pool than is allowed just in an  
27 *Elections Act*, you know, in a general election campaign.

28 **MS. EMILY YOUNG:** And in order to vote in a

1 nomination contest in any given riding, a potential voter has  
2 to show proof that they are a resident of that riding?

3 **MR. JEREMY BROADHURST:** That is correct.

4 **MS. EMILY YOUNG:** So that's not a requirement  
5 that a potential voter be a Canadian citizen in order to  
6 vote?

7 **MR. JEREMY BROADHURST:** That is correct.

8 **MS. EMILY YOUNG:** It's about where the  
9 potential voter lives?

10 **MR. JEREMY BROADHURST:** Correct.

11 **MS. EMILY YOUNG:** And it's not a requirement  
12 about where that potential voter might go to school, for  
13 example?

14 **MR. JEREMY BROADHURST:** Correct. One might  
15 imagine going to a school and not -- which is in one riding  
16 and living in a different riding, especially in an urban  
17 environment.

18 **MS. EMILY YOUNG:** So you've given evidence  
19 earlier today that the Liberal Party didn't uncover anything  
20 unusual about the 2019 nomination contest in Don Valley North  
21 when you asked some of your staff to look into it further?  
22 Is that fair?

23 **MR. JEREMY BROADHURST:** Yeah, there were no  
24 reported irregularities, there were no widespread challenges  
25 at the meeting, the meeting was efficiently run, no one  
26 challenged the conduct of the meeting or the outcomes after  
27 the fact.

28 **MS. EMILY YOUNG:** Including Mr. Dong's

1 appointment, Ms. Bang-Gu Jiang?

2 **MS. JEREMY BROADHURST:** Correct.

3 **MS. EMILY YOUNG:** So now I'll turn to a  
4 couple of brief questions about the allegations in the media  
5 around the Two Michaels issue, I think we can call it. And  
6 these are mainly for Mr. Clow because he takes such diligent  
7 notes.

8 So Mr. Clow, you gave evidence that there was  
9 a meeting on March 28<sup>th</sup>, 2023 about allegations in the media,  
10 including the Two Michaels allegation; correct?

11 **MR. BRIAN CLOW:** Correct. It was one of  
12 several meetings on the topic, or where it came up.

13 **MS. EMILY YOUNG:** And in either your  
14 interview or previous *in-camera* testimony, you gave evidence  
15 that there actually was no transcript of the call that was  
16 the subject of the media allegations. It was just a summary.  
17 Is that right?

18 **MR. BRIAN CLOW:** That's right. That's what I  
19 said.

20 **MS. EMILY YOUNG:** And I take it that summary  
21 was in English?

22 **MR. BRIAN CLOW:** Yes.

23 **MS. EMILY YOUNG:** And so that's why Ms.  
24 Telford would have explained to the Commissioner earlier that  
25 there were some concerns about the translation that would  
26 have occurred from Mandarin to English in preparing that  
27 summary?

28 **MS. KATHERINE TELFORD:** Yes. And some of

1 those questions I believe were publicly raised.

2 **MS. EMILY YOUNG:** And the concerns about the  
3 translation issue were never resolved?

4 **MS. KATHERINE TELFORD:** They were not.

5 **Ms. EMILY YOUNG:** Mr. Clow, you described in  
6 your earlier testimony the reporting of the Two Michaels  
7 allegation as explosive and you said that the reporting did  
8 not accurately reflect the intelligence about the call. Is  
9 that fair?

10 **MR. BRIAN CLOW:** Yes.

11 **MS. EMILY YOUNG:** Throughout these hearings,  
12 we've heard testimony from a number of witnesses, including a  
13 CSIS Director, Deputy Ministers, senior public servants about  
14 the significant limits on the reliability of intelligence.  
15 How depending on the sourcing of the intelligence,  
16 corroboration of the intelligence, it might be much more or  
17 less reliable.

18 Is it fair to say that when we're considering  
19 intelligence, it has to be considered in light of these  
20 limitations? I'll direct that to Mr. Clow.

21 **MR. BRIAN CLOW:** I would agree with that,  
22 yes.

23 **MS. EMILY YOUNG:** So Mr. Clow, what you have  
24 said before the Commission is that the media coverage on the  
25 Two Michaels issue was not even an accurate reflection of  
26 what was in the intelligence on this matter?

27 **MR. BRIAN CLOW:** That is my belief and  
28 understanding, yes.

1           **MS. EMILY YOUNG:** And you gave evidence  
2 earlier that you and your team even had some discussions  
3 about whether materials should be declassified to correct  
4 what had been reported in the media? Is that right?

5           **MR. BRIAN CLOW:** Yes.

6           **MS. EMILY YOUNG:** And that was because the  
7 allegation that Mr. Dong had advised a senior Chinese  
8 diplomat in February 2021 that Beijing should off on freeing  
9 the Two Michaels was not true?

10          **MR. BRIAN CLOW:** That is my view, and I  
11 believe that's reflected in the public summary that's been  
12 released.

13          **MS. EMILY YOUNG:** And until this Commission,  
14 you weren't able to make this known publicly?

15          **MR. BRIAN CLOW:** Correct.

16          **MS. EMILY YOUNG:** Okay. Those are our  
17 questions. Thank you.

18          **COMMISSIONER HOGUE:** Thank you.

19                       Next one is counsel for Michael Chong.

20          **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

21          **MR. GIB van ERT:**

22                       **MR. GIB van ERT:** Thank you, Commissioner.

23                       I'll start with Mr. Broadhurst, please, and  
24 I'll ask that we -- just before I turn up the document, I  
25 want to ask you some questions to understand better what you  
26 told the Prime Minister at that meeting in late September  
27 2019, but I want to take great care that we don't stumble  
28 into anything that you're not able to say in this forum. And

1 I think the way to help you with that is to show you the  
2 document that Ms. Chaudhury showed you earlier, which is CAN  
3 005461.

4 So I'll ask that that be pulled up and just  
5 stop there for the moment.

6 So you'll recall, and it says there on the  
7 corner of the document, "These are notes for briefing from  
8 the SITE TF to the secret cleared Liberal Party  
9 representatives." And you've already explained that those  
10 representatives then came and spoke to you and you passed it  
11 on to the Prime Minister.

12 So what I'm proposing is that I'm going to go  
13 through each of these points and if you can confirm or  
14 explain whether or not these were things that you passed on  
15 to the Prime Minister.

16 So starting with the first one, allegations  
17 of foreign interference by China in Don Valley North Liberal  
18 nomination contest. I think we already have that. You  
19 passed that on.

20 **MR. JEREMY BROADHURST:** That there were  
21 allegations -- yes.

22 **MR. GIB van ERT:** Thank you.

23 The next point, you can see there's a summary  
24 here, and the summary says, "Buses being used in support of  
25 Mr. Dong at the direction of PRC officials in Canada."

26 So did you advise the Prime Minister that  
27 these buses were alleged to be at the direction of PRC  
28 officials in Canada?

1                   **MR. FREDERICK SCHUMANN:** Just before the  
2 witness answers, the question is assuming that the bullet  
3 point in the document was conveyed to Mr. Broadhurst and that  
4 he had it to convey to the Prime Minister, so perhaps my  
5 friend could first ask the witness whether he learned of that  
6 piece of information that's in the document that's being  
7 shown to the witness.

8                   **MR. GIB van ERT:** Well, I think that's  
9 exactly the exercise I'm engaged in, so please, Mr.  
10 Broadhurst, let us know, did you know this and, if so, did  
11 you pass it on to the Prime Minister?

12                   **MR. JEREMY BROADHURST:** You used one alleged.  
13 I would have used two alleged.

14                   **MR. GIB van ERT:** All right.

15                   **MR. JEREMY BROADHURST:** That the alleged  
16 buses were alleged to have been provided by PRC.

17                   The nature of the information was that there  
18 was a concern that this plan existed, but at that time no one  
19 was able to say conclusively, or at least no one was able to  
20 say me or the other cleared representatives, yes, these are  
21 the buses that we're talking about and yes, these buses were  
22 provided by PRC officials in Canada.

23                   **MR. GIB van ERT:** Understood. Thank you.

24                   And I had your first point already about the  
25 buses. I wanted to be sure about the second part, which is  
26 that the allegation was that they were at the direction of  
27 PRC officials ---

28                   **MR. JEREMY BROADHURST:** Right.

1                   **MR. GIB van ERT:** --- in Canada.

2                   Thank you.

3                   Going down, please, in the document. There  
4 we are.

5                   Again -- and I know what your counsel said  
6 and I take that point. So this document is indicating that  
7 part of the briefing was that there was an assessment that  
8 the allegations are consistent with PRC foreign interference  
9 activity in GTA.

10                  So again, my question for you is, is that  
11 something that you briefed the Prime Minister about?

12                  **MR. JEREMY BROADHURST:** Yes, but what I would  
13 point out here, I think is an important distinction, is it  
14 says that it is consistent with PRC foreign interference  
15 activity in the GTA. It does not say foreign interference  
16 activity with respect to election campaigns.

17                  **MR. GIB van ERT:** Right.

18                  **MR. JEREMY BROADHURST:** There are other forms  
19 of foreign interference, obviously, and so that -- that -- I  
20 would make that very clear as a distinction.

21                  **MR. GIB van ERT:** Understood. Thank you.

22                  The next bullet point, in fact, we're there.

23                                 "PRC interference in the GTA likely  
24                                 relies on a densely connected network  
25                                 of PRC-linked individuals."

26                  So my question is, did you advise the Prime  
27 Minister or did you know and then advise the Prime Minister  
28 about this allegation of a densely connected network of PRC

1 linked individuals?

2 **MR. JEREMY BROADHURST:** I would say that this  
3 was not part of the information that we had, not get into a  
4 network of individuals, so I'll leave it at that. I would  
5 say no to that question.

6 **MR. GIB van ERT:** Thank you.

7 And then the next bullet point -- maybe  
8 scroll up just a little so that we can all see it a bit  
9 better. There we are.

10 This interference network -- so I've heard  
11 what you said. Maybe it's the same answer, but I'll go ahead  
12 and ask the question.

13 You see what it's saying here is that the  
14 network is centred on four communities' candidates, staffers  
15 including campaign officials, local community members and  
16 some kind of PRC official.

17 So my question for you again is, had you been  
18 told that and did you pass that on to the Prime Minister?

19 **MR. JEREMY BROADHURST:** Again, I would say no  
20 because we did not talk about a network of individuals at  
21 this time. This was really centred on the specific  
22 allegation around buses being provided by PRC officials.

23 **MR. GIB van ERT:** Right. So no, you didn't  
24 pass it to the Prime Minister, but also no, you didn't know  
25 this? Is that right?

26 **MR. JEREMY BROADHURST:** It was not part of  
27 the information relayed at that time. It was not -- it was  
28 not how the information was presented.

1                   **MR. GIB van ERT:** By Mr. Ismael, if I recall  
2 correctly.

3                   **MR. JEREMY BROADHURST:** Right. Also when I  
4 talked to other intelligence officials, it may be helpful for  
5 me to say, I mean, the way it was presented was that there  
6 was a belief that there are PRC officials in Canada who have  
7 the ability to activate a network of foreign students one way  
8 or another and that there was a fear that that was being used  
9 in this case.

10                   There was no mention of a broader network of  
11 individuals involved in the activity.

12                   **MR. GIB van ERT:** Understood. All right.  
13 Thank you.

14                   And I'm done with that document. Thank you  
15 very much.

16                   My next question is for Ms. Telford.

17                   A few days ago, Madam Tessier, the Director  
18 of Operations -- Deputy Director of Operations for CSIS, was  
19 here. And she gave evidence that the service had wanted to  
20 conduct defensive briefings of Members of Parliament even  
21 before the 43rd General Election. And I asked some questions  
22 about that and eventually I was told that the service didn't  
23 require the government's permission to do that, but would  
24 have needed help from the government in coordinating these  
25 briefings.

26                   And so my question for you is, did the  
27 service ask for the PMO's help, your help or your colleagues'  
28 help, to arrange for defensive briefings of MPs prior to the

1 43rd General Election?

2 **MS. KATHERINE TELFORD:** I don't recall an ask  
3 for any assistance on that front because I think we would  
4 have -- and there's many examples of it. We would have  
5 encouraged and welcomed more transparency with Members of  
6 Parliament, and there's a number of examples of where we have  
7 encouraged and welcomed that from the agency.

8 **MR. GIB van ERT:** All right. And do any of  
9 your colleagues recall receiving such a request from the  
10 service?

11 **MR. JEREMY BROADHURST:** No.

12 **MR. GIB van ERT:** All right. Thank you.

13 My next question is for Mr. Clow, and this  
14 has to do with some evidence you gave in your briefing --  
15 sorry, in the witness summary about the Buffalo Chronicle.

16 I can pull it up if it's helpful. In fact,  
17 why don't we go ahead? It's WIT 069, please.

18 If you'll go, Mr. Court Operator, to  
19 paragraph 54, please.

20 Thank you.

21 And I'll just read it to you to remind you,  
22 Mr. Clow. It says that you emphasized what you "considered  
23 to be the seriousness of the Buffalo Chronicle article", and  
24 we've heard evidence about that already. And then:

25 "In his view [in your view], this  
26 incident was an obvious example of  
27 foreign interference, but because it  
28 could not be directly attributed to a

1 foreign state, the government had no  
2 available response."

3 So a few questions about that.

4 Firstly, obvious to whom? Because from the  
5 evidence that we have seen so far, it doesn't appear to have  
6 been obvious to the SITE Task Force or to the Panel of Five.  
7 I'm not even sure that it was obvious to the service. A  
8 little harder for us to know that for reasons that we all  
9 appreciate.

10 But what do you mean when you say it was  
11 obvious? Obvious to whom?

12 **MR. BRIAN CLOW:** I think it's obvious to  
13 anyone who saw what was happening. And this actually has  
14 come up in testimony and folks were aware of it.

15 The SITE Task Force, CSIS, others, PCO were  
16 aware of this website which was based in the United States  
17 and was publishing complete lies about the Prime Minister.  
18 And these articles were getting spread and shared thousands  
19 of times during the election, so that's why I think it was  
20 obvious.

21 **MR. GIB van ERT:** Right. Well, and I am  
22 aware of the fact -- we have heard the evidence that it was  
23 in the United States and these articles were being published  
24 and they were nonsense. We have all that.

25 But the assertion here is that it was  
26 obviously foreign interference, right, and we know that  
27 someone telling lies in a foreign country is not necessarily  
28 foreign interference for the purposes of our Commission,

1 right.

2 So let me ask you this. You have also said  
3 that it could not be directly attributed to a foreign state,  
4 but isn't it true that it couldn't be attributed to a foreign  
5 state directly or indirectly?

6 **MR. BRIAN CLOW:** The conclusion of officials  
7 was they were not able to attribute it to a foreign state.

8 **MR. GIB van ERT:** Right. Not -- it's not a  
9 question of directness or indirectness, it just couldn't be  
10 attributed?

11 **MR. BRIAN CLOW:** They could not reach their  
12 conclusion.

13 **MR. GIB van ERT:** Yes. All right, and then  
14 finally, you say here the government had no available  
15 response. But we've had Mr. Sutherland's evidence that --  
16 and that there was an arrangement with American social media  
17 companies, Facebook in particular, and that at the direction  
18 of the Clerk of the Privy Council, Mr. Sutherland reached out  
19 to Facebook and Facebook suppressed the story. So that was a  
20 government response that was available and it was actually  
21 exercised. Do you agree?

22 **MR. BRIAN CLOW:** And I learned of that from  
23 Mr. Sutherland's testimony here.

24 **MR. GIB van ERT:** Thank you. Those are my  
25 questions.

26 **COMMISSIONER HOGUE:** Thank you.

27 Next one is counsel for Jenny Kwan.

28 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

1 **MR. SUJIT CHOUDHRY:**

2 **MR. SUJIT CHOUDHRY:** Good morning. Good  
3 afternoon, sorry. My name is Sujit Choudhry, and I'm counsel  
4 to Jenny Kwan, Member of Parliament for Vancouver East.

5 So I'd first like to go back over some of the  
6 -- your testimony earlier this afternoon, and this is sort of  
7 a machinery of government or information flow issue because  
8 this is one of the components of this phase of the  
9 Commission's work. And so it's about kind of untangling or  
10 clarifying the relationship between the Clerk, the NSIA, the  
11 CSIS Director, the PMO, and the Prime Minister. And --  
12 because there's lots of different entities at the apex of the  
13 federal executive involved in matters of intelligence and  
14 foreign interference.

15 And so what I thought I heard today, and I'm  
16 sorry I don't have a transcript, so I want to go over it  
17 again, is can the CSIS -- if the CSIS Director wants to brief  
18 the Prime Minister or the Prime Minister's Office, that  
19 request can be made through the PMO, through the Clerk,  
20 through the NSIA, all of the above, some of them. If someone  
21 could just confirm how that works I'd be grateful.

22 **MS. KATHERINE TELFORD:** I think it would be  
23 customary and our regular experience for the CSIS Director to  
24 work that out with the NSIA, who would come to us. And I  
25 can't think of a time that if there's ever a request to brief  
26 the Prime Minister or any of us that that doesn't happen.

27 **MR. SUJIT CHOUDHRY:** And I've noticed that in  
28 -- sometimes the CSIS Director has met with the Prime

1 Minister directly with -- and he might be supported by his  
2 team. In other cases, the CSIS Director might meet just with  
3 the PMO and senior members of the bureaucracy. Can you help  
4 to explain when one or the other happens?

5 **MS. KATHERINE TELFORD:** When he brings his  
6 team or doesn't?

7 **MR. SUJIT CHOUDHRY:** Or, sorry, to clarify,  
8 when the meeting would just be with the PMO, so members of  
9 this, for example, this panel or other colleagues, or would  
10 actually involved the Prime Minister himself.

11 **MS. KATHERINE TELFORD:** So as I mentioned  
12 earlier, the Prime Minister -- if ever the - any senior  
13 official wanted to brief the Prime Minister, particularly the  
14 ones you are mentioning, that would be arranged right away.  
15 And there are times, however, where they will come and ask to  
16 brief any combination of us, depending on the issue or who's  
17 around. Sometimes some of us are on the road with the Prime  
18 Minister and others of us are back at the office, and so they  
19 want to take us through what's coming because it can't be  
20 scheduled with the Prime Minister until his return or  
21 something else. And it's almost like a bit of a  
22 pre-briefing, and you've seen that in some of the outlines of  
23 the meeting dates, where you can see that staff met with  
24 officials and then there's a subsequent meeting with the  
25 Prime Minister.

26 **MR. SUJIT CHOUDHRY:** Okay, great. So then on  
27 that topic, I'd like to take you to a document that I think  
28 you've been -- we've been discussing. It's CAN 4495.

1           And I think this question is for Mr. Clow  
2 because he seems to take extremely careful notes. And so  
3 Mr. Clow, I'm sorry, but I need to -- I -- we've heard from  
4 other witnesses and I think from the panel as well that these  
5 are talking points, they're not necessarily a memo. They  
6 don't necessarily reflect what was said, and you've pointed  
7 that out.

8           There's a little bit here that I just wanted  
9 to take you through, and I'm sorry I have to do this. It's  
10 on -- if you start on page 5. If you go down to Conclusions.  
11 There's a number -- there's sort of three bullet pointed  
12 conclusions here. So maybe if you could just familiarise  
13 yourself with them.

14           **MR. BRIAN CLOW:** Yeah.

15           **MR. SUJIT CHOUDHRY:** And then -- yeah.

16           **MR. BRIAN CLOW:** Yeah, I've seen these.

17           **MR. SUJIT CHOUDHRY:** And then there's two  
18 bullet pointed....

19           You can go to the next page.

20           And to the best of your recollection, were  
21 these bullet points, were these discussed by the Director  
22 or....?

23           **MR. BRIAN CLOW:** No. These very specifically  
24 were not related to us in that briefing.

25           **MR. SUJIT CHOUDHRY:** Okay. And then finally,  
26 I have a question. I think it's probably best directed at  
27 Mr. Travers. And so we've had -- Deputy Minister Morrison  
28 has testified a couple of times, and I think what we've

1 established through his testimony is that the -- that foreign  
2 interference in the form of support to a candidate or a party  
3 violates international legal obligations that states that  
4 have towards Canada, it violates domestic law, and that there  
5 are -- he -- kind of the way he put it there have been --  
6 it's been raised dozens of times with foreign states, there  
7 have been several diplomatic notes, is what he said.

8 Are you able to -- we weren't aware of any of  
9 this until his testimony, and we're wondering if you're able  
10 to shed light at all on the ways in which Canada  
11 diplomatically engages states that are interfering in  
12 Canadian politics?

13 **MR. PATRICK TRAVERS:** So I'm not an  
14 international lawyer, but certainly the Deputy Minister's  
15 articulation of the conventions that guide appropriate  
16 diplomatic activities seems accurate to me. While being  
17 careful about the details to which we might speak in a  
18 setting like this, I will say that this government has been  
19 quite public since 2016 about the threat that certain states  
20 pose to democracies around the world, including Canada.  
21 We've taken a series of measures in Canada to protect our  
22 democracy, and we do not shy away from articulating the  
23 importance of not interfering in democracy to international  
24 partners.

25 **MR. SUJIT CHOUDHRY:** I think that concludes  
26 my questions. Thank you.

27 **COMMISSIONER HOGUE:** Thank you.

28 Mr. De Luca for the Conservative Party.

1 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

2 MR. NANDO de LUCA:

3 MR. NANDO de LUCA: Good afternoon.

4 This is a question for the panel. Am I  
5 correct that in your roles in the PMO's, or the Prime  
6 Minister's Office, you each have security clearances as  
7 necessary to be briefed on the most serious matters of  
8 national security, including foreign interference in Canada  
9 elections?

10 MS. KATHERINE TELFORD: Yes.

11 MR. JEREMY BROADHURST: Yes.

12 MR. PATRICK TRAVERS: Yes.

13 MR. BRIAN CLOW: Yes.

14 MR. NANDO de LUCA: And in -- did I  
15 understand correctly that in addition to your roles in the  
16 Prime Minister's Office your evidence is that you each took  
17 leaves of absence from your government jobs in order to  
18 support the Liberal Party of Canada at campaigns in the 2019  
19 and 2021 elections?

20 MR. BRIAN CLOW: Yes.

21 MR. JEREMY BROADHURST: Patrick ---

22 MR. PATRICK TRAVERS: I didn't.

23 MR. JEREMY BROADHURST: Patrick did not.

24 MR. PATRICK TRAVERS: I am the exception. I  
25 did not.

26 MR. NANDO de LUCA: Sorry?

27 MR. PATRICK TRAVERS: I am the exception. I  
28 did not take a leave of absence. I remained in the Prime

1 Minister's Office during both election periods.

2 **MR. NANDO de LUCA:** Okay. Thanks for that  
3 clarification.

4 And for the three that did, to be clear, your  
5 leaves of absence and your jobs during your leaves of absence  
6 would have been hopefully to re-elect Liberal candidates, and  
7 in particular, that included the Prime Minister?

8 **MR. BRIAN CLOW:** Yes.

9 **MR. JEREMY BROADHURST:** Yes.

10 **MR. NANDO de LUCA:** Okay. And during your  
11 leaves of absence, for those of you who took leaves of  
12 absences, did any of you during those writ periods have  
13 occasion to speak to or communicate with the Clerk or other  
14 members of the, sorry, with the Clerk or other members of the  
15 PCO relating to government business?

16 **MR. BRIAN CLOW:** Not in my case.

17 **MS. KATHERINE TELFORD:** No.

18 **MR. JEREMY BROADHURST:** I have already said  
19 that I spoke to officials with respect to the information  
20 provided to the party ---

21 **MR. NANDO de LUCA:** Sorry ---

22 **MR. JEREMY BROADHURST:** --- by the SITE -- by  
23 the -- by the SITE Task Force. That I clarified with  
24 officials just to ensure that we had accurate information  
25 that was being conveyed to the party pursuant to the  
26 Protocol.

27 **MR. NANDO de LUCA:** And this was in relation  
28 to the Han Dong allegations ---

1           **MR. JEREMY BROADHURST:** Correct.

2           **MR. NANDO de LUCA:** --- in 2019?

3           **MR. JEREMY BROADHURST:** Right.

4           **MR. NANDO de LUCA:** Okay. So can I get  
5 CAN.DOC 13 pulled up again.

6                   And I'm going to see if I can skip some of  
7 these questions because I think they've already been covered  
8 off. But just for reference, Mr. Broadhurst, you indicated  
9 that after the information was communicated, which originally  
10 emanated from CSIS to Mr. Ishmael, then relayed to you, you  
11 were the one that were charged with and did actually brief  
12 the Prime Minister. Is that correct?

13           **MR. JEREMY BROADHURST:** Correct.

14           **MR. NANDO de LUCA:** Okay. And was there  
15 anyone else present in that meeting?

16           **MR. JEREMY BROADHURST:** No, there was not.

17           **MR. NANDO de LUCA:** Okay. And would that  
18 meeting have involved any sort of paperwork, document,  
19 whether electric or hard copy?

20           **MR. JEREMY BROADHURST:** No.

21           **MR. NANDO de LUCA:** It was entirely verbal?

22           **MR. JEREMY BROADHURST:** Correct.

23           **MR. NANDO de LUCA:** Okay.

24           **MR. JEREMY BROADHURST:** We did not have -- we  
25 never received any paper.

26           **MR. NANDO de LUCA:** Right. But you didn't  
27 prepare any notes for your meeting?

28           **MR. JEREMY BROADHURST:** I did not.

1                   **MR. NANDO de LUCA:** Okay. The Prime Minister  
2 take any notes?

3                   **MR. JEREMY BROADHURST:** No, he did not.

4                   **MR. NANDO de LUCA:** Okay.

5                   **MR. JEREMY BROADHURST:** Again, given it was  
6 confidential information, ---

7                   **MR. NANDO de LUCA:** Fair enough.

8                   **MR. JEREMY BROADHURST:** --- I don't think  
9 that was appropriate.

10                   **MR. NANDO de LUCA:** And at the time you had  
11 your discussion with the Prime Minister, did the allegation  
12 regarding these -- the allegations regarding the busses that  
13 had been provided come up?

14                   **MR. JEREMY BROADHURST:** Yes.

15                   **MR. NANDO de LUCA:** Okay. Did you have any  
16 discussion as to who might have paid for these busses?

17                   **MR. JEREMY BROADHURST:** I provided the Prime  
18 Minister with the information that we had been provided for,  
19 which was there was intelligence reporting which suggested  
20 that perhaps a PRC official in Canada had provided the  
21 busses.

22                   **MR. NANDO de LUCA:** Okay. And that -- to  
23 your understanding, that would not have been within the rules  
24 of either the Liberal Party or the laws of Canada? Is that  
25 correct?

26                   **MR. JEREMY BROADHURST:** That would have  
27 violated a number of things, yes. Both the -- well, as you  
28 say, the laws of Canada and our own internal rules.

1           **MR. NANDO de LUCA:** Okay. And did you, in  
2 your discussions with the Prime Minister, or perhaps in your  
3 own deliberations, did you consider who else might have paid  
4 for those busses?

5           **MR. JEREMY BROADHURST:** Well first of all, if  
6 busses in fact existed.

7           **MR. NANDO de LUCA:** Right.

8           **MR. JEREMY BROADHURST:** Right? Which had not  
9 been established at that point. I mean -- so I'm not sure I  
10 understand the question. Perhaps you can ---

11           **MR. NANDO de LUCA:** Okay. So the issues of  
12 busses came out, the allegation that busses had been provided  
13 to bus these foreign students to vote in the nomination  
14 contest, and that had been an allegation that had been  
15 relayed to you; correct?

16           **MR. JEREMY BROADHURST:** Correct. Right.

17           **MR. NANDO de LUCA:** And you relayed that to  
18 the Prime Minister?

19           **MR. JEREMY BROADHURST:** Correct.

20           **MR. NANDO de LUCA:** So my question to you is,  
21 did either you alone, or with the Prime Minister, consider  
22 who might have paid for those busses if they were in fact --  
23 if they had in fact been used, and assuming it wasn't the  
24 PRC?

25           **MR. JEREMY BROADHURST:** Right. Well busses -  
26 - as I testified before, busses at a nomination meeting are  
27 not an unusual thing. They could be paid for by the  
28 candidates themselves. They could be paid for by -- a

1 collection of voters could get together and decide to rent a  
2 bus. They could be paid for a young Liberal club, or a  
3 student union, or even a school itself if they wanted to  
4 encourage it.

5 The fact that the bus was, you say, carrying  
6 foreign students, I mean, they -- there was nothing  
7 inherently wrong with transporting foreign students. Foreign  
8 students were able to vote if they had properly registered as  
9 Liberals in the nomination, if they were residents in the  
10 riding.

11 So the matter of who was on the bus was not  
12 as relevant as, like, was the bus properly or improperly paid  
13 for. And we didn't have even evidence that we were talking  
14 about an actual real bus.

15 **MS. NATALIA RODRIGUEZ:** Madam Commissioner,  
16 I'm sorry to interrupt. I'm just being told by the  
17 interpreters that everybody needs to speak a little bit more  
18 slowly. Thank you.

19 **MR. JEREMY BROADHURST:** Sorry.

20 **COMMISSIONER HOGUE:** Thank you.

21 **MR. NANDO de LUCA:** Thank you.

22 So let me see if I can put it this way. At  
23 any point after you received the information from Mr.  
24 Ishmael, either alone or with the -- at the direction of the  
25 Prime Minister, did you attempt, or did anyone else in the  
26 Liberal Party attempt to ascertain, A, if there was a bus,  
27 one or more busses, and B, who paid for them?

28 **MR. JEREMY BROADHURST:** There were busses at

1 the nomination.

2 **MR. NANDO de LUCA:** Right.

3 **MR. JEREMY BROADHURST:** That is a usual  
4 course of events.

5 **MR. NANDO de LUCA:** We've heard that.

6 **MR. JEREMY BROADHURST:** Nobody would have  
7 taken account of how many busses. That's ---

8 **MR. NANDO de LUCA:** Right.

9 **MR. JEREMY BROADHURST:** That's sort of  
10 irrelevant.

11 We were limited in terms of the types of  
12 questioning we could do by the fact that we could not reveal  
13 the intelligence at this point. But no one was suggesting  
14 that there was bussing in of people who shouldn't have been  
15 voting, and no one challenged any of the voters, and at the  
16 end of the day, individuals would need to, if they pass a  
17 certain threshold of expenses, they need to file an audited  
18 return, and that would reveal if they paid for the busses,  
19 and then -- otherwise, I mean, as I said, there could be  
20 other parties who paid for transportation for people to go to  
21 the polls.

22 **MR. NANDO de LUCA:** Okay. So it sounds like  
23 the answer to my question is no, you didn't ---

24 **MR. JEREMY BROADHURST:** No, I don't think  
25 that's right.

26 **MR. NANDO de LUCA:** Okay. Well I'll ask it  
27 again. Did you try to ascertain who paid for the busses that  
28 you understood were in issue as a result of that briefing?

1                   **MR. JEREMY BROADHURST:** I did not have  
2 information that there -- like, I did not have a bus that I  
3 could point to to say who paid for that bus.

4                   **MR. NANDO de LUCA:** You just told me that  
5 there wasn't an issue that there were busses.

6                   **MR. JEREMY BROADHURST:** Right. There's not  
7 an issue that there's busses. But if you're trying to say an  
8 allegation is this bus was inappropriately paid for by a PRC  
9 official, I need to know which bus we're talking about.

10                   **MR. NANDO de LUCA:** That's not the question I  
11 asked you, sir. I have your evidence. So ---

12                   **MR. JEREMY BROADHURST:** I don't think you do.  
13 I don't ---

14                   **MR. NANDO de LUCA:** Well, the record will  
15 reflect it.

16                   So I'm going to ask you this. Let's assume,  
17 giving the timing of the intelligence as it had been relayed  
18 to Mr. Ishmael, then to you, and then to the Prime Minister,  
19 we're talking some time by the time the Prime Minister got  
20 it, was either at the end of September, beginning of October  
21 2019; correct?

22                   **MR. JEREMY BROADHURST:** It was two days after  
23 the Liberal Party members were briefed.

24                   **MR. NANDO de LUCA:** Okay. So can you give us  
25 a sense? The briefing document suggests that it was  
26 communicated to Mr. Ishmael on September 28<sup>th</sup> or 29<sup>th</sup>.

27                   **MR. JEREMY BROADHURST:** The 28<sup>th</sup> is a Friday  
28 and I briefed the Prime Minister on the Sunday.

1                   **MR. NANDO de LUCA:** Okay. So is that -- is  
2 my math correct? That's October 1<sup>st</sup>?

3                   **MR. JEREMY BROADHURST:** I would say it's the  
4 30<sup>th</sup> of September.

5                   **MR. NANDO de LUCA:** Thirty (30) days in  
6 September.

7                   **MR. JEREMY BROADHURST:** Sorry?

8                   **MR. NANDO de LUCA:** Thirty (30) days in  
9 September.

10                  **MR. JEREMY BROADHURST:** Right. So if the  
11 28<sup>th</sup> is Friday, ---

12                  **MR. NANDO de LUCA:** Yeah.

13                  **MR. JEREMY BROADHURST:** --- Sunday would be  
14 the 30<sup>th</sup>.

15                  **MR. NANDO de LUCA:** Okay. So ---

16                  **MR. JEREMY BROADHURST:** I think. I don't  
17 have a calendar in front of me, so.

18                  **MR. NANDO de LUCA:** That's fine. Not  
19 terribly important.

20                               Am I correct -- let's assume that it was  
21 September 30<sup>th</sup>. Am I correct that had you, and I'm not  
22 saying you did, had you, in either your own deliberations or  
23 as a result of your consultation with the Prime Minister  
24 decided for some reason that Mr. Dong had to be removed as  
25 the Liberal nominee, am I correct that there wouldn't have  
26 been enough time for the Liberal Party to submit another  
27 candidate for that riding?

28                  **MR. JEREMY BROADHURST:** I don't think that is

1 correct, but I would have to go back -- there are specific  
2 timelines ---

3 **MR. NANDO de LUCA:** Right.

4 **MR. JEREMY BROADHURST:** --- for removal of a  
5 name from a ballot.

6 **MR. NANDO de LUCA:** Right.

7 **MR. JEREMY BROADHURST:** I think we were still  
8 on the outside ability to do that, but I could be wrong on  
9 the math on that front.

10 **MR. NANDO de LUCA:** My understanding, it's 21  
11 days, and the election was on October 21.

12 **MR. JEREMY BROADHURST:** Right. So I mean, we  
13 could have. But, also, there were other options, which is  
14 you can disavow a candidate; right? You can -- they're going  
15 to appear as a Liberal candidate, but you want to make clear  
16 to the public that they will not sit as a Liberal in caucus.  
17 You go out and you let the world know that. I mean, that is  
18 an option available to you. And we have actually done that  
19 in recent election campaigns.

20 **MR. NANDO de LUCA:** Thank you.

21 Mr. Clow, this question is for you. I don't  
22 have a lot of time left. In your evidence earlier, you made  
23 reference to the -- and we saw some notes. You made  
24 reference to your notes regarding the so-called transcript of  
25 the intelligence brief. And along with the other things you  
26 said, from my understanding is that you didn't review an  
27 actual transcript? It was a summary that someone had  
28 prepared?

1           **MR. BRIAN CLOW:** What I reviewed, to my  
2 understanding, is the only document that existed about this  
3 matter. There's only one.

4           **MR. NANDO de LUCA:** Right.

5           **MR. BRIAN CLOW:** And it, in my opinion, is a  
6 summary, not a transcript.

7           **MR. NANDO de LUCA:** A summary of what, sir?

8           **MR. BRIAN CLOW:** Of an ---

9           **MR. FREDERICK SCHUMANN:** Just before the  
10 witness answers, I would remind him not to provide classified  
11 information that is not already in the public summary.

12           **MR. BRIAN CLOW:** I think I can answer the  
13 question, which is a summary of the -- it related directly to  
14 the public summary that has been issued to this Commission in  
15 recent weeks, relating to the allegation and media reports  
16 that Han Dong supposedly called for the Two Michaels not to  
17 be released. That's what it was about.

18           **MR. NANDO de LUCA:** Last question, Mr. Clow,  
19 for you. Can you tell us whether, to your understanding,  
20 there exists a recording of that -- of the communication that  
21 gave rise to these allegations?

22           **MR. BRIAN CLOW:** I'll need to seek guidance  
23 of whether I can answer that question.

24           **MR. NANDO de LUCA:** Is there a recording of  
25 the intercepted communication between Mr. Dong and the, what  
26 we understand to be a high level Chinese official?

27           **MR. FREDERICK SCHUMANN:** I'm happy to take  
28 the question under advisement.

1                   **MR. NANDO de LUCA:** Sorry. Again?

2                   **MR. FREDERICK SCHUMANN:** I'm happy to take  
3 the question and consider whether an answer can be given.

4                   **MR. NANDO de LUCA:** Thank you. Those are my  
5 questions. Thank you.

6                   **COMMISSIONER HOGUE:** Thank you.

7                   **MR. NANDO de LUCA:** Thank you, panel.

8                   **COMMISSIONER HOGUE:** Counsel for the Sikh  
9 Coalition. Mr. Singh.

10                   **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

11                   **MR. PRABJOT SINGH:**

12                   **MR. PRABJOT SINGH:** Thank you, Commissioner.  
13 Good afternoon to the panelists. My name is  
14 Prabhjot Singh. I'm appearing as counsel on behalf of the  
15 Sikh Coalition.

16                   So, Ms. Telford, I have a few questions for  
17 yourself, and then a couple for you, Mr. Clow.

18                   So, Ms. Telford, you've been with the PMO  
19 consistently since 2015, and naturally you would have seen  
20 foreign interference activity and the evolution of foreign  
21 interference activity in Canada over that time period.

22                   Based on your time with the PMO, I think  
23 you'd agree that India's foreign interference activity has  
24 increased since that time, is that fair?

25                   **MS. KATHERINE TELFORD:** Can we look to the  
26 summary, the public summary, in terms of what we can say on  
27 this?

28                   **Mr. FREDERICK SCHUMANN:** Yes, I would

1 certainly ask that Ms. Telford be allowed to refer to the  
2 public summary.

3 **MR. PRABJOT SINGH:** You know, I don't want to  
4 spend too much time on this. If you're not able to answer  
5 this question for national security reasons, then we can move  
6 on.

7 Is that the case?

8 **MS. KATHERINE TELFORD:** I think that's the  
9 case.

10 **MR. PRABJOT SINGH:** Mr. Operator, can we  
11 bring up CAN015842?

12 So my understanding is that this is a  
13 briefing to the Prime Minister that was produced or given in  
14 October 2022. Was this briefing or this information --  
15 actually, before that, we can scroll down, actually, to the  
16 specific section? I believe it's on page 2 at the top.  
17 Yeah, right there.

18 So section is redacted and replaced with  
19 "Government of India officials" without specifying whom. And  
20 goes on to say that India:

21 "...[uses] Canada-based proxies, both  
22 witting and unwitting, to covertly  
23 influence Canadian elected officials,  
24 members of the Indian diaspora, and  
25 local cultural media outlets."

26 And it goes on to say that:

27 "...Indian officials and their  
28 proxies may also...specifically

1 [target] non-Indo-Canadian  
2 politicians to advance pro-[Indian]  
3 positions."

4 Was this information conveyed to staff at the  
5 PMO, or the PM himself?

6 **MR. BRIAN CLOW:** So this document came up  
7 earlier, and I testified that the specifics of what's in here  
8 were not directly relayed to the Prime Minister in that  
9 briefing, but the topic of India did come up in that  
10 briefing.

11 **MR. PRABJOT SINGH:** And so was this specific  
12 information about the nature of Indian foreign interference  
13 conveyed to any members of the staff on the panel, in this  
14 level of detail?

15 **MR. BRIAN CLOW:** At any time you mean, or in  
16 this briefing?

17 **MR. PRABJOT SINGH:** At any time.

18 **MR. FREDERICK SCHUMANN:** Well, I think before  
19 the witness answers, it may only be -- it may only be  
20 possible for him to answer in relation to this specific  
21 briefing.

22 **MR. PRABJOT SINGH:** Sure.

23 **MR. BRIAN CLOW:** In the specific briefing,  
24 the Prime Minister was briefed on specific cases, and that  
25 included -- I'm going by memory here, one, possibly two  
26 India-related foreign interference matters.

27 **MR. PRABJOT SINGH:** And are you able to delve  
28 into the details of those specific instances that were

1 reported?

2 **MR. BRIAN CLOW:** I don't believe I am.

3 **MR. PRABJOT SINGH:** Ms. Telford, did you ever  
4 hear reports or complaints from members of the Liberal Caucus  
5 outlining observations of foreign interference in their  
6 ridings and in their communities?

7 **MS. KATHERINE TELFORD:** I've certainly had  
8 conversations with Caucus members on the subject.

9 **MR. PRABJOT SINGH:** So there have been  
10 concerns that were raised and observations by members of the  
11 Liberal Caucus that were brought to the PMO?

12 **MS. KATHERINE TELFORD:** Yes.

13 **MR. PRABJOT SINGH:** And are you able to  
14 advise on any follow-up actions or reporting that were done  
15 as a result?

16 **MS. KATHERINE TELFORD:** I have passed on that  
17 information -- to the extent that there's information to pass  
18 on or even flags or cautions, I have passed that on to  
19 appropriate security officials.

20 **MR. PRABJOT SINGH:** And is it your  
21 understanding that it's been Liberal and NDP representatives  
22 have been the most targeted or impacted by negative Indian  
23 disinformation, particularly the baseless allegations that  
24 they are so-called extremists?

25 **MS. KATHERINE TELFORD:** I don't think I can  
26 speak to that.

27 **MR. PRABJOT SINGH:** So just in terms of your  
28 observations, would you agree that it's been Liberal and NDP

1 representatives that have been targeted by Indian media  
2 claims that they are so-called extremists or supposedly  
3 sympathetic to extremism?

4 **MS. KATHERINE TELFORD:** I don't think I can  
5 get into specific individuals.

6 **MR. PRABJOT SINGH:** In terms of -- so I'm not  
7 asking for classified information. In terms of your  
8 observations as a political staffer, is it the case that it's  
9 members of the Liberal and NDP Caucus that have been targeted  
10 by these allegations by open-source public media from India?

11 **MS. KATHERINE TELFORD:** I think we have  
12 certainly heard members from both of those parties speak  
13 publicly to that.

14 **MR. PRABJOT SINGH:** And Mr. Operator, can we  
15 move to CAN017676?

16 And Mr. Clow, if we scroll down to page 2, I  
17 believe, Mr. Clow, I believe these are handwritten notes from  
18 a meeting on May 18<sup>th</sup>, 2023; is that correct?

19 **MR. BRIAN CLOW:** That's right.

20 **MR. PRABJOT SINGH:** And so in your  
21 handwriting it says -- it makes mention of Indian foreign  
22 interference in 2019, and in quotes specifically it says,  
23 "Same" and it says "Opportunistic".

24 **MR. BRIAN CLOW:** I think the first word is  
25 "Some".

26 **MR. PRABJOT SINGH:** Sorry?

27 **MR. BRIAN CLOW:** The first word is "Some".

28 **MR. PRABJOT SINGH:** "Some," okay. So "Some"

1 and "Opportunistic".

2 Can you expand on what you meant by those  
3 phrases and why they were quoted that way?

4 **MR. BRIAN CLOW:** So when this came up earlier  
5 and I explained that this was me noting down the key points  
6 that were being relayed to Ministers about foreign  
7 interference in the 2019 to '21 elections, and that included  
8 some updates on -- as it related to India. I don't remember  
9 the details beyond that.

10 My interpretation of my own notes is that I  
11 wrote down "Some" because the CSIS officials would have said  
12 there was "Some" Indian foreign interference in those  
13 elections and would have described their tactics and efforts  
14 as "Opportunistic".

15 **MR. PRABJOT SINGH:** Can you expand a little  
16 bit on what "Opportunistic" suggests or ---

17 **MR. BRIAN CLOW:** I'm not able to expand. A  
18 CSIS official would have to.

19 **MR. PRABJOT SINGH:** And if we can move to CAN  
20 17997.

21 **--- EXHIBIT No./PIÈCE No. CAN 17997:**

22 Handwritten Notes of B. Clow

23 **MR. PRABJOT SINGH:** So I believe this is a  
24 handwritten note from a meeting on June 29<sup>th</sup>. Can you  
25 confirm what year this meeting was?

26 **MR. BRIAN CLOW:** This was 2023.

27 **MR. PRABJOT SINGH:** Okay. And can we scroll  
28 down? A little bit further; I believe it might be the next

1 page. A little bit further. Right there.

2 So there's a note here that says, "PM -  
3 India." Does that mean that the Prime Minister requested  
4 information about Indian foreign interference at that time?

5 **MR. BRIAN CLOW:** This was a briefing. So as  
6 we've testified before, the Prime Minister is briefed by  
7 officials when they feel they need to tell him something.

8 For some context, the Chong reference, this  
9 was a few days before it was made public by the RRM that  
10 there was another disinformation campaign about Mr. Chong. I  
11 don't recall what the India update was in that meeting.

12 **MR. PRABJOT SINGH:** Okay. And there's a note  
13 that says, "Public inquiry will illuminate some issues." Can  
14 you expand on what that means?

15 **MR. BRIAN CLOW:** So at this stage, while it  
16 had not been announced, there were active discussions with  
17 the opposition parties about holding a public inquiry, so we  
18 were discussing the public inquiry and I think that's simply  
19 a statement that this public inquiry would illuminate foreign  
20 interference issues.

21 **MR. PRABJOT SINGH:** Specifically ---

22 **MR. BRIAN CLOW:** I don't recall the specifics  
23 of why ---

24 **MR. PRABJOT SINGH:** And is it specifically in  
25 reference to India?

26 **MR. BRIAN CLOW:** I don't recall.

27 **MR. PRABJOT SINGH:** Okay. And my final  
28 question to all members of the panel: We've heard a lot of

1 evidence over the past couple of weeks about the difficulty  
2 in detecting disinformation and foreign interference  
3 activity, and understanding how this translates into impacts  
4 on communities and voting patterns. And this is especially  
5 the case when dealing with distinct cultural groups and  
6 racialized minorities that access different modes of -- modes  
7 and types of media; who speak different languages and are  
8 vulnerable, particularly to coercion by proxies. Would you  
9 agree that more needs to have been done and needs to be done  
10 to understand the unique mechanics and impacts of foreign  
11 interference on diaspora communities?

12 **MR. JEREMY BROADHURST:** I'll start.

13 I would say it's been a huge preoccupation  
14 for the government. You know, when we came in in 2105, there  
15 was really no infrastructure around this idea of, you know,  
16 foreign interference in election campaigns. We've tried to  
17 build it up in a way that allows for sharing of information,  
18 specifically to help, in a lot of cases, groups that are  
19 being targeted by this foreign interference.

20 I think we've also seen that there is a  
21 tendency that we have to work against that casts doubt on the  
22 actions of particularly non-White communities in -- and makes  
23 them more vulnerable to charges of foreign interference and  
24 doubts their ability to fully participate in our democracy.  
25 And you have to get the balance right on this stuff that  
26 you're not going too far in sort of othering a group and sort  
27 of suggesting that, you know, people, recent -- you know, new  
28 Canadians, recent immigrants are going to be proxies for

1       undermining Canadian democracy and so you have to sort of get  
2       that balance between protecting people who could be  
3       vulnerable but also don't fall for a trope that says that  
4       some people aren't ready to be participating in our  
5       democracy.

6                   **MR. PRABJOT SINGH:**   Would any other members  
7       of the panel like to also contribute to that?

8                   **MS. KATHERINE TELFORD:**   I think it's  
9       something we've actually spent a fair bit of time talking and  
10      thinking about and I imagine the Commission and many more  
11      beyond that are going to keep thinking about and putting the  
12      work in. I believe that security -- the senior security  
13      officials we work with have also been seized with what they  
14      need to do, as many organizations have, to ensure inclusion  
15      is part of their thinking and it's why diversity -- going  
16      back to, I think, one of your first questions, why diversity  
17      in our -- in Parliament is so important because we have seen  
18      Members of Parliament being able to bring forward experiences  
19      from their communities that have informed officials and  
20      agencies throughout this town. But there's a lot of work to  
21      still do.

22                   **MR. PRABJOT SINGH:**   Sorry, Madam  
23      Commissioner, just to clarify, this is my final question.

24                   So would you agree that there are still  
25      vulnerabilities in Canada's national security architecture  
26      that leaves diaspora communities vulnerable and there's work  
27      to be done on that front?

28                   **MS. KATHERINE TELFORD:**   I have immense faith

1 in our institutions and in the senior officials who are  
2 governing them that I have -- that I have worked with and  
3 gotten to know. But do I think there is more work to do in  
4 what is an evolving threat environment? Absolutely.

5 And you know, we've evolved and added to our  
6 work and learned from our work over the course of the time  
7 that we've been in government.

8 There were no mechanisms like the ones we've  
9 been talking about much of the time today before our  
10 government was in government ranging from, you know, NSICOP  
11 to NSIRA. And I know all the acronyms we could go through,  
12 but there are -- the panel itself, the SITE Task Force and so  
13 on, and the reviews of that work. There -- all of these  
14 things came about in the last number of years and partly  
15 because we've seen threats around the world, partly because  
16 it needed to be done and it hadn't been done before.

17 And will there need to be more done in the  
18 future? Absolutely. And I know that's part of the work  
19 that's going to be considered.

20 **MR. PRABJOT SINGH:** Thank you. Those are all  
21 my questions.

22 **COMMISSIONER HOGUE:** Thank you.

23 Mr. Sirois for RCDA?

24 **--- CROSS-EXAMINATION BY / CONTRE-INTERROGATOIRE PAR**

25 **MR. GUILLAUME SIROIS:**

26 **MR. GUILLAUME SIROIS:** Good afternoon.  
27 Guillaume Sirois for the Russian Canadian Democratic  
28 Alliance.

1 I see the timer is resetting or -- somehow,  
2 but ---

3 **COMMISSIONER HOGUE:** It's 5 o'clock, so.

4 **MR. GUILLAUME SIROIS:** Okay. Thank you.

5 My questions will be mostly directed to Mr.  
6 Broadhurst, but I invite the other panelists to jump in if  
7 they have any other comments or clarifications to provide.

8 Mr. Broadhurst, during the 2019 General  
9 Election you were national director of the Liberal campaign;  
10 correct?

11 **MR. JEREMY BROADHURST:** Correct.

12 **MR. GUILLAUME SIROIS:** And was the result of  
13 this election the one you were expecting?

14 **MR. JEREMY BROADHURST:** I would have hoped  
15 for better. One always hopes for better, but you know, it's  
16 hard to tell at the start of a campaign how it's going to  
17 play out. I try to refrain from predictions until, you know,  
18 the votes are in.

19 **MR. GUILLAUME SIROIS:** But the Liberal  
20 government lost 20 seats and the majority it had claimed in  
21 2015; right?

22 **MR. JEREMY BROADHURST:** Sorry? I didn't get  
23 that.

24 **MR. GUILLAUME SIROIS:** The Liberal government  
25 lost 20 seats and the majority it had claimed ---

26 **MR. JEREMY BROADHURST:** Correct.

27 **MR. GUILLAUME SIROIS:** --- in 2015.

28 **MR. JEREMY BROADHURST:** Yes.

1           **MR. GUILLAUME SIROIS:** Okay. And to what do  
2 you attribute this result?

3           **MR. JEREMY BROADHURST:** I think there's -- I  
4 think there are a lot of reasons that Canadians cast their  
5 votes, right. I think there's -- it is very difficult to  
6 boil it down to one thing or the other.

7           Obviously, over the course of that campaign,  
8 we were dealing with issues related to SNC Lavalin at the  
9 start of the campaign and, you know, there were a series of  
10 events that happened throughout the campaign. It -- you  
11 know, we were playing defence in a lot of those cases.

12           At the same time, in the 2019 campaign, you  
13 know, I did think that we were able to put forward a set of  
14 robust policy positions that was -- you know, did get some  
15 traction with Canadians and our opponents did not have -- you  
16 know, weren't able to capitalize on our rough moments and so  
17 we lost some seats, but we were able to hang onto a majority.

18           But I mean, it's a really hard question to  
19 answer in a minute here, so there are many factors, right.  
20 Many factors.

21           **MR. GUILLAUME SIROIS:** I want to go to CAN  
22 88, please.

23           The court reporter can show it on the screen.

24           **--- EXHIBIT No./PIÈCE No. CAN 88:**

25                           Assessing the Canadian Environment  
26                           during the 2019 Federal Election - A  
27                           DFRLab Report

28           **MR. GUILLAUME SIROIS:** This is a report from

1 the Digital Forensic Research Lab, also known as the DRF Lab,  
2 of the Atlantic Council entitled "Assessing the Canadian  
3 Information Environment During the 2019 Federal Election".

4 And are you aware of this report?

5 **MR. JEREMY BROADHURST:** I have seen it. I  
6 could not speak knowledgeably about its content.

7 **MR. GUILLAUME SIROIS:** And so you've seen it  
8 in the preparation of this testimony today or in another  
9 context?

10 **MR. JEREMY BROADHURST:** I think it was with  
11 respect to this Inquiry that at some point this document had  
12 been pulled up.

13 **MR. GUILLAUME SIROIS:** Okay. So I'm going to  
14 go to page 3 just as an introduction to the report so that  
15 we're all on the same page. At third paragraph, we see that  
16 this is a forensic analysis of some of the Canadian  
17 environment ecosystem in the month before and three months  
18 following the 2019 federal election.

19 I want to also point out some limitations to  
20 this study. At paragraph 3, it talks that the research  
21 focuses only on Pinterest and Reddit and not other platforms  
22 like Facebook. At paragraph 4, it says that the analysis  
23 focused only on the Anglophone information environment.

24 And at paragraph 4 again, we see that the  
25 analysis only concentrates on content related to the Liberal  
26 Party and Conservative Party.

27 And my question is, with these caveats, I  
28 believe it's fair to say that it's not an exhaustive analysis

1 but, rather, an analysis on a relatively small portion of the  
2 Canadian information ecosystem just by reading this.

3 **MR. JEREMY BROADHURST:** I don't think I can  
4 really speak knowledgeably at all about this. I'm not even  
5 sure what the objective of the study is.

6 **MR. GUILLAUME SIROIS:** Well, I just pointed  
7 it out. It was a forensic analysis of some of the Canadian  
8 information ecosystem in the month before and three months  
9 following the 2019 federal election.

10 **MR. JEREMY BROADHURST:** I'm not smart enough  
11 to understand that. I'm just not sure if this is trying to  
12 analyze the election or trying to analyze the environment in  
13 which the election was taking place.

14 **MR. GUILLAUME SIROIS:** Disinformation on the  
15 internet.

16 **MR. JEREMY BROADHURST:** Okay.

17 **MR. GUILLAUME SIROIS:** Yeah.

18 **MR. JEREMY BROADHURST:** All right.

19 **MR. GUILLAUME SIROIS:** That's the purpose of  
20 this study, so that's why I'm highlighting the ---

21 **MR. JEREMY BROADHURST:** From what you  
22 described and what you read, it seems like a pretty small  
23 sample of the threat environment.

24 **MR. GUILLAUME SIROIS:** Okay. I want to go at  
25 the last paragraph of page 3, if possible.

26 This paragraph notes that the DFR Lab  
27 observed a disproportionate volume of negative content  
28 directed at Trudeau and the incumbent Liberal government and

1 that anti-Trudeau hashtags such as "Trudeau must go" briefly  
2 exceeded the volume and intensity of hashtags targeting any  
3 political figure associated with the Conservative, Bloc  
4 Quebecois, Democratic -- New Democratic and Green Parties.

5 Were you aware of this during the 2019  
6 election?

7 **MR. JEREMY BROADHURST:** I can tell you it  
8 certainly felt that way sometimes during the 2019 election.

9 I wouldn't have been able to point to any  
10 kind of analysis at that time that would have backed that up,  
11 but it doesn't surprise me that that's the finding.

12 **MR. GUILLAUME SIROIS:** And I want to go at  
13 the last paragraph of page 10, please.

14 So over the -- this last paragraph, the first  
15 sentence says:

16 "Over the course of its analysis, the  
17 DFR Lab focused on two case studies.  
18 The first regards the interchange of  
19 virulent anti-immigrant hate speech  
20 over multiple platforms and online  
21 communities. The second regards the  
22 opportunism shown by Russian state  
23 media in its Canadian election  
24 coverage."

25 First, the interchange of virulent anti-  
26 immigrant hate speech over multiple platforms and online  
27 communities. Is this something that you felt like was  
28 happening as well? Is it the same in one situation?

1                   **MR. JEREMY BROADHURST:** I think that we were  
2                   -- we were seeing growth of hate speech, political hate  
3                   speech online and otherwise through both 2019 and 2021 and  
4                   that there were perhaps for the first time in a while parties  
5                   within Canada -- in the Canadian ecosystem who were prepared  
6                   to try to harness that hate and that -- you know, that --  
7                   those anxieties for their own political gain, so that's -- it  
8                   doesn't surprise me that a study of the online environment  
9                   would reflect society writ large at that point.

10                  **MR. GUILLAUME SIROIS:** Specifically during  
11                  the 2019 election there was an increase?

12                  **MR. JEREMY BROADHURST:** I think we were, you  
13                  know, in an environment where it was increasing, yes.

14                  **MR. GUILLAUME SIROIS:** And would you agree  
15                  with the report, the last sentence of this paragraph, that  
16                  it:

17                                 "...resembled the Russian information  
18                                 operations conducted against the  
19                                 United States in 2016."

20                  **MR. JEREMY BROADHURST:** I don't want to  
21                  classify myself off as an expert on that. It -- there -- as  
22                  a layperson in the political field, I would say yeah, I mean,  
23                  there's -- there -- the -- a similar -- you know, seeing what  
24                  the United States was going through, where those same sort of  
25                  prejudices and hatreds were being mobilised for political  
26                  purposes, we'd seen that happen in Canada, there were  
27                  similarities. Obviously, there have been pretty widespread  
28                  accusations about Russian interference in the 2016 American

1 election campaign, you know, a host of things have been  
2 written about that. To the extent that it was being --  
3 similar feelings were being pushed by, you know, Russian  
4 information operations, I have not seen specific evidence of  
5 that. I would not be surprised to know that there was  
6 evidence of that, however.

7 **MR. GUILLAUME SIROIS:** Okay. And that's  
8 interesting.

9 I want to go now at -- further down, please,  
10 at page 15, under the heading Opportunism by Russian State  
11 Broadcasters. It's a bit further down.

12 So now, what we've just seen is sort of hate  
13 speech/anti-immigrant campaign that hasn't been attributed to  
14 Russia officially. But now we're talking about Russian state  
15 broadcasters, specifically, which, like, it's presumably  
16 linked with Russia.

17 I want to -- in the second paragraph we talk  
18 about the unfortunate "Blackface" situation, which I'm sure  
19 you'll recall. The report says here that although  
20 international coverage of the event was generally accurate  
21 and balanced, Russian media leaned heavily into  
22 editorialization.

23 The report further says that this appearance  
24 -- that this appear -- this:

25 "...appeared to be the latest move in  
26 a concerted anti Trudeau editorial  
27 campaign that had gained steam since  
28 RT [Russia Today] had named

1                   Trudeau...earlier to its list of 'Top  
2                   10 Russophobes of 2018'."

3                   My question is, do you notice -- did you  
4 notice at the time of the 2019 election, or prior to this  
5 election, since 2018, maybe, that there was a concerted anti  
6 Trudeau editorial campaign from Russian media that had gained  
7 steam?

8                   **MR. JEREMY BROADHURST:** We have often been  
9 advised that, you know, there are efforts made by Russia, not  
10 necessarily directed with any kind of outcome in mind other  
11 than the undermining of democracy and the destabilisation of  
12 the democratic processes. This seems almost consistent with  
13 that, and it is -- in some cases, it's kind of -- it's almost  
14 infantile in its language and content, but what they often  
15 are trying to do is just bring discredit into the system and  
16 undermine democracy. That's a lot of what people would say  
17 about the 2016 American race as well.

18                   I mean, it is -- you know, somebody was  
19 earlier saying just because something's interfering from a  
20 foreign country doesn't make it foreign interference. I  
21 would actually disagree with that, but it's sometimes hard to  
22 see the state apparatus that may be pushing something. And  
23 in some cases, it may not be a state apparatus, it might be  
24 ideologically aligned groups around the world, it might --  
25 you know, it's hard to say.

26                   So again, I can't speak knowledgeably to  
27 specific Russian efforts, but I would say this kind of  
28 operation is specifically why there is such great concern

1 about the rapid spread of misinformation and disinformation  
2 in election campaigns and why we have been working both  
3 domestically and with our international partners to set up  
4 rapid response mechanisms to try to catch these things before  
5 they go viral to try to help, you know, separate legitimate  
6 political debate from baseless allegations.

7 I think maybe I'll stop there.

8 **MR. GUILLAUME SIROIS:** I appreciate your  
9 answer, thank you. And ---

10 **COMMISSAIRE HOGUE:** Votre temps est écoulé de  
11 déjà plus de 2 minutes.

12 **MR. GUILLAUME SIROIS:** I'm sorry. Counsel  
13 for the UCC had to leave, and he told me, and I forwarded the  
14 email to Commission Counsel that he was generous enough to  
15 provide me with his ---

16 **COMMISSIONER HOGUE:** So he's giving you his  
17 10 minutes?

18 **MR. GUILLAUME SIROIS:** Exactly. He had to  
19 leave personally for another engagement.

20 **COMMISSIONER HOGUE:** Okay.

21 **MR. GUILLAUME SIROIS:** Thank you.

22 **COMMISSIONER HOGUE:** So you have another  
23 10 minutes. You have until 5:20.

24 **MR. GUILLAUME SIROIS:** Yeah, thank you.

25 Okay. So to come back just to your last  
26 answer, I understand you saying as the Russian state media  
27 aims at amplifying divisive content, generally, not only  
28 targeted to Prime Minister Trudeau or the Liberal Party, but

1 this paragraph only seems to indicate that there was a more  
2 focussed approach against Prime Minister Trudeau than the  
3 rest of the political ecosystem.

4 **MR. JEREMY BROADHURST:** Yeah, as I say, I  
5 have not seen any kind of analysis like that on the  
6 government side, but it -- you know, it doesn't shock me that  
7 this would be a conclusion that somebody could reach.

8 **MR. GUILLAUME SIROIS:** But it's not something  
9 you witnessed independently prior to hearing this today with  
10 me. It's not something you could testify yourself about.

11 **MR. JEREMY BROADHURST:** I -- well, I think  
12 that a large part of what we have been concerned about is  
13 these types of operations undermining our democratic  
14 institutions. So it's -- I -- nothing here is shocking or  
15 surprising or nothing that I would take great issue with,  
16 like in terms of I think this is wrong. No, I -- this  
17 generally sounds like the kind of thing that we're worried  
18 about.

19 **MR. GUILLAUME SIROIS:** Okay. Finally, I will  
20 be done after that with this document. I want to go with --  
21 at the first paragraph of page 16, please.

22 We see a mention about an article published  
23 by Sputnik International, which is similar to Russia Today,  
24 another Russian state media, that published a story about  
25 Alberta separatism on October 20, 2019, so one day before the  
26 federal election. And the report mentions that the article  
27 used coded language, for example:

28 "Trudeau's 'globalist' agenda,

1                   Trudeau's climate change  
2                   'rhetoric'..."

3                   Which is a language that's:

4                   "...popular among ideologically  
5                   motivated extremist activists."

6                   And:

7                   "Given the timing of the piece, this  
8                   was likely an attempt to circumvent  
9                   political advertising restrictions  
10                  imposed by the EMA on foreign media  
11                  outlets."

12                  Were you aware of this news article at the  
13                  time of the federal election?

14                  **MR. JEREMY BROADHURST:** I -- October 20, 2019  
15                  was election day ---

16                  **MR. GUILLAUME SIROIS:** There was a lot going  
17                  on.

18                  **MR. JEREMY BROADHURST:** --- was it not?

19                  **MR. GUILLAUME SIROIS:** It was the day before.  
20                  Yeah.

21                  **MR. JEREMY BROADHURST:** Oh, one day. Okay.  
22                  Oh, sorry, there it is, one day.

23                  **MR. GUILLAUME SIROIS:** Yeah.

24                  **MR. JEREMY BROADHURST:** I don't -- I don't  
25                  think I was aware of this at the date -- at the time, no.

26                  **MR. GUILLAUME SIROIS:** Okay. And given the  
27                  information I presented to you today, do you think it could  
28                  have influenced voter decisions?

1                   **MR. JEREMY BROADHURST:** It's hard to say.  
2 This is the danger of a disinformation campaign. It  
3 presented as a legitimate news source as it jumps from  
4 platform to platform. As it starts appearing in people's,  
5 you know, social media feeds, people will treat it like a  
6 legitimate news story, and even though it might be baseless  
7 propaganda. So yes, you worry about this influencing, you  
8 know, influencing campaigns when it's, you know, obviously  
9 factually inaccurate material.

10                   **MR. GUILLAUME SIROIS:** So is your answer that  
11 yes, you worry about that, or yes, it may have influenced  
12 some votes?

13                   **MR. JEREMY BROADHURST:** Yes, I worry about  
14 that. I have no evidence around, that I can speak to, about  
15 it influencing this campaign. And I would reiterate, like I  
16 do take the, you know, findings of our intelligence community  
17 and the things that we put in place. And I think despite  
18 attempts that we ended up having free and fair elections that  
19 were -- where the outcomes were legitimate, but I think all  
20 of these pieces tell -- show you why you need to continue to  
21 be vigilant and why we have to up our abilities.

22                   **MR. GUILLAUME SIROIS:** And do you have the  
23 same worry as to whether disinformation contributed to the  
24 Federal Liberal Party losing its majority in 2019?

25                   **MR. JEREMY BROADHURST:** No, I'm not concerned  
26 that this ultimately had an impact on the outcome, but I am  
27 concerned that this type of thing exists, and I could imagine  
28 scenarios where it would impact the outcome. But I don't

1 think that there's evidence in this case to support saying  
2 that our campaign was undermined to that extent.

3 **MR. GUILLAUME SIROIS:** So I think we can  
4 certainly agree that the evidence, at least very limited, but  
5 as you've noted -- as I've presented earlier today, this is a  
6 very limited forensic analysis.

7 Do you believe that with more research on  
8 this, more forensic analysis like this one on other platforms  
9 in the Francophonico (*sic*) system focusing on other parties,  
10 like the People's Party of Canada, might we find enough  
11 evidence to support that there was actually an impact on the  
12 election?

13 **MR. JEREMY BROADHURST:** I encourage all study  
14 in the area. I think the government's job is to make sure  
15 that it has the ability to assess and add visibility of these  
16 types of efforts. So that's what I think that we need to  
17 focus on on the government side. But it is -- because that  
18 ability to monitor all the different platforms, social media  
19 platforms around the world to capture this stuff, that's a  
20 strength that needs to be enhanced in Canada.

21 **MR. GUILLAUME SIROIS:** And do you think that  
22 Canada has that ability right now to make this sort of  
23 assessment if, for instance, it contracted out this specific  
24 analysis?

25 **MR. JEREMY BROADHURST:** I couldn't speak  
26 knowledgeably to that. I don't know if -- I don't know the  
27 answer to that.

28 **COMMISSIONER HOGUE:** And I think we'll look

1 into this issue in the next phase.

2 **MR. GUILLAUME SIROIS:** Well I believe it  
3 would concern the 2019 Federal Election, but I ---

4 **COMMISSIONER HOGUE:** Thank you.

5 **MR. GUILLAUME SIROIS:** I've noted your  
6 comment. Thank you.

7 **COMMISSIONER HOGUE:** Next one is Erin  
8 O'Toole. Counsel for Erin O'Toole.

9 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

10 **MR. THOMAS JARMYN:**

11 **MR. THOMAS JARMYN:** Hi, my name is Tom  
12 Jarmyn. I'm counsel for Erin O'Toole.

13 I guess if we could bring up CAN17675?  
14 And the first page there, that's from you,  
15 Mr. Clow? Is that correct?

16 **MR. BRIAN CLOW:** Yes.

17 **MR. THOMAS JARMYN:** And it's basically the  
18 meeting invite with respect to a meeting that was carried out  
19 in PMO on February 23<sup>rd</sup> -- or sorry, February 23<sup>rd</sup> of 2023?

20 **MR. BRIAN CLOW:** That's correct.

21 **MR. THOMAS JARMYN:** And the attendees listed  
22 there as required attendees, did they all attend?

23 **MR. BRIAN CLOW:** Some of them attended. It  
24 was me and Jeremy Broadhurst from PMO. I don't believe  
25 Patrick was there.

26 **MR. PATRICK TRAVERS:** I don't recall.

27 **MR. THOMAS JARMYN:** Thank you.

28 **MR. BRIAN CLOW:** And there was Jody Thomas

1 and David Vigneault, the senior officials, discussing with  
2 us.

3 **MR. THOMAS JARMYN:** Thank you.

4 And if you could scroll down to the next  
5 page, please? And so maybe if we just sort of -- so if we  
6 can look at the entire page at one time? Thank you.

7 And those are your notes, Mr. Clow?

8 **MR. BRIAN CLOW:** Yes, they are.

9 **MR. THOMAS JARMYN:** And they are -- it's a  
10 complete -- so what I'm saying, it's a complete summary.  
11 It's an accurate summary of the discussion that occurred  
12 during that half hour meeting?

13 **MR. BRIAN CLOW:** I wouldn't claim that  
14 everything written here represents everything said in a  
15 meeting, in a meeting even of half an hour. There would be  
16 much more notes if every single thing were to be noted down.  
17 But these, to me, represent the significant points that were  
18 made.

19 **MR. THOMAS JARMYN:** It covers -- it  
20 highlights all the topics that were covered ---

21 **MR. BRIAN CLOW:** Generally speaking, yes.

22 **MR. THOMAS JARMYN:** --- during the meeting?

23 **MR. BRIAN CLOW:** Yeah.

24 **MR. THOMAS JARMYN:** Okay. So we can say with  
25 a fair bit of confidence that these were the subjects that  
26 were covered during that particular meeting?

27 **MR. BRIAN CLOW:** Generally speaking, yes.

28 **MR. THOMAS JARMYN:** Thank you.

1           And if we could move to then CAN 4495? Just  
2 on the first page. We'll stay there.

3           And so that's dated February 21<sup>st</sup>, 2022.  
4 I've been told it is a set of talking points prepared by the  
5 Director of -- for the Director of CSIS, possibly at his  
6 direction, possibly not, for this meeting with PMO about  
7 Canada's democratic institutions.

8           Were there any other meetings with the  
9 Director of CSIS about foreign interference in Canada's  
10 democratic institutions during the last portion of February?

11           **MR. BRIAN CLOW:** During the last portion of  
12 February?

13           **MR. THOMAS JARMYN:** Yes.

14           **MR. BRIAN CLOW:** Not that I recall. Not  
15 between PMO or the PM, and not in a formal organized way.  
16 It's possible there were conversations. I mean, at this  
17 point the media leaks and media stories were happening on a  
18 near daily basis. So we were having constant conversations  
19 with officials about what was going on. But in terms of  
20 formal sit-down briefings, I believe this was the only one in  
21 late February.

22           **MR. THOMAS JARMYN:** So it's possible there  
23 might have been hallway side conversations, ---

24           **MR. BRIAN CLOW:** Absolutely.

25           **MR. THOMAS JARMYN:** --- but the only formal  
26 thing for which talking points would have been prepared would  
27 have been that one meeting, you think?

28           **MR. BRIAN CLOW:** I'm only aware of the one

1 briefing that the Prime Minister's Office was involved in at  
2 the end of February. These talking points were prepared for  
3 the CSIS Director for that meeting. I don't know if other  
4 talking points were prepared for the ---

5 **MR. THOMAS JARMYN:** Maybe I could ask your  
6 colleagues. Are you aware of any other meetings during the  
7 last -- latter portion of February in which the topic was  
8 discussed between the Prime Minister's Officer and the  
9 Director of CSIS about foreign interference threats to  
10 Canada's democratic institutions?

11 **MR. JEREMY BROADHURST:** I would -- I'm not  
12 aware of, like, any formal meeting. I think there were a lot  
13 of conversations going on, but until this process, we were  
14 also unaware that people were bringing talking points for the  
15 meetings. And I think given their lack of use in the  
16 meetings, I think maybe the Director might have been unaware  
17 that people were producing talking points for these meetings.  
18 I just -- these are -- don't reflect any kind of  
19 conversations that we ever had with anybody on the  
20 intelligence side.

21 **MR. THOMAS JARMYN:** Fair point. But I guess  
22 my question is, were there any other scheduled meetings  
23 between the Prime Minister's Office and the Director of CSIS  
24 ---

25 **MR. JEREMY BROADHURST:** I don't think ---

26 **MR. THOMAS JARMYN:** --- to discuss this ---

27 **MR. JEREMY BROADHURST:** --- these were

28 provided ---

1                   **MR. THOMAS JARMYN:** --- particular topic ---

2                   **MR. JEREMY BROADHURST:** They were not going  
3 to be called ---

4                   **MS. KATHERINE TELFORD:** These were not going  
5 to be called in the Institutional Report ---

6                   **MR. JEREMY BROADHURST:** --- in the  
7 Institutional Report.

8                   **MS. KATHERINE TELFORD:** --- and that is  
9 faithful to our experience, ---

10                   **MR. JEREMY BROADHURST:** Yes.

11                   **MS. KATHERINE TELFORD:** --- what is listed  
12 there, including the caveat that there were many other  
13 conversations that were not set up as calendarized formal  
14 briefings.

15                   **MR. THOMAS JARMYN:** I appreciate that. Okay.  
16 Thank you.

17                   And so let's just scroll down a little  
18 further to the middle of page 2. And sorry -- yes, that's  
19 it.

20                   We see the discussion at that third bullet:

21                   "Reporting also suggests that, on at  
22                   least one occasion, the PRC [...]   
23                   transferred approximately \$250,000."

24                   And you see that?

25                   **MR. BRIAN CLOW:** Yes.

26                   **MR. THOMAS JARMYN:** And that is actually  
27 referenced in your notes; isn't it?

28                   **MR. BRIAN CLOW:** Yes.



1 by the PRC.”

2 And it's your evidence that was not passed on  
3 during this meeting?

4 **MR. BRIAN CLOW:** My recollection is that did  
5 not come up as a topic in that briefing.

6 **MR. THOMAS JARMYN:** And it's a fairly clear  
7 and unequivocal statement, such that if it had, it would  
8 likely have been recorded in your notes?

9 **MR. BRIAN CLOW:** If we had discussed it, I  
10 believe I would have made a note of it, yes.

11 **MR. THOMAS JARMYN:** And are any of your other  
12 colleagues aware of such an insertion during a briefing or  
13 meeting with the Director of CSIS during the last week of  
14 February?

15 **MS. KATHERINE TELFORD:** No, I would have  
16 recalled that.

17 **MR. JEREMY BROADHURST:** I was at the meeting  
18 with Brian and I don't believe it was discussed. And this  
19 would have stood out because this is not the language that  
20 CSIS generally uses when discusses this stuff.

21 **MR. THOMAS JARMYN:** And Mr. Travers, do you  
22 have any contrary knowledge?

23 **MR. PATRICK TRAVERS:** No, I don't.

24 **MR. THOMAS JARMYN:** Those are all my  
25 questions. Thank you, Commissioner.

26 **COMMISSIONER HOGUE:** Thank you.

27 So Human Rights Commission, you gave your  
28 time; no? You gave your time to ---

1 MS. SARAH TEICH: (Off Mic).

2 COMMISSIONER HOGUE: Oh, I was told that you  
3 paid five minutes.

4 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

5 MS. SARAH TEICH:

6 MS. SARAH TEICH: Good afternoon. Can we  
7 please pull up CAN 18012? Thank you.

8 --- EXHIBIT No./PIÈCE No. CAN 18012:

9 Handwritten Note of K. Telford

10 MS. SARAH TEICH: And Ms. Telford, these are  
11 your handwritten notes from a March 20<sup>th</sup> meeting? Is that  
12 right?

13 MS. KATHERINE TELFORD: Correct.

14 MS. SARAH TEICH: And I assume this is March  
15 20<sup>th</sup>, 2023?

16 MS. KATHERINE TELFORD: Yes.

17 MS. SARAH TEICH: So near the top, you write  
18 that there are two challenges:

19 "affect on [people] who can[not]  
20 defend themselves,  
21 overanalyzing/under-reporting."

22 Can you please explain what you mean by this?

23 MS. KATHERINE TELFORD: That was a  
24 conversation -- as you can tell, we would have these  
25 conversations which kind of also puts to bed the whole  
26 talking point issue. We would have these conversations and  
27 these briefings with senior officials on a regular basis as  
28 to sort of what was underlying or potential caveats were to

1 different pieces of intelligence that we were talking about.

2 Effect on people who can't defend themselves,  
3 I can't speak specifically on and I don't recall specifically  
4 what I was referring to there or who, but I did reference  
5 that much earlier in my testimony, how, you know, some of the  
6 time we hear -- particularly through security clearances and  
7 things, we will hear flags where the individual involved  
8 isn't in a position to be able to respond and so that can be  
9 a real challenge.

10 And then overanalyzing and under-reporting, I  
11 believe that was someone in the room kind of talking about  
12 some of the things that we were seeing at this time and how,  
13 when you don't have proper context, you can really end up  
14 with -- if you're just looking at one piece of intel without  
15 a whole lot of other context, that can lead to a problem. It  
16 can lead you down a wrong path.

17 And you know, one of the conversations we've  
18 had also going into some earlier testimony is that -- because  
19 it's related to these things, too, is that if you see an  
20 error or know of an error in intelligence, we've had  
21 conversations as it relates to this with the Director of CSIS  
22 and the NSIA about the importance of not correcting and  
23 changing the intel in any way even when you know it not to be  
24 true because of it speaks to -- it speaks to the source and  
25 it's actually important to understand, you know, it speaks to  
26 the corroboration and validation of the source and of that  
27 piece of intelligence, which is why when you have these  
28 pieces of intelligence coming out publicly on their own

1 without any of these caveats associated, it can paint a very  
2 different picture than the picture that is being seen  
3 otherwise.

4 **MS. SARAH TEICH:** All right. Thank you.

5 So am I correct in understanding the under-  
6 reporting, to the best of your recollection, that's about  
7 CSIS under-reporting or under-reporting in the news? Is it -  
8 - it's not about under-reporting of community members, like  
9 victims of foreign interference?

10 **MS. KATHERINE TELFORD:** No, I think that  
11 would have been more -- this would have all been associated  
12 to an intelligence discussion.

13 **MS. SARAH TEICH:** Okay. Thank you.

14 This is going to be for the panel at large.  
15 Anyone can feel free to jump in with an answer.

16 You testified in cross-examination with Ms.  
17 Young that the busing-in of voters can occur in the ordinary  
18 course of a nomination contest. And just to clarify, I'm  
19 asking only generally in this sense. It would not be in the  
20 ordinary course of a nomination contest, would it, for voters  
21 or potential voters to be pressured or intimidated to vote in  
22 a certain way?

23 **MR. JEREMY BROADHURST:** That would not at all  
24 be in the regular course of a nomination contest and we would  
25 take that incredibly seriously. We have tossed candidates  
26 out for allegations of bullying and intimidation.

27 **MS. SARAH TEICH:** So am I correct in  
28 assuming, then, that you did not receive intelligence about

1 voters or potential voters being coerced in the context of  
2 the Don Valley North nomination contest?

3 **MR. JEREMY BROADHURST:** Part of the theory  
4 that was put forward is that foreign students would be  
5 intimidated into doing the bidding of the PRC official given  
6 their vulnerable status as students who rely on student  
7 visas. We -- I am unaware of any specific case where  
8 somebody can say, "Here's an individual who was intimidated  
9 in that way".

10 The fact that foreign students voted in the  
11 nomination does not, I think, meet the criteria of saying  
12 therefore, they must have been intimidated to do so since we  
13 invite that kind of participation.

14 **MS. SARAH TEICH:** Right. No, and I  
15 appreciate you wouldn't know for sure, but I guess I'll  
16 rephrase my question.

17 Did you receive intelligence or reports of  
18 intelligence or allegations that there was potential coercion  
19 of voters?

20 **MR. JEREMY BROADHURST:** I have not seen any -  
21 - I have not -- the plan was put forward in the hypothetical  
22 that this is what would -- this is what somebody surmises is  
23 going to happen or was done. It did not have specific points  
24 along the way that said and then we know this bus went  
25 somewhere or we know something happened, so the overarching  
26 plan as sort of laid out involved getting students to do the  
27 bidding of the PRC official because they are vulnerable,  
28 whether that's through physical coercion or just, you know,

1 intimidation around the visa or whatever.

2 But we were not provided with the information  
3 that that actually happened. Just that there was  
4 intelligence reporting that the plan existed to do that.

5 **MS. SARAH TEICH:** Okay. So you did receive  
6 reporting that the plan existed.

7 **MR. JEREMY BROADHURST:** Correct.

8 **MS. SARAH TEICH:** Okay. Did you brief ---

9 **COMMISSIONER HOGUE:** Your time is over, so  
10 it's going to be your last question.

11 **MS. SARAH TEICH:** Okay. No problem.  
12 Did you brief the Prime Minister about that?

13 **MR. JEREMY BROADHURST:** That is what I  
14 briefed the Prime Minister.

15 **MS. SARAH TEICH:** All right. Thank you.

16 **COMMISSIONER HOGUE:** Thank you.

17 Attorney General.

18 **--- CROSS-EXAMINATION BY / CONTRE-INTERROGATOIRE PAR**

19 **MR. FREDERICK SCHUMANN:**

20 **MR. FREDERICK SCHUMANN:** Thank you, Madam  
21 Commissioner.

22 So my first question is primarily for Mr.  
23 Broadhurst, but I encourage others to contribute.

24 The Commission's heard evidence from Mr.  
25 Kenny Chiu and Mr. Erin O'Toole about the alleged impact of  
26 certain media articles in six to nine ridings in the 2021  
27 election. They asserted that the Conservative Party lost  
28 those ridings because of foreign interference.

1           Mr. Broadhurst, I believe you spoke already  
2 about the Conservative Party's position on China as a factor  
3 in the 2021 election, but can you please comment more broadly  
4 on Mr. Chiu and Mr. O'Toole's assertion first by addressing  
5 how the respective policy positions of the Liberal and  
6 Conservative Parties were being received in the Chinese  
7 Canadian community and in those specific ridings?

8           **MR. JEREMY BROADHURST:** Yes. As I mentioned  
9 before, it was observed by many both within the Chinese  
10 Canadian community and outside of it that the Conservative  
11 Party adopted a shift in its policies towards China in the  
12 run-up to the 2021 election campaign.

13           The Conservative Party, I don't think it's  
14 contentious to say, had for well over a decade been trying to  
15 make inroads within Chinese Canadian communities in ridings  
16 across the country and, in some cases, those efforts had  
17 resulted in some electoral success. What had changed in the  
18 rhetoric that was now being used under Mr. O'Toole's  
19 leadership was a shift from just a criticism of the Communist  
20 Party regime in Beijing to something that was sending up kind  
21 of a values fight that said -- you know, that people were  
22 interpreting as saying, you know, that Chinese values and  
23 Canadian values were somehow incompatible and that Canada  
24 needed to have sort of a moral based approach to China that  
25 sort of rejected the values that were coming out of China.

26           And so in a way, it was moving from a regime-  
27 based criticism to sort of a be fearful of China and its  
28 power writ large.

1           You know, that's a point of debate. I will  
2 acknowledge that. But that is the debate that was going on  
3 and it was turning off the Canadian Chinese community,  
4 particularly at a moment when the Chinese Canadian community  
5 was very vulnerable. We had instances -- anti-Asian hate  
6 crimes were at an all-time high at that point, largely around  
7 anger around COVID and misattribution of, you know,  
8 responsibility on that front.

9           You also had the Conservative Party -- there  
10 was a member of the Conservative Party, a Member of  
11 Parliament, who came out and questioned the loyalty and, you  
12 know, commitment to Canada of Dr. Theresa Tam, saying that  
13 she should go back to China, right. And the Conservative  
14 Party under Erin O'Toole refused to remove -- this was MP  
15 Derek Sloan -- from their caucus at that point.

16           This was all creating a bit of a toxic brew  
17 that -- all of these courtship that had been gone through for  
18 10 years was sort of getting thrown out the window. People  
19 were starting to see maybe what you really think of the  
20 community.

21           Again, point for debate, but that was at --  
22 we were hearing that at the doorstep, we were hearing that on  
23 the ground in the very ridings that Mr. O'Toole was talking  
24 about.

25           Part of the appeal that the Conservatives had  
26 traditionally done to that community was sort of a law-and-  
27 order based appeal. That was also undermined over the course  
28 of this campaign because what was the top law-and-order issue

1 was the issue of gun control.

2 Liberal Party was putting forward gun control  
3 plans. The Conservative Party was opposing them. There was  
4 very public video out there of Erin O'Toole making  
5 commitments to the pro-gun lobby, and so that felt, again,  
6 like almost a betrayal of the commitments that had been made  
7 to the community so that was also in the mix there.

8 You add in the fact that it was COVID time.  
9 Incumbents that, you know, had maybe come in in 2019 didn't  
10 get the chance to really sort of establish what you would  
11 sometimes think as the advantage of incumbency, right? There  
12 were no festivals and fairs and high school graduations and  
13 these things that an incumbent MP links into their community.

14 So in a riding like Richmond-Steveston East,  
15 it had been Liberal in 2015. Our candidate, or our sitting  
16 MP had some well-publicized ethical challenges in the lead-up  
17 to the 2019 campaign and he lost to Kenny Chiu. Kenny Chiu  
18 never really, I think, had the opportunity to sort of bond  
19 with the community that he now represented.

20 Add to that, across the board we saw an 8  
21 percent drop in voter participation between 2019 and 2021.  
22 In a riding like Richmond-Steveston East I think it was about  
23 5 or 6 percent. So you're already taking votes out of the  
24 system. You have a riding that was swinging back and forth,  
25 you had a party that was being perceived by the community,  
26 outside of whatever was happening on WeChat, but in  
27 mainstream media across Canada as having taken in a hardline  
28 position on China, and that was standing with the gun lobby

1       rather than scared citizens in urban centres.

2                       That, to me, is the simplest explanation of  
3 what happened in these ridings. And I think to sort of say  
4 the only thing that could explain it was some editorial  
5 content on WeChat that may or may not have been directed by  
6 PRC, I think it's just -- it just sort of ignores too much  
7 evidence at that time.

8                       **MR. FREDERICK SCHUMANN:** So my last question  
9 is to ask you specifically about predictive modelling, and  
10 the Commission heard from Mr. O'Toole that predictive  
11 modelling was one of the indicators of the impact of foreign  
12 interference in those six to nine ridings. And because the  
13 results in those ridings were different than what the model  
14 the Conservative party had used had predicted, therefore, the  
15 foreign interference had an impact, in his view.

16                      Do you have experience with modelling, and if  
17 so, can you comment on that assertion?

18                      **MR. JEREMY BROADHURST:** Sure. We've been --  
19 the Liberal Party has been using, you know, pretty  
20 sophisticated predictive modelling the last three election  
21 campaigns. But models are just made by people, right?  
22 You're taking thousand, millions of different pieces of data  
23 ranging from past election results, Stats Can information,  
24 historical trends, the results of door knocks and phone  
25 calls, and you're putting it into the sausage grinder and  
26 trying to predict how is this person going to vote? How is  
27 this person going to vote? And the weight you give to each  
28 of those pieces of information is a human choice along the

1 way.

2 We have found that tinkering with the numbers  
3 just a little bit produces widely different results. At one  
4 point we were in a campaign where we had three predictive  
5 models going to challenge each other to sort of see if we  
6 were getting it right.

7 You don't have models as to sort of a parlour  
8 game to guess who's going to win the election campaign.  
9 You're using them to help you make resource allocation  
10 decisions along the way. I can't imagine a model that would  
11 have -- based on what I just said previously, that would have  
12 told you that those eight or nine seats that Mr. O'Toole's  
13 talking about were in the safe category. If it is, you  
14 should be questioning your model at that point.

15 But I can tell you what we were looking at  
16 and we were saying that they were hotly competitive races.  
17 So what do you do? You start making decisions about how  
18 you're going to deploy staff into those ridings; you start  
19 making decisions about upping your digital advertising in  
20 those ridings; you start making decisions about maybe I'll  
21 send a Minister into that riding to boost things, or maybe  
22 even the Prime Minister will go to those ridings. And you  
23 can do that literally up to the last hour of the campaign.  
24 Especially now with digital advertising.

25 And so it's not a static thing that comes  
26 through. And what your model's not going to get is what your  
27 opponent's doing in those last few days of a campaign. So  
28 you fight to the end, and then people cast votes for whatever

1 reason that they cast votes, and you see what, the model can  
2 only just help you decide where am I going to put finite  
3 resources.

4 And I think to sort of sit back and say,  
5 "Wow, the model told us that we were -- we should -- those  
6 were comfortable wins for us, and we lost them all"; the only  
7 explanation is there's a problem in the riding. I think  
8 that's just sounds like an excuse to me. It sounds like,  
9 yeah, you've done something wrong with your model, or your  
10 people just weren't observing what was happening on the  
11 ground. We knew those were close fights; we put the  
12 resources into win them, and we won them.

13 **MS. NATALIA RODRIGUEZ:** Madam Commissioner,  
14 sorry; I realize it is late in the day, but I would just ask  
15 that if the witnesses can just speak a little bit slower for  
16 the interpreters.

17 Thank you.

18 **MR. FREDERICK SCHUMANN:** Those were my only  
19 questions.

20 Thank you.

21 **COMMISSIONER HOGUE:** Than you.

22 Maître Chaudhury, any re-examination?

23 **MS. SHANTONA CHAUDHURY:** None.

24 **COMMISSIONER HOGUE:** No. Thank you all.

25 As I said we...

26 You're free to go.

27 **(WITNESSES WITHDRAW/ LES TÉMOINS SONT RETRAITS)**

28 **COMMISSIONER HOGUE:** As I said, we'll -- I

1 will hear your representation on the request that have been  
2 made this morning with respect to calling back Mr. Vigneault.

3 So we'll take five- to 10-minutes break, just  
4 for you to organize you will present the request. I suggest  
5 that you try to identify a few of you that will make the  
6 representation, although I cannot make the choice for you.  
7 But just for avoiding repeating.

8 It's already quarter to 6:00, so if we want,  
9 at the end, to have time to react if I decide to call back  
10 Mr. Vigneault, then I think it's better not to finish at  
11 7:00.

12 **THE REGISTRAR:** Order, please. À l'ordre,  
13 s'il vous plaît.

14 This hearing is now in recess for five  
15 minutes. La séance est en pause jusqu'à cinq minutes.

16 --- Upon recessing at 5:43 p.m./

17 --- La séance est suspendue à 17 h 43

18 --- Upon resuming at 5:52 p.m./

19 --- La séance est reprise à 17 h 52

20 **THE REGISTRAR:** Order please. À l'ordre, s'il  
21 vous plaît.

22 This sitting of the Foreign Interference  
23 Commission is back in session. Cette séance de la Commission  
24 sur l'ingérence étrangère a repris.

25 **COMMISSIONER HOGUE:** So who will present the  
26 request?

27 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. SARAH TEICH :**

28 **MS. SARAH TEICH:** Hi, Madam Commissioner.

1 We've actually split it in two. I'm just going to open it  
2 and then Tom is going to handle the bulk of the submissions.

3 **COMMISSIONER HOGUE:** Okay.

4 **MS. SARAH TEICH:** Essentially I just want to  
5 start off by, you know, framing this as this is essentially a  
6 request for reconsideration of Human Rights Coalition's  
7 motion yesterday.

8 And just to give a bit of a history, we  
9 requested after we received the CSIS documents after the  
10 conclusion of CSIS witness' testimony and SITE Taskforce  
11 testimonies, we requested that these witnesses be recalled so  
12 that we can cross-examine them on these new documents. We  
13 raised concerns right after the decision to allow written  
14 questions that this wouldn't provide the opportunity to ask  
15 follow-up questions like a cross-examination would.

16 And what's come out in direct examination  
17 today is essentially that these documents were not in fact  
18 briefings, they were notes.

19 And with respect to CAN 4495, CAN 4079\_R01,  
20 and CAN 15842, the parties need to understand what -- first  
21 of all, what is the nature of these documents. Are these  
22 briefings? Were these notes? What in fact -- what is CSIS'  
23 testimony in terms of what was told to the Prime Minister's  
24 Office? If he did not share the information contained in  
25 these briefings, presumably notes, why not? Who wrote them?  
26 At whose direction? There are many unanswered questions and  
27 these all will likely involve follow-up questions as well.  
28 So the importance of cross-examination has become

1 increasingly clear today.

2 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. THOMAS JARMYN:**

3 **MR. THOMAS JARMYN:** Yes, Commissioner, it's  
4 Tom Jarmyn.

5 The difficulty is illustrated very clearly in  
6 CAN 4495. And it's also true with respect to CAN 15842.

7 Both those documents in the database are  
8 identified as "Briefings to the PM." They're not identified  
9 as talking points and nowhere in the document does it  
10 actually say they're talking points. They are briefing  
11 notes.

12 And today we heard for the first time that in  
13 fact they're talking points. We heard that from Madam  
14 Charette.

15 Now, I'm assuming that she was a better  
16 understanding of how these things are framed maybe than I do,  
17 but that's -- her conclusion is consistent with what the  
18 evidence of Mr. Clow was today, and consistent in this  
19 regard, because there's a significant disagreement between  
20 CAN 4495 and what took place during that actual meeting.

21 CAN 4495 has very explicit statements with  
22 respect to what happened in the 2021 Election regarding  
23 foreign direct interference. It actually has the analysis  
24 and the reasoning that led to the conclusion.

25 And as my colleague, Mr. Choudhry, pointed  
26 out, there is some very clear statements of recommendation  
27 that are included there. But again, none of that is covered  
28 in the notes that Mr. Clow gave. And his evidence, and the

1 evidence of his colleagues is very clear, and I take it at  
2 face value, they would have remembered if something as clear  
3 as this had been given.

4 So the point is, is that what are these  
5 things? And if the Service is actually of a view that these  
6 -- the CSE's assessment of the facts that occurred, why  
7 wasn't it presented? So we need to lockdown the Service's  
8 position one way or the other, determine how they were  
9 presented, and then if Mr. Vigneault is going to disavow  
10 these comments, understand why he's going to disavow them and  
11 understand what his actual view actually is.

12 And the difficulty with this is, written  
13 questions are not going to allow that sequence of events to  
14 occur.

15 **COMMISSIONER HOGUE:** Yes?

16 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. SUJIT CHOUDHRY :**

17 **MR. SUJIT CHOUDHRY:** Commissioner, I just  
18 want to give two quick points. The first is that I think  
19 that the benefit of having Director Vigneault come back in a  
20 structured way is that it would enable the Commission to  
21 answer some questions that are core to this part of its  
22 mandate. The first is whether there was a -- whether CSIS  
23 was of the view that there was interference in the 44<sup>th</sup>  
24 General Election, and the second is the issue of information  
25 flow.

26 So let's say that there was the view  
27 developed within the Service that there was interference, but  
28 somehow that information didn't make it to the Privy Council

1 Office or the Prime Minister's Office. Then the question  
2 would be why?

3 And I think answering both of those questions  
4 would be important for your May report. And so having the  
5 Director come back to allow us to ask him questions directed  
6 at those two components of your terms of reference in  
7 relation to these three documents is proportionate and we  
8 think would be appropriate in the context.

9 The other point we might suggest, you know,  
10 Madam Commissioner, and this is up to you and your team to  
11 consider, but you know, there has been some discussion among  
12 counsel about Minister Blair's testimony and whether it is  
13 perhaps best -- in the circumstances, Minister Blair might  
14 have considerable evidence to provide a relevance for, let's  
15 say, the hearings in the fall.

16 It might be -- and given what we've heard  
17 from Deputy Minister Stewart about public service -- about  
18 Public Safety's role in this kind of cluster of institutions,  
19 it might be that Minister Blair's evidence isn't as important  
20 for this round as it is for the fall, and perhaps that time  
21 could be used to recall Director Vigneault and Minister  
22 Blair's witness summary -- interview summary and summary of  
23 *in-camera* evidence could be put in by way of affidavit. As a  
24 suggestion.

25 **COMMISSIONER HOGUE:** Thank you. Any other  
26 representations? I'll go to AG after.

27 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. GIB van ERT :**

28 **MR. GIB van ERT:** It's Gib Van Ert for

1 Michael Chong, just briefly, to say that another point to  
2 consider, in my submission, is I think it was Mr. Clow today  
3 who expressed concerns about how these briefing notes have  
4 been covered in the media since they came to light. I  
5 understood him to say that he was concerned about that  
6 because he didn't think that they represented what the PMO  
7 and the PM had been told.

8 So again, if there is that discrepancy,  
9 having the Director back will give an opportunity to pursue  
10 that, and if there's a need to correct the record on that  
11 point, that can be done.

12 So otherwise, I would just say that I  
13 associate myself with my learned friends' submissions.

14 **COMMISSIONER HOGUE:** Me De Luca?

15 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. NANDO de LUCA :**

16 **MR. NANDO de LUCA:** Madam Commissioner, just  
17 to state for the Conservative Party of Canada, we support the  
18 request to recall Mr. Vigneault, even taking into account,  
19 and I heard your comments yesterday, that it just doesn't  
20 happen at the flip of a switch. I would suspect that there  
21 are ways that it can be accommodated, especially given that  
22 my assumption is, I'm not going to speak for my friends, but  
23 it would -- the updated or the supplementary questioning  
24 would be relatively narrow in scope. We're not talking about  
25 a whole day.

26 I'll just leave it at that.

27 **COMMISSIONER HOGUE:** Thank you.

28 What is your position?

1 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. BARNEY BRUCKER :

2 **MR. BARNEY BRUCKER:** We've heard from  
3 everyone now. Simply put, the position is that this can be  
4 dealt with in written questions. I'll elaborate on that.

5 First of all, I'm not sure, after having  
6 heard my friends, what the motion is. There are procedural  
7 rules, as we know, governing applications from Rule 63 to 68,  
8 contemplate some sort of materials. So I'm not sure if  
9 there's an application to recall people from SITE or to  
10 recall the Director. I -- am I right to understand it is to  
11 recall the Director? Are we talking ---

12 **COMMISSIONER HOGUE:** This is the -- this is  
13 my understanding. It's a ---

14 **MR. BARNEY BRUCKER:** Okay.

15 **COMMISSIONER HOGUE:** It's a motion to recall  
16 the Director ---

17 **MR. BARNEY BRUCKER:** All right.

18 **COMMISSIONER HOGUE:** --- to testify live.

19 **MR. BARNEY BRUCKER:** Okay. So I understand,  
20 and yesterday at the opening of the Commission we heard from  
21 Mr. van Ert and from Mr. Jarmyn, and from Human Rights  
22 Coalition, and I understand, and I hope I'm understanding  
23 correctly, that there are three documents in issue,  
24 CAN 004495, CAN 004079-RO1, and CAN 015842.

25 I have no idea, and neither does my client,  
26 as to the scope of the re-attendance that might be  
27 contemplated. It would be nice if we had that spelled out in  
28 the event that you'll see fit to request that Mr. Vigneault

1 re-attend. I would point out that these particular  
2 documents, and many, many others, were provided to the  
3 Commission in unredacted form and form part of the *in-camera*  
4 record of the Commission. And so -- they and a considerable  
5 body of others.

6           So one of the questions my friend, Mr. van  
7 Ert, asked yesterday was, has the Commission had the  
8 opportunity Government of Canada witnesses and CSIS witnesses  
9 on these documents in *in-camera* setting? And the answer to  
10 that is yes. And has the Commission had the opportunity to  
11 raise these in those settings? And the answer to -- and they  
12 may or may not have done that because it was a while ago now,  
13 and I can't remember everything. But the answer to that  
14 question is yes, there was that opportunity.

15           Now, I understand that one of the points is  
16 that other witnesses -- and your remarks yesterday morning,  
17 Madam Commissioner, as I understood them, were that you would  
18 be interested to see if these documents came up and were put  
19 to any other witnesses, and I understand that has happened  
20 and there have been answers to varying degrees. But that's  
21 not unusual. That's happened with lots of witnesses with  
22 lots of other documents.

23           So if there is -- if you are contemplating  
24 ordering the attendance, I would like to know, and I think we  
25 should all know the conditions under which that would be --  
26 how long is that going to be for? We had 75 minutes for the  
27 executive panel and 30 minutes for the regional panel,  
28 together with also at the same for cross-examination on a

1 great body of information. And here, we're talking, I  
2 understand, mainly about three documents.

3           So what kind of an attendance is  
4 contemplated? Who is going to lead evidence? Is the  
5 Commission going to present or allow the witness to present  
6 his understanding of this? If not, then I would submit that  
7 if you are going to order a re-attendance that counsel for  
8 the Attorney General fill that role. Parties can then cross-  
9 examine and the Attorney General could re-examine, and that  
10 there be a timeline affixed to that process, and that the  
11 *O'Connor Rules* that we have been following up until now,  
12 which would provide for equal time for both sides, be  
13 followed.

14           I can tell you that the Director is very  
15 unlikely to be able to appear tomorrow. But if you are to  
16 order his re-attendance, request his re-attendance, because I  
17 think he would honour that request, you would not need to  
18 order it, that could be done Friday. And I understand that  
19 this space probably isn't booked on Friday, but we have had  
20 participation of all parties and counsel through video link,  
21 and that could be accommodated should you see fit to order  
22 it.

23           In fairness to the Director, he would need  
24 some time to prepare for this. Last night, he testified in  
25 Parliament, today he is with NSIRA, and he needs some time to  
26 acclimatise himself of these things.

27           But before we go there, just let me take a  
28 couple of minutes, if you will, and look at these specific

1 documents. All of them, at least three at least that have  
2 been mentioned, are dated in 2022 or 2023.

3 One of them, 015842, indicates it's a  
4 briefing to the Prime Minister, who I understand will be here  
5 tomorrow and might be able to talk about this.  
6 CAN 004079\_RO1 doesn't appear to have much of anything in it  
7 that I can see that hasn't already been the subject of  
8 testimony, not only by CSIS, but by lots of witnesses. And  
9 the most interesting document that my friend, Mr. van Ert,  
10 referred to as "extraordinary" is dated February 21st, 2023,  
11 indicating it's a briefing, or the subject of it is a  
12 briefing to the PM's Office on foreign interference threats  
13 to Canada's democratic institutions.

14 And I understand the PCO Institutional Report  
15 indicates a briefing of that nature took place on  
16 February 23rd, 2023, so two days later, so presumably this  
17 document would relate to that briefing which we have had --  
18 we have heard about.

19 And so if I go through this document, and I'm  
20 sorry to belabour the point, but I'm here so I may as well  
21 give it a try. If you look at the second page of this  
22 document, under 004495, it indicates that -- at the top it  
23 deals with assertions in media reporting. And it appears, I  
24 think it's reasonable to conclude that it appears to be a  
25 regurgitation of a comment that might appear in the media  
26 with some redacted analysis underneath. That's for a good  
27 part of the document. It's not for all of the document.

28 If we get down to the bottom of page 3 and

1 then over onto the rest of the document, we see Briefings and  
2 Products as a heading, and if I go through, I won't go  
3 through all of these, but:

4 "PRC foreign interference, and in  
5 democratic institutions  
6 specifically..."

7 This is the bottom of page 3:

8 "...briefed and discussed broadly  
9 across the Government of Canada since  
10 2018."

11 I don't know how many times we've heard that  
12 from a variety of witnesses.

13 Top of page 4:

14 "Between June 2018 and December 2022,  
15 CSIS provided 34 briefings to either  
16 [redacted]...Cabinet  
17 Ministers...other senior officials on  
18 foreign interference, including in  
19 the 2019 and 2021 elections."

20 If you look at the institutional reports of  
21 CSIS and of PCO, all of those briefings are set out in  
22 tables.

23 I won't read all of these things:

24 "Multiple additional Fl briefings on  
25 the 2019 election...provided to  
26 Elections Canada, the Chief Electoral  
27 Officer, and the Office of the  
28 Commissioner of Canada Elections."

1 I'm not sure how many times I heard about  
2 that. We heard about it from the Office of the Commissioner  
3 of Canada Elections, from the Chief Electoral Office, and we  
4 heard it from other witnesses.

5 I could go on, but I won't, except to  
6 indicate to you -- well, maybe I will go on, but just a bit.

7 On page 5, the second bullet:

8 "In February 2021, I briefed the  
9 Prime Minister on PRC-linked  
10 individuals interfering with the 2019  
11 Liberal nomination in Don Valley  
12 North."

13 There is some Cabinet confidence redactions.  
14 One would think that that might come up when the Prime  
15 Minister is here tomorrow, but I guess I'll reserve judgement  
16 on that.

17 Next bullet:

18 "CSIS has also spoken publicly about  
19 foreign interference threats in  
20 general and to democratic  
21 institutions, as well as those  
22 emanating from the PRC."

23  
24 "...prioritized outreach and  
25 engagement with communities..."

26 How many times did the Director talk about  
27 that?

28 And then the conclusion, which are

1 boilerplate things about "we need to do better", "here's what  
2 we should do." Nothing controversial about that. We've  
3 spoken about it many times.

4 So my submission at the end of the day on  
5 this is that the questions that my friends have raised,  
6 specifically about whose notes are these and were they  
7 presented, can easily be answered in written form. The  
8 government officials, particularly the Service, have been  
9 extremely accommodating in an effort to be transparent and  
10 have assisted the Commission throughout, and in my submission  
11 by doing by written examination with a very short turnaround  
12 is fair to everybody. We'll give people what they need and  
13 we'll provide some accommodation to the witnesses.

14 If you don't accept those submissions, as I  
15 say, my submission to you, Commissioner, is that we have a  
16 session on Friday at sometime at a time to be arranged  
17 convenient to everybody, scoped out to what exactly it is  
18 with equal time and some information as to who's going to  
19 lead the evidence.

20 Subject to all your questions, those are my  
21 submissions.

22 **COMMISSIONER HOGUE:** Thank you.

23 Any comments?

24 **MR. GIB van ERT:** If I may, Commissioner --  
25 oh, pardon me. I'll defer to Commission Counsel first.

26 **MS. ERIN DANN:** Thank you. No comments from  
27 Commission counsel.

28 **COMMISSIONER HOGUE:** And for the parties, do

1 you have anything to reply?

2 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. GIB van ERT :**

3 **MR. GIB van ERT:** If I may just say I believe  
4 I called the document remarkable, rather than extraordinary.  
5 Let's get that clear.

6 And of course, we haven't conferred, but for  
7 my part, I have no concerns about Commission counsel leading  
8 the evidence. That seems -- let's just do it the way we have  
9 been doing it, I suppose is what I would say.

10 And I have no concerns at all about Mr.  
11 Brucker's proposal that it be done on Friday to accommodate  
12 the witness.

13 **COMMISSIONER HOGUE:** Through -- on video?

14 **MR. GIB van ERT:** If need be, I see no  
15 objection to that. Speaking, again, just for myself.

16 **MS. SARAH TEICH:** For us as well, no  
17 objections to those proposals.

18 **COMMISSIONER HOGUE:** Is there any objection  
19 to this proposal if I decide to go this way?

20 Okay. Stay around for a few minutes and I'll  
21 come back.

22 **THE REGISTRAR:** Order, please.

23 The session will be in recess for five  
24 minutes.

25 Cette audience sera en pause pour cinq  
26 minutes.

27 --- Upon recessing at 6:12 p.m./

28 --- La séance est suspendue à 18 h 12

1 --- Upon resuming at 6:35 p.m./

2 --- La séance est reprise à 18h35

3 **THE REGISTRAR:** Order please. À l'ordre,  
4 s'il vous plait.

5 This sitting of the Foreign Interference  
6 Commission is back in session. Cette séance de la Commission  
7 sur l'ingérence étrangère a reprise.

8 **COMMISSIONER HOGUE:** Okay. I will recall  
9 Mr. Vigneault. It will be on Friday morning on video, and  
10 it's -- the evidence will be led by the Commission, and  
11 the Commission and the AG will share 15 minutes in total, and  
12 the parties will have to share 30 minutes in total. And I do  
13 insist for receiving your plan in advance as to how you are  
14 planning to share the time, and my reasons for this decision  
15 will be rendered in the next coming days.

16 So there is many technical issues that we  
17 have to resolve, but it seems to be possible. So if for any  
18 reason we realise that it's not possible, we will let you  
19 know and we'll find another solution, but it seems to be  
20 feasible.

21 **MR. BARNEY BRUCKER:** Thank you, Commissioner.  
22 One question with respect to sharing the time. Are you  
23 speaking of sharing the time of all parties or the Commission  
24 and the Attorney General?

25 **COMMISSIONER HOGUE:** All parties would have  
26 to share the 30 minutes that they have, and you and the  
27 Commission will share 15 minutes.

28 **MR. BARNEY BRUCKER:** But you asked for a

1 plan. And is the plan between ---

2 **COMMISSIONER HOGUE:** Oh, you mean for the  
3 plan. Oh, I think it's okay. We are not planning to use  
4 many of the 15 minutes.

5 **MS. ERIN DANN:** And Commissioner, I'm not  
6 sure if you indicated, but we believe we'll be starting at  
7 10:00 ---

8 **COMMISSIONER HOGUE:** Oh, sorry. Yes.

9 **MS. ERIN DANN:** --- on Friday?

10 **COMMISSIONER HOGUE:** On Friday, 10:00 a.m.,  
11 and it's going to be on video so there's going to be no one  
12 in this room. We don't have the room after tomorrow night,  
13 so make sure to have a good connection and we'll take it from  
14 there.

15 **MS. SARAH TEICH:** Madam Commissioner, sorry,  
16 I just have one question. Currently, closing submissions are  
17 due April 15th.

18 **COMMISSIONER HOGUE:** They will be due on  
19 April 15th.

20 **MS. SARAH TEICH:** All right.

21 **COMMISSIONER HOGUE:** Because we are running  
22 into -- the time constraints are such that it wouldn't be  
23 possible to postpone it. And I think honestly the piece of  
24 information probably won't be easy to insert into your  
25 submissions.

26 It's fine?

27 **MR. BARNEY BRUCKER:** Thank you.

28 **COMMISSIONER HOGUE:** Thank you.

1                   **THE REGISTRAR:** Order, please. À ordre, s'il  
2 vous plaît.

3                   This sitting of the Foreign Interference  
4 Commission has adjourned until tomorrow at 9:30 a.m. Cette  
5 séance de la Commission sur l'ingérence étrangère levée  
6 jusqu'à demain à 9h30.

7 --- Upon adjourning at 6:38 p.m.

8  
9                   **C E R T I F I C A T I O N**

10  
11 I, Sandrine Marineau-Lupien, a certified court reporter,  
12 hereby certify the foregoing pages to be an accurate  
13 transcription of my notes/records to the best of my skill and  
14 ability, and I so swear.

15  
16 Je, Sandrine Marineau-Lupien, une sténographe officielle,  
17 certifie que les pages ci-hautes sont une transcription  
18 conforme de mes notes/enregistrements au meilleur de mes  
19 capacités, et je le jure.

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22 Sandrine Marineau-Lupien  
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