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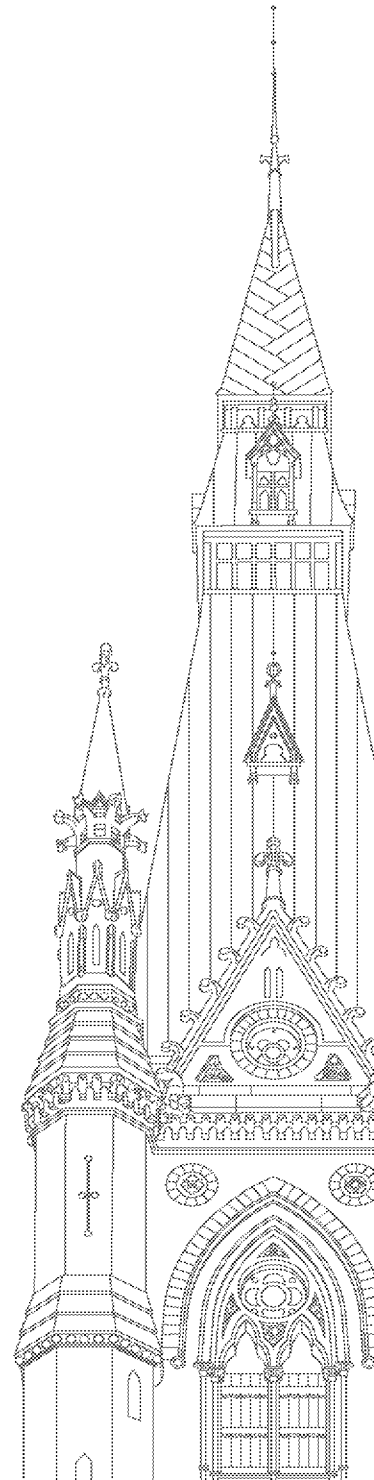
Standing Committee on Procedure and House Affairs

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Thursday, October 26, 2023

Chair: The Honourable Bardish Chagger



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• (1110)

[English]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning, everyone.

I call the meeting to order.

Welcome to meeting number 91 of the Standing Committee on Procedure and House Affairs. The committee is meeting today to study the question of privilege related to the member for Wellington—Halton Hills and other members.

I've already spoken about the earpieces. Please don't keep them near the mike in case of a feedback loop.

We are amongst colleagues here. I don't think comments have to be addressed through the chair. As colleagues know very well, if at any time I need to intervene, I will. I know that the honourable member who is here with us today, whose absence we notice in the House, is more than capable of handling this format. He remembers it well.

The clerk and I will maintain a consolidated speaking list.

I would just be mindful that, yes, the motion that was presented asked for the honourable member—and I want to keep referring to you as the honourable member because that's what you are to me—to be here for two hours. If we can expedite that time, it would be preferred by the witness today, but he supports the will of the committee. If you'd like him here for two hours, he will be here for two hours. Maybe we could try to aim for the six-minute round and the five, five, two and a half, five, five, and then we can go on our way. That's also a really good option. I'll leave it to members. Let me know what you think.

With that, appearing today as an individual, we have the Honourable Erin O'Toole, president, ADIT North America.

Mr. O'Toole, you'll have up to 10 minutes for your opening comments. If there's any time left over, please pass it back to me.

As you know, speak slowly for the interpreters. There is ample time.

We're really appreciative of your being here with us today. Welcome to Procedure and House Affairs.

Hon. Erin O'Toole (President, ADIT North America, As an Individual): Thank you very much, Madam Chair. It's nice to see you and nice to see all of you as former colleagues.

I am appearing today as a private citizen in your study on the intimidation campaign orchestrated by the Communist Party of China against the Honourable Michael Chong and other members of Parliament, but my testimony will be based on my experience from my time as the leader of the Conservative Party, as shadow minister for foreign affairs and, for a little more than a decade, as member of Parliament for Durham.

Like MPs Chong and Jenny Kwan, I was briefed by CSIS on some of the intelligence related to interference against me before I retired as a member of Parliament a few months ago. My comments today will build upon my privilege motion from May 30, 2023. I would invite the committee to review that speech and my submissions for the purposes of your study.

[Translation]

Dear friends, I am honoured to be with you a few months after giving my last speech in the House of Commons.

The issue of Chinese interference in our democracy is an important one, and I'm glad you're studying it. I am also pleased that Justice Hogue will independently conduct a public inquiry into this matter.

Foreign interference in our country is a very important issue. It has to be more important than partisan politics. I will be critical in some of my comments today, but the fact remains that I have always tried to address this issue in a serious and non-partisan way.

[English]

I would like to start my remarks with a note of condolences to the family of the Honourable Ian Shugart, who passed away yesterday: a senator, a former Clerk of the Privy Council, an exemplary civil servant and a friend to many of us.

The words from his maiden speech a few months ago serve as a reminder to us on the virtue of restraint, particularly on issues of national importance such as this. He said this:

Canada is a big, diverse country—geographically, socially, culturally, economically and philosophically. For each of us, for parties and for institutions, restraint may begin with acknowledging that our point of view—legitimate as it is—is not the only point of view.

My point of view today, Madam Chair, is that we must acknowledge that we've not been doing enough to safeguard our democracy and to react to the issue of foreign interference in our politics and our public institutions. We are a diverse country, and we cherish the liberties that thousands of Canadians fought and died for. We must also realize that these same positive aspects of our country—our diversity and these incredible freedoms—can be turned against us in this age of unprecedented disruption, misinformation and geopolitical realignment.

As a country, we must realize that Canada has been like the frog in a pot of boiling water. Multiple governments of both stripes ignored our intelligence agencies, who've been warning about the heat in the water from China. These warnings were ignored repeatedly until things came to a boil over the last few years with what we could call “the three Michaels”: Kovrig, Spavor, and Chong. The country longed for the release of the two Michaels from prison in China, and the country was deeply shocked by the news about known risks to the family of Michael Chong. I think the country has been waking up to the heat in the last few years.

Ironically, I'm appearing before you just days after CSIS director David Vigneault appeared on *60 Minutes* in the United States alongside his Five Eyes intelligence colleagues. For senior intelligence figures, this was an unprecedented public display of shared concern and shared cause from a group wholly unaccustomed to doing major media interviews.

If our intelligence agencies are now openly warning the public about some of the risks with respect to China, each one of you as parliamentarians has a duty to heed their warnings and make the changes and investments needed to safeguard our country, its people and our interests.

[Translation]

In my first year as a member of Parliament, I spoke about China for the first time in a debate on counterfeit goods. I had worked on this issue as a lawyer, and China was almost always the source of the problem. A year later, I was Parliamentary Secretary to the Minister of International Trade, and my mission was to defend the Foreign Investment Promotion and Protection Agreement with China, the famous FIPA. It was a challenge for me, because all political parties knew that there were risks with China—I knew that as well—but economic relations with China were a priority.

[English]

China has always been a challenge for Liberal and Conservative governments alike because the economic opportunities were so important, and that meant there would be a risk that some of the conduct of China at home and abroad might be ignored. I always spoke about this challenge and the balance we needed with China, and the need for a bipartisan approach to it, including in 2019, when I brought forward the motion to create the special committee on Canada-China relations.

This motion was the result of many years of questions about the handling of this relationship by Prime Minister Trudeau. The approval of sensitive takeovers of Canadian companies, like ITF to O-Net Communications, or Norsat to the Chinese-controlled firm Hytera, or, more recently, the Neo Lithium transaction involving

critical minerals: All of these approvals raised questions from our closest allies, particularly in the United States.

At the same time as the green-lighting of these deals, we had the government flirt with the idea of an extradition treaty with China at the same time we saw mounting risks in the South China Sea and a prolonged attack on religious and ethnic minorities in China like the Uyghurs. With my 2019 motion, I was advocating for a pause and a chance to reset our interests and values with respect to our relationship with China. I also moved the motion for the Canada-China committee on the first anniversary of the illegal detention of the two Michaels. We tried as an opposition to approach the issue carefully, given their situation, but their detention also underscored the need for a major realignment in our approach to China.

• (1115)

[Translation]

I am proud of the work done by the Special Committee on the Canada–People's Republic of China Relationship.

China remains an important trading partner for Canada, and we must continue to seek the right balance. Many years ago, I said that relations with China would be a challenge for the next generation in matters of foreign affairs. That's why we need to grow as a country and take risks seriously.

[English]

Madam Justice Hogue began her mandate as commissioner of the inquiry into foreign interference just on September 18. The work of this committee and the work of the special committee on Canada-China relations can serve as a touchstone for her in this inquiry. I invite Justice Hogue to follow these events closely and not have her review limited in any way, or curated in an outcome-driven manner, as was the case with the Right Honourable David Johnston.

In my privilege motion, I referenced my briefing from CSIS in a very careful manner to ensure that intelligence aspects could be safeguarded. The service had identified four types of threats involving me, which I described as “categories” of threats. The first category was foreign funding, to undermine the prospects of me and the party I was leading. The second was the use of people on the ground in Canada through the United Front Work Department. The third category related to the use of foreign-controlled and -directed social media messaging to spread disinformation to voting Canadians by using foreign-language channels like WeChat. The final category raised to me involved evidence of voter suppression efforts by China in one constituency in Canada.

I was very careful in my speech in June to not disclose elements that would undermine our intelligence-gathering efforts, so I will not discuss any of these issues in any further detail today. I think these examples of interference on their own show the seriousness of the problem. I also think, from my own perspective, that they're likely the tip of the iceberg. Intelligence resources are strained in Canada and collection is difficult. I believe the examples involving several members of Parliament suggest there is a much greater problem than we are able to verify.

In my final minutes, I will place on the record just three questions that I hope Justice Hogue is seized with in her inquiry on foreign interference and that I hope the members of this committee push for answers on in the weeks and months ahead.

Foreign interference can be defined as “an attempt by agents of a foreign state to influence the opinion, views, and decisions of Canadians with the aim to obtaining a political, policy, or economic advantage”. Friends, this is not my definition. It's the definition given to the public safety committee of Parliament in 2010 by Dick Fadden, who was then the director of the Canadian Security and Intelligence Service. Mr. Fadden defined foreign interference to Parliament because he was called on the carpet following a media report of a speech he gave in Toronto, when he revealed that CSIS had concerns about Chinese influence on two elected officials in Canada. This was 2009 and 2010. Mr. Fadden acknowledged that the Ontario provincial government was briefed on the issue with respect to one of their ministers that year.

My first question is this: If CSIS had flagged concerns about a senior Liberal Party elected official for review in 2010, why did it take Minister Blair four months to authorize a CSIS warrant for this same person in 2021?

Second, it is on the public record that the Conservative Party raised serious questions about interference both during and after the 2021 federal election. Why did the person selected by the Prime Minister and the Privy Council Office to perform an assessment on the critical election incident protocol, Mr. Morris Rosenberg, not interview the Conservative leader or my campaign chair, who was my designated and security-cleared representative?

I'll move on to my third and final question. At the start of the 2021 federal election, the panel of five senior officials under the critical election protocol briefed the representatives of the political parties. The parties were informed that there were no serious issues of foreign interference to flag as the campaign got under way, and no significant issues of interference from the previous election in 2019. Because of good reporting and leaks of information, we now know about intelligence reports involving clandestine funding by China in the 2019 election. We know about multiple intelligence briefings to the Prime Minister in 2021. We know about the threat assessment involving a Chinese embassy official and the family of Michael Chong just before the 2021 election. We now know that other MPs were targeted and that NSICOP had reported it in 2019.

With all this in mind, who made the decision to say that there was no significant cause for concern in the 2021 election?

[*Translation*]

Dear friends, we must learn from the errors of the past. That is why I am here today.

Thank you.

• (1120)

[*English*]

The Chair: Thank you, Mr. O'Toole.

For the record, I will just note that your comments came in at 12 minutes and 55 seconds. I think it demonstrates the importance of this file and the generosity of wanting to hear what you have to say. What happened on one end then impacts the other, and we're all here to work together. It's something that impacts members in the House. We appreciate your opening comments.

With that, we will go into six-minute rounds, starting with Mr. Cooper followed by Madame Romanado, Madame Gaudreau and then Ms. Blaney.

Mr. Cooper, you have six minutes.

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

Thank you, Mr. O'Toole.

Mr. O'Toole, when you appeared in the House to raise a question of privilege on May 30, you stated that, based upon the briefing you received from CSIS days earlier, you were the target, as a member of Parliament and as the leader of the Conservative Party of Canada, of “a sophisticated misinformation and voter suppression campaign orchestrated by the People's Republic of China before and during the 2021 general election.” I respect that you're not able to elaborate on the particulars of that briefing beyond the four categories you identified.

Nonetheless, this information on your being a target of Beijing was documented and reported to officials within this government as early as July 20, 2021, including the Prime Minister's department, the PCO, which received that memo. Yet, for nearly two years, you were kept in the dark that you were a target of Beijing, and continue to be a target of Beijing. Despite this, no one in this government has taken responsibility for that failure.

First of all, would you agree that it was a failure, a breakdown in the machinery of government, that you were not briefed, that MP Kwan wasn't briefed and that Michael Chong wasn't briefed? Would you agree that was a breakdown in the machinery of government?

• (1125)

Hon. Erin O'Toole: I would, Mr. Cooper. It would be an example of one of the largest breakdowns of accountability with respect to sensitive intelligence and members of Parliament that I'm aware of.

Mr. Michael Cooper: Do you believe that the Prime Minister needs to accept responsibility for that failure?

Hon. Erin O'Toole: I would like to see some more responsibility.

I tried in my remarks today to show how multiple governments, both Liberal and Conservative, have struggled with the right balance with respect to China. I do believe that after 2017 and the 19th people's congress and the more aggressive style of conduct by China that the Prime Minister should have responded to that. I think he needs to be accountable for it.

The fact that we're learning years after the fact about some of the risks they were briefed on, only due to leaks and good reporting, should trouble Canadians.

Mr. Michael Cooper: Thank you for that.

I want to follow up on some of the questions that you posed at the end of your statement.

The first relates to the Rosenberg report, which I would note was released a mere 11 days after the explosive February 17 report by The Globe and Mail revealing an orchestrated campaign by Beijing to help the Liberals win the 2021 election and defeat certain Conservative candidates.

Do you find the timing of the release of this report to be suspicious?

Hon. Erin O'Toole: Very suspicious, yes.

Mr. Michael Cooper: Perhaps you could elaborate on why you think it was suspicious.

Hon. Erin O'Toole: The fact that Mr. Rosenberg didn't speak to me, to my designate Mr. Soliman, who had to be security screened to be part of the election protocol, or Mr. Chiu, who was very, very publicly targeted during the election—in a manner that we were complaining about during the election—makes his report completely incomplete, to a point of professionally negligent, in my view.

The language used in his report, that “an opportunity”—I may be misquoting that—to speak to representatives of the party.... There was no opportunity, and I led the party at the time.

Did he speak to some low-level functionary and not the two or three people with intimate knowledge of the foreign interference? It troubles me, because the panel of five senior bureaucrats knew exactly who my designate was on that panel. I was too busy because I was running an election.

Our concerns were dismissed. We were not briefed at the beginning about the problems in 2019. Were the panel of five even aware of the intelligence related to 2019? We had a lot of trust in the system because of the respect we have for those five...but I think the breakdown includes Mr. Trudeau and the panel of five themselves.

Mr. Michael Cooper: Yes, and you are right. On page 4 of the Rosenberg report, Mr. Rosenberg states, “There was an opportunity

to meet with representatives of major political parties”. “Opportunity” doesn't necessarily mean that meetings actually took place.

Further to that, he stated, at page 39, “The party representatives were pleased with the thoroughness of the briefings and the openness of the [national security] representatives.” That doesn't sound like your experience. How in the world could he come to that conclusion if he didn't talk to you and he didn't talk to your representative on the committee? It sounds like Mr. Rosenberg was being less than forthcoming and honest in his conclusions with respect to feedback he received.

Hon. Erin O'Toole: I don't know Mr. Rosenberg. I appreciate his work for years for Canada, but you're right, Mr. Cooper, as a lawyer—as you are—that's very curious language that he used in that report. You can interview all the university professors, security experts and all the people who observed the election, or you can talk to the participants who were targeted in the election, and he failed to do so.

The Chair: Thank you.

Madam Romanado is next.

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

Through you, I'd like to thank Mr. O'Toole for being back with us today.

It's good to see you.

Mr. O'Toole, today PROC has invited you to focus on the question of privilege that is before us, which is something that we have been studying since it was referred to us back in May of this year. I appreciate your absolute understanding as a veteran of the Canadian Armed Forces in terms of the importance of intelligence and maintaining information that could harm our country.

With that, when you brought forward your motion of privilege, you stated that obviously “ensuring that important intelligence gathered can continue unimpeded by appropriate parliamentary review”, and you mentioned, “As an aside, the procedure and House affairs committee could, of course, obtain further details directly from the government under appropriate in camera cautions.”

Given the sensitivity of the information we're trying to obtain in order to determine whether or not there was a breach of privilege, would you be more comfortable if we were to move in camera to answer some questions? I'd like to make that offer to you if that would be more appropriate for you.

• (1130)

Hon. Erin O'Toole: Listen, I appreciate that offer, but I do think the public nature of the stories by Mr. Cooper, Mr. Chase and Mr. Fife requires us to talk responsibly but to talk in an open fashion.

Thank you as well for the nice comments, and for your family's commitment to service in the Canadian Armed Forces.

Colleagues—or former colleagues—our allies can do this, so why can't we? Intelligence in Congress.... Members of Congress can be briefed—

Mrs. Sherry Romanado: I'm sorry, Mr. O'Toole. I don't want to cut you off, but I only have six minutes.

Hon. Erin O'Toole: Sure. I just think that we can, in a serious fashion, examine these issues in a way that is warranted for the country.

Mrs. Sherry Romanado: Thank you.

I want to make sure I understand. You were briefed by CSIS on intelligence with respect to intimidation to you on Friday...I want to make sure I have the date right. I think it was the 26th of May. You brought forward your point of privilege on the Tuesday because you needed some time on the Monday to reflect. Were you briefed at any other time prior to that? Were you receiving a defence briefing, as Mr. Chong did? Did you receive any briefing from CSIS prior to that date?

Hon. Erin O'Toole: Not that I recall, no—certainly not that I was a target. I talked about the four “categories” of target.

I also took a day because I consulted a national security lawyer to ensure my presentation in the House was done responsibly and did not in any way divulge or weaken our intelligence sources.

Mrs. Sherry Romanado: Thank you.

On the Monday when you consulted with national intelligence advisers, there were three votes, which you participated in. For the purpose of this study... We've worked together, and in no way do I want to diminish what happened to you, to Mr. Chong or to other MPs. The question of privilege is: Was the member prevented from doing their duty as a parliamentarian?

If a member was not aware of intimidation tactics with the goal of having them change how they spoke in the House about something, critiqued a foreign government, voted, or so on, how could your privilege have been breached if you were not aware? I'm asking because that's been asked of me, and I struggle with that.

Purely procedurally, if someone was not made aware of attempts to intimidate, they wouldn't technically change their behaviour because they wouldn't be aware. From a purely procedural House of Commons viewpoint, which is the question before us, could you elaborate? You have a lot more experience as a former parliamentarian.

Hon. Erin O'Toole: Respectfully, I believe you're mistaken. That member, whether it's Mr. Chong, Ms. Kwan or myself, deserves the ability to make the decision themselves on whether they would exercise their privilege as a member.

When I was foreign affairs shadow minister, I had a sister, her husband and two children living in Hong Kong. I was very worried about their well being. These were questions I was always grappling with, but I was always trying to put the public good and what was best for Canada first.

I believe every member is entitled to make that decision. If there was a dossier on a member, I believe it's a breach of their privilege for them not to be aware of it at the moment it comes to the attention of the responsible minister.

• (1135)

Mrs. Sherry Romanado: Thank you for that because it's something people have asked: “If you weren't aware, how could your privilege have been breached?” I appreciate your answering that.

When you were leader of the official opposition, in that capacity, did you receive any briefings with respect to foreign interference, and what was found?

Hon. Erin O'Toole: Not to any degree other than my designate being briefed through the protocol. It was more of a one-way street of us sharing what we gathered rather than anything we received.

Mrs. Sherry Romanado: You received nothing back.

Thank you.

[Translation]

The Chair: Ms. Gaudreau, you have the floor for six minutes.

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Thank you, Madam Chair.

Mr. O'Toole, thank you for your testimony. We are most grateful. It will help the committee come to some conclusions and produce a report.

Further to your opening remarks, I think it's important that the public inquiry into foreign interference takes a look at our work, which will help it delve even further into the issue.

This brings me to the following question: what happens when we learn that we are the target of Chinese interference? We haven't really talked about that yet.

I hope that you will be able to tell me about your experience as a member of Parliament and as a leader. I am all ears.

Hon. Erin O'Toole: Thank you for the question.

The issue is a serious one. In fact, it impacted me not only as an MP, but also as a father and as the brother of my sister who lived in Hong Kong.

That's why it is important that Parliament adopts an approach similar to that of the United States in terms of intelligence and the risks involved for the country and its MPs.

As I said to Ms. Romanado, it is very important that MPs have the choice of maintaining or not their stance towards China. Each individual MP will wrestle with the risk of foreign interference for his or her family and community.

As a veteran, I believe that public safety and issues related to intelligence and national interests are a priority.

That is how I see things, but each MP needs to be able to make their own decisions.

Ms. Marie-Hélène Gaudreau: If I understand you correctly, the day that an MP learns that he or she is the target of foreign interference, it has an impact on their personal life.

Hon. Erin O'Toole: Yes, absolutely.

That's why I said in my statement that all parties need to take a non-partisan approach. I understand that it is difficult, but it is important for our fellow citizens and the diaspora communities in Canada.

We have heard allegations from the Prime Minister in the House of Commons about a murder in Canada. As a Parliament and as a country, we must take a more serious approach to foreign interference.

Ms. Marie-Hélène Gaudreau: I would like you to tell us about the steps we have taken since then. Things have changed.

From an outsider's perspective, what are your thoughts on the steps that are being taken right now to address this issue? I know that you have first-hand experience.

• (1140)

Hon. Erin O'Toole: Yes. That is why I have been calling for an independent investigation for a few months, and that is why I am pleased to see Justice Hogue's role.

We must take a serious and unfettered approach to intelligence. Unfortunately, Mr. Johnston received a predetermined briefing with partial information. I have a lot of respect for him, but following the allegations against Ms. Kwan and Mr. Chong and the problems that occurred in 2019 and 2021, as well as the case of the two Michaels and the transactions involving Canadian companies in the area of critical minerals, we must take a more serious approach, and we must examine the decisions made by the government in a professional and, I hope, non-partisan manner. This is important if we want to preserve the interests and values of our country.

Ms. Marie-Hélène Gaudreau: It is important to shed light on this. The public inquiry into foreign interference began its work on September 18. Thank you for your three questions. We have taken note of them and they will certainly be retained.

You may not know this, but when Mr. Blair appeared before the committee, he clearly told us that it was the opposition's role to put pressure on the government and to ask questions. That's true.

That said, while everyone has sounded the alarm and agreed on the urgent need to establish a foreign agents registry, it is our party that will introduce a bill on the subject.

What do you think of that?

Hon. Erin O'Toole: Like our allies, we definitely need a registry.

In my opinion, every riding and every member of Parliament counts. If there are allegations of interference in Vancouver or Markham, that has to be taken into account. It is possible to get a positive result. I've said this several times to the Prime Minister. Having said that, I am still concerned about certain ridings, whose constituents are entitled to a professional and serious investigation.

The Chair: Thank you very much.

I know that Ms. Romanado and Ms. Gaudreau still have questions to ask. People have a lot of questions. Your comments are crucial to the study we are conducting because, as you mentioned, this work is very important.

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

[*English*]

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

Thank you so much, Erin, for being here with us again. It's good to see you.

I think what is very clear in your statement, and also in your service in multiple ways to this country, is that making sure that the trust of Canadians in our institutions is a key focus. We must continue to do all that we can to build that trust. Right now, there's uncertainty in Canada. I think it is really important that we take a non-political stance on this, really get to the challenging parts, and create solutions so that people can have faith in our system.

I think one of the things that Mr. Chong did an incredible job at before this committee was to really outline the steps that happened. The first thing he talked about, of course, was that he had a briefing from CSIS, who talked to him about how to notice signs of foreign interference. They gave him some helpful tools to help him note that. There was no discussion that in any way he was being targeted. It was given to him just as information. After that, he met with CSIS more than once. However, all of those times he met with them directly because he requested that, based on what he was experiencing and his wanting to share what he was experiencing with them. Then, of course, he found out about what was happening in a *Globe and Mail* article. I don't think that any member would want to have that experience: to find out through an article that you're being targeted, that your family and loved ones are being targeted. I think that was one of the most embarrassing moments—I hope—for this place.

My first question for you—and I'll have a couple of follow-ups—is about the briefing. Mr. Chong said that he hoped that what we would out of this process was a briefing for every member of Parliament about how to notice signs of foreign interference to make us aware of what we could be looking at in our day-to-day work. What are your thoughts on that being the most basic of steps moving forward?

• (1145)

Hon. Erin O'Toole: Thank you, Ms. Blaney.

One thing I think is important for Canadians to understand is that when the term “target” is used, it means you were the target of an interference operation or measures designed to interfere. We often think of “target” in a much more aggressive way, as well. However, it doesn't always mean that. It could mean observation or tracking, but that is equally concerning. I think it's important for us to realize that I was targeted. I've been advised that I will continue to be a target because of some of my concerns over the years about the conduct of the regime in Beijing.

I think that Mr. Chong is right in the fact that we need a system. This is something that I think this committee can be seized with, simultaneous with the work that Madame Hogue will do on the independent inquiry. Make recommendations on how we can have parliamentarians outside of NSICOP who can never tell sensitive information, but allow for a mechanism for risks to be outlined to members of Parliament.

I do think that we're living in an age where the wolf warrior diplomacy of China is well known, but there's also the war in Ukraine. There is the attack on Israel at the beginning of the month and tensions in the Middle East. We're seeing increasingly a more aggressive foreign policy posture from a lot of players.

MPs should not be restrained in their actions for their constituents and their values. Make sure that we have a mechanism for if a threat or an issue is flagged. I believe the member of Parliament, regardless of party, should be aware of that and should be equipped to be protected. Our democracy is very important, and we should be willing to make some changes and accommodations to defend it.

Ms. Rachel Blaney: Well, thank you for that.

One of the things that we've heard repeatedly in this study—and then, of course, in our other study on foreign interference in elections—is that there's a threshold of intelligence. Sometimes information is coming in. It has to be assessed, and there's a desire to make sure that it's fulsome before it's actually delivered. I'm not sure that the particular incidents we're talking about meet that.

From your background in the military... I'm just wondering what your thoughts are. What is a threshold that you would feel more comfortable with?

Hon. Erin O'Toole: That's a very good question, Ms. Blaney, because I think the thresholds used to date need to be questioned.

Part of the final questions I outlined and that I think Madame Hogue and this committee must examine... The critical election incident public protocol and the group of five were—or should have been—aware of all the allegations from 2019 in the unredacted NSICOP report of the briefings the Prime Minister received in January and February 2021. They should have been aware of the intelligence with respect to the official at the Chinese embassy and Mr. Chong's family.

We now know, only due to reporting and some leaks, that there were many incidents that, I believe, would have met a threshold for at least telling the parties at the start of an election that there were current risks in the environment. Not only were we not told, we were led to believe there were no serious problems with 2019 and

there was nothing to flag as the election got under way. I think that was an error.

The threshold those officials used in engaging with the parties... Each of the parties had to have a security-cleared representative. This was not ad hoc. I think the group of five's conduct needs to be examined.

● (1150)

The Chair: Thank you.

We will now enter our second round. There will be five minutes for Monsieur Berthold, followed by five minutes for Mr. Duguid and two and a half minutes for Madame Gaudreau and two and half minutes for Madame Blaney, five minutes for Mr. Duncan, and then five minutes for Madame Koutrakis.

Then we will probably—just a heads-up—do one quick six-minute round. We won't pause in-between to try to respect your wishes, but I think, with the exchange taking place and the fact that there are more questions than fewer, we will need a bit extra of your time. We'll try to get you out well before two hours, though. It's just a heads-up so the team can plan accordingly.

[*Translation*]

Mr. Berthold, over to you for five minutes.

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

Mr. O'Toole, it's always good to have you here. I am really pleased that you are here today to answer our questions, especially since you were at the heart of an election that was much talked about because it involved foreign interference.

At the beginning of your testimony, you said that we need to recognize that we have a long history of not doing enough to protect our democracy.

What has changed since 2017 for the communist regime in Beijing to feel free to do what it wants in Canada?

Hon. Erin O'Toole: Thank you for that important question, Mr. Berthold.

Following the 19th Congress of the Chinese Communist Party in Beijing, the Chinese government significantly changed its approach in China and around the world. Then there was the Uighur genocide and the building of the islands in the South China Sea.

They've taken a strategic approach to procurement around the world in terms of public safety, intelligence, energy, critical minerals, and so on. It took a long time for the West to react.

That is why I proposed the creation of a special committee on Canada-China relations. That is also why we must take a more serious approach to elections, as well as to the protection of our democracy and our institutions.

There have been leaks and articles in *The Globe and Mail* and on *Global News*. This has been worrisome for our intelligence services for a few decades now. Unfortunately, we only looked at the benefits in terms of the economy and international trade, but not the concerns around human rights and international security.

We need to take a non-partisan approach, if we can, and put more resources into our intelligence services. There needs to be a serious approach to the risk to members of Parliament and senators.

That is why the work done by your committee is so important.

Mr. Luc Berthold: However, there was a marked change in attitude on the part of the Beijing regime towards 2017. You saw that and that led you to propose the creation of the Special Committee on the Relationship between Canada and the People's Republic of China, or CACN.

Do you think that nowadays, we have a lot of information, but we do not seem to be reacting quickly enough? I am asking you this question because last summer, we once again saw that MPs, including the Prime Minister and the Leader of the Opposition, had been the victims of a “spamouflage” campaign.

Yet, even today, the government refers to Mr. Rosenberg's famous report every time we talk about foreign interference, saying that there was no problem in Canada and that everything went well.

In your opinion, Mr. O'Toole, what should be the attitude of a government that really wants to counter foreign interference?

Hon. Erin O'Toole: Thank you for your question.

A former ambassador, David Mulroney, said that the Prime Minister was naive about China. That is indeed the case. China has taken a more aggressive stance internationally, particularly since 2017. That is why it is essential that we respond strategically and defend our democracy.

I want to say that this is very important to members like Mr. Chong and Ms. Kwan, and it's also very important to the Chinese Canadian community and the diaspora in the greater Vancouver area and the greater Toronto area, for example. It is important that every citizen has the right to vote without interference, intimidation and pressure from foreign nationals.

There have been articles on interference and police stations, in particular. We're here to fix the problem, and we have to do something.

• (1155)

The Chair: Thank you.

[*English*]

Mr. Duguid is next.

Mr. Terry Duguid (Winnipeg South, Lib.): Thank you, Madam Chair.

It's good to see you, Mr. O'Toole. Like others, I want to thank you for your service to our country and your service to our Parliament over the years.

Also, thank you for the tribute to Ian Shugart, whom I had the good fortune to work with when he was ESDC deputy. He was in-

strumental in bringing the National Microbiology Lab to Winnipeg, working through a great regional minister, Jake Epp, a Progressive Conservative.

Mr. O'Toole mentioned that foreign interference has been with us through Conservative and Liberal administrations. All of those administrations needed to do more, and we need to address the issue seriously now in a non-partisan “country first” way.

I'm a new member on this committee, as you know, Madam Chair, and I'm no procedural expert, but my understanding is that motions of privilege are dealt with expeditiously. We've had 34 witnesses, Mr. O'Toole. You are the 34th and, I believe, the last. My view—and I think the view on this side of the table—is that we need to get to recommendations, we need to get to a report and we need to stay out of the partisanship I've seen around the table here.

Would you agree that we need to get to a report and recommendations quickly to protect the privilege of all parliamentarians? I think you know that we've had some even more recent incidents of interference with the “spamouflage” revelations of late. Could we have a few comments from you, please?

Hon. Erin O'Toole: Thank you, Mr. Duguid.

It's nice to see all of you. If my treatment had always been this great, I wouldn't have left.

I jest.

It's so important that—I don't want to suggest that you need to constrain your inquiry and move immediately. What I tried to do with my presentation here today was to give some questions for you to think about, to give you my perspective, to talk about how both Liberal and Conservative governments have struggled to find the balance and, as Mr. Berthold said quite well, the balance became even harder to strike in 2017.

Madame Hogue will be doing her inquiry. You could conclude before her, and she could use your work, but I think that inquiry will be quite comprehensive. That doesn't mean you have to finish before she does. I think you have to let the will of the committee run its course.

Through you, today I tried to put a few things on her agenda, because I know her team will be watching this closely, and so I was putting the questions both to you and to her. I would say that when she was appointed and we saw the noise on Twitter—or X or whatever we call it these days—I defended her appointment because we had asked for it and we wanted to see it and she has an incredible professional background and I think the process deserves a fair start.

Part of what I tried to do today was to put questions for you and to give my own experience but also to indicate to Madame Hogue that I think that sometimes for a proper review to be done, it can't be limited in what is seen or in whose decisions are examined.

• (1200)

Mr. Terry Duguid: Thanks for that, Mr. O'Toole.

As the former leader of the Conservative Party of Canada—and I'm going to refer, interestingly enough, to the National Microbiology Laboratory—do you think that party leaders should have top secret clearance so that they can be brought into serious and highly sensitive conversations?

As you know, that has been an issue with respect to the National Microbiology Laboratory and two scientists. My understanding is that the current leader of the Conservative Party was refused a briefing.

Should party leaders have those kinds of briefings so they can have inside knowledge of foreign interference or at least find out what's going on?

Hon. Erin O'Toole: That's a very good question.

I do think we can't divorce this process from politics completely, and I've said we have to try.

The briefings have to happen before *The Globe and Mail* headlines. When that happens, I understand the concerns Mr. Poilievre has about his ability to hold the government to account being limited.

If you want to talk more about the National Microbiology Lab in Winnipeg, the former speaker, Mr. Rota, had to go to court to demand that the will of Parliament be fulfilled with respect to our questions about the lab.

The time when the Prime Minister should have brought the leader of the opposition, who at the time was me, into concerns about investigations of employees and ties to the Chinese military was before the eruption. That's why I think the fixes we can bring are longer term, but once we're in the middle of a storm, every political leader needs to do their best to navigate through it, and it's hard to do a mulligan, as I'm sure Mr. Trudeau would have liked to, on that lab.

I think there will be more instances like this, Mr. Duguid, which is why in the longer term we need better processes and we need to trust more MPs with intelligence briefings that may be confidential.

The Chair: Thank you.

Madame Gaudreau, go ahead.

[*Translation*]

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

I would like to know more about what that means for an individual, a human being. You said earlier that it was hard to learn that you were a target. How did you experience it personally? How do you feel when you're a target?

Hon. Erin O'Toole: I was surprised by this situation in the last few months of my life as a member of Parliament, but, basically, it was a parting gift in terms of my life after politics—

Ms. Marie-Hélène Gaudreau: What do you mean by “parting gift”?

Hon. Erin O'Toole: —because I'm going to remain a target. That was a little joke.

Ms. Marie-Hélène Gaudreau: It is to the extent that it continues.

Hon. Erin O'Toole: Yes.

As I said, as a veteran, I think it's important to put the interests of our country ahead of my personal concerns. As a father, I am concerned, and it is difficult.

That said, this is an important issue for millions of Canadians. That is why each member must receive a briefing when there is a risk of foreign interference. There also needs to be a process to review the issues related to the information before anything is published in the newspapers. As I said to Mr. Duguid, it is very important to take a multi-partisan approach before a scandal breaks out.

Ms. Marie-Hélène Gaudreau: If I understand correctly, because the necessary measures may not have been taken to prevent that from happening, your family is still suffering from the fallout.

Are you still wary today?

Hon. Erin O'Toole: No.

My family is paramount to me. We're proud of my time in politics. I hope that, if there are other more serious risks for me or my family, the RCMP or CSIS will notify me.

It is important that every member has the right to freedom of expression, i.e., to be able to talk about issues that are important to their riding, to their country or to their province, and also to be able to use their skills and experiences in the House, without limits. That is why MPs must be briefed.

• (1205)

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

The Chair: Thank you.

Ms. Blaney, you have the floor.

[*English*]

Ms. Rachel Blaney: It's good to get to ask you another round of questions.

Mr. O'Toole, I called you Erin first. I apologize if I was too informal.

You talked about hoping that Justice Hogue will hear the three questions you asked. Of those three questions, what I found particularly interesting was the concern that there was no interview done after the election with you and your campaign manager.

Looking back, as a person who's led a party through an election in which there were aspects of foreign interference that we're still trying to quantify, what do you think would have made that process a lot more helpful to you in the work that you are doing?

Hon. Erin O'Toole: As I said, I try to take all of the issues related to foreign interference very seriously because of my work as foreign affairs shadow minister and because of my time in the Canadian Armed Forces. I've sworn several oaths to the country and I take them very seriously, which is why I and my campaign chair and my designate for the election protocol panel—a very accomplished lawyer who underwent security screening so that they could participate—took that process very seriously. We shared with the committee our concerns about things we were hearing in the middle of the campaign.

The panel of five and the security agencies were able to keep briefing us up until the government appointed a new cabinet. Even after we lost the election—narrowly, I might add—we still brought in evidence that we had. I've brought the materials that I provided to Mr. Johnston and I'm happy to table them with the committee here today, because we've always tried to be forthright with all the information we had. CSIS and the panel cut off communications once the new government and cabinet were sworn in and we had no ability...the caretaker period was over.

Why was that person, who was my designate, not talked to by Mr. Rosenberg—or me? The fact that those two people, who were the subject or source of concerns about interference, weren't talked to in the examination of the 2021 election is a colossal failure, in my view.

The Chair: Thank you.

You have five minutes, Mr. Duncan, followed by Madam Koutrakis.

Mr. Duncan.

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Thank you, Madam Chair.

Mr. O'Toole, it's good to see you.

You alluded to the documents that you're willing to table with the committee. We'll make that formal: Are willing to do that?

Hon. Erin O'Toole: Yes.

Mr. Eric Duncan: Thank you. I appreciate that.

I want to build on your comments.

You had a chance to talk about Mr. Rosenberg's report. You said earlier it was almost professional negligence when it came to not interviewing you or officials from the Conservative Party of Canada.

In your willingness to try to address this issue in a serious manner, I want you to elaborate a bit more on the rapporteur, Mr. Johnston, who was doing his report. You had some frustrations, so I want you to elaborate on those frustrations.

Am I correct in stating that whenever you met with him, he advised you that the report was already written and had been sent to

translation? When you talked about the negligence, you weren't interviewed by Mr. Rosenberg at all, and then when you were interviewed by Mr. Johnston, it was just as bad. It was already shipped off.

Can you elaborate on that and what happened in that circumstance, and whether that was inappropriate or not?

Hon. Erin O'Toole: Thank you, Mr. Duncan.

I did feel like it was window dressing. The very fact that the first investigation of the election didn't talk to the people who raised issues about the election, I would give that a grade of F, if I were a professor. That type of approach wouldn't survive in the private sector.

Leave aside that Mr. Rosenberg had the Trudeau Foundation connections. I haven't focused on that, but I raised that in the House in 2018, 2019. It was a very inappropriate choice.

The Right Honourable David Johnston, a Canadian I have profound respect for, really disappointed me. I have great respect for Ms. Block, who is one of the country's finest litigators. The very fact that the draft of the report was at translation—and late in the meeting they acknowledged that to me—was profoundly disappointing. It was like I was a check box on a list.

I provided them with and knew more information than they did. In intelligence, not every fact is right. It is about assessing grey. But you can also give a curated view of intelligence to drive to an outcome. Who provided that curation to Mr. Johnston?

● (1210)

Mr. Eric Duncan: Can I elaborate a bit further on that?

You mentioned that you provided a bunch of new evidence and information. Mr. Johnston didn't then go and change any aspect of his report. He did not come back to you afterwards and say thank you, that it had helped change the conclusions, or anything that was included in his final report.?

Hon. Erin O'Toole: He told me that my contributions were appreciated.

As I said, I do think he felt he was doing what was best for the country in his view. But when you're also receiving a very curated view... When I read his report that all opposition leaders urged an inquiry, why no inquiry? What is there to fear from sunshine and bright lights?

Having spoken to him and seeing how, in legal terms, you would say they had a closed mind by the time they were talking to me, it was very disappointing. I now know I was targeted and that our intelligence agencies knew about that targeting of me, because I got my CSIS briefing after my time with Mr. Johnston.

Mr. Eric Duncan: I would say that the fact he resigned afterwards and what the outcome was speaks volumes to the integrity or the conclusion of the report and the quality of the report.

If I could, Mr. O'Toole, I want to ask you to build on something that was said earlier.

You and your family were targeted, or threats were made against you. It was only after the leak and the reports came out that you were provided with the appropriate briefings and backgrounder on it. You said that you hoped in the future, if a threat were made against you and your family, you would be made aware of it.

I'd like to ask, whenever you got the briefing, after the fact, after it became public—and we talked about the massive breakdown and communications failure and protocol failure here—were you given any assurances from the intelligence officials that in the event in the future a threat did come to you, they would come to you directly and tell you? You said that you hoped that would be the case, so I'm concerned that they didn't really give you that assurance that the same mistake wouldn't happen again.

Hon. Erin O'Toole: I asked the CSIS officials.... When I was briefed, they knew I was leaving. I knew I was leaving. My motion was my second-last speech in the House of Commons, so they knew this. I asked if I could seek support from them in the future if I had any concerns, and they were open to that. I did not get the sense that they would be required to brief me if an issue arose.

I will remind you about the use of the word “threat”. If someone is being surveilled, that's not really a physical threat, but you're a target and so the intelligence threat has been identified. I never feared for my life or my family. I want to make that very clear.

I do think that if any individual parliamentarian is targeted they need to be made aware of it, and we should provide resources to help secure their communications and to secure their home and their livelihood, if that needs to happen.

The Chair: Thank you.

We have Madam Koutrakis for five minutes.

Ms. Annie Koutrakis (Vimy, Lib.): Thank you, Madam Chair.

That's actually a great segue into my question.

Welcome, Mr. O'Toole. It's really nice to see you. I hope you and your family are doing well.

Just following up on my colleague Mr. Duncan's question, are you aware of any further targeting of you? If so, are you able to elaborate? I'm just curious to see how you otherwise would have envisioned your life post-Parliament and if it's what you thought it would be. Could you maybe elaborate a bit on that?

• (1215)

Hon. Erin O'Toole: Thank you.

There is a life after politics. I can assure you of that. I miss elements of working with you, colleagues, but I'm very happy, and the family is well. Thank you.

The issue for me came up when my briefing at CSIS kept using the present tense. I said to them, “You know I'm leaving.” Targeted interest, targeted...they kept using the present tense. I had to ask, to say: “You're using the present tense, and I'm not the Conservative leader anymore, and I'm not going to be an MP in a few months when the session comes to an end. Does this mean that I'm an on-going target?” That's when they clarified: Yes, in part because of my long concerns about certain conduct of the Communist Party in China.

As I've said, I worked in the private sector. I know how important it is for our economy and how difficult the balance is. I've said that, but it was surprising to me that they do consider this to be into the future of an undetermined time.

Ms. Annie Koutrakis: But are you specifically...are you aware if that is still going on? Has CSIS come back to you and said, you know...?

Hon. Erin O'Toole: No.

Ms. Annie Koutrakis: Okay.

This is where I'm going to pick on your experience as a parliamentarian and former leader. Do you have any suggestions on how we can better prepare and educate all parliamentarians and our staff on foreign interference?

Hon. Erin O'Toole: Well, I would recommend that all personnel on Parliament Hill watch the *60 Minutes* episode with CSIS director David Vigneault and his colleagues from the Five Eyes. The interference takes place with institutions, with diaspora communities and with political issue developments. Political interference could start with nomination races; it's not just here once somebody is elected.

It's also in the economy. I talked about.... One of my last press conferences as leader was on Neo Lithium and the takeover by a Chinese state-controlled entity. People didn't seem concerned, because the mines of this Canadian company were in South America. Our allies don't want China to control critical minerals. Just last week in the Globe and Mail, there's another copper property that's owned by a Canadian entity....

I think parliamentarians need to be briefed on the impacts for our economy, our military alliances and our role in the Pacific, in the South China Sea Islands. We have ships of the Royal Canadian Navy in the Taiwan Strait that have been surveilled. They also need to know about political interference for diaspora groups and for parliamentarians for elections.

As I've said, since 2017 it's gotten worse, and it's gotten more aggressive—this so-called wolf warrior diplomacy. I think we're playing catch-up. I think the Canada-China committee, when I moved that with the support of the party leader at the time, was meant to kind of wake us up. The U.S. now has a standing China committee in Congress.

I do think that there need to be regular briefings and more interactions with our security and intelligence agencies on all parts of this dynamic relationship. As Mr. Vigneault said on *60 Minutes* on the weekend, even property purchases and things in Canada are being tracked, because China plays the long game. We have to start playing it as well.

Ms. Annie Koutrakis: In your opinion, then, Mr. O'Toole, do you think we have the necessary tools in place, the infrastructure and the resources...? Are we in a better place today as a result of all the conversations we've been having?

Hon. Erin O'Toole: That's a great question.

I think we're getting towards a better place. I think some of the tough questions, some of the tough answers that you probably feel I'm giving, are part of what I said in my speech. We were the frog in the pot and we didn't notice how hot the water was getting until, really, the two Michaels, and I added a Michael. I think now Canadians know.

We still have to find the balance from an economy standpoint. It's not easy, but equipping parliamentarians, protecting parliamentarians, I think should be central to a non-partisan approach.

• (1220)

The Chair: Thank you.

We will now enter into our last and final six-minute round, starting with Mr. Calkins. He will be followed by Mr. Baines and then Madame Gaudreau, and we will end with Madame Blaney.

Mr. Calkins.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Madam Chair.

It's great to see you, Mr. O'Toole.

I want to get back to your comments about the SITE task force. As you know, both Mr. Soliman and Ms. Michaud appeared before this committee. Can you confirm that, during the 2021 election, the SITE task force actually did provide regular briefings to your representatives? That's, at least, what they claimed.

Did we actually receive those briefings? If we did, were they useful?

Hon. Erin O'Toole: Thank you, Mr. Calkins. It's nice to see you, as well.

We did receive briefings. The structure of the program functioned, but I think its effectiveness is wanting. What Mr. Soliman told me.... As I said, I delegated this to him and in part, a little bit, to Tausha Michaud, my chief of staff, because I trusted that they would brief me.

I was hearing from candidates on the ground—particularly from Mr. Chiu, but also from in and around the riding of Bob Saroya in the Markham area—that there was a lot of activity in WeChat and some in-store and in-person intimidation.

Our polling numbers were off the charts, yet the results didn't come back. If people are scared to vote, they're not going to show up. We were reporting incidents that we were hearing from the ground. Mr. Soliman and Ms. Michaud told me that they always had the impression that they were being listened to but not heard.

We wanted, at some point, for the threshold—as Ms. Blaney referred to it as—to be met, for at least a warning to be given with respect to certain social media channels, WeChat in particular.

I have been told that there are over 600,000 Canadians in British Columbia alone who use that tool as their primary communications and news reception device. I'm sure that my colleagues from the fourth estate behind me don't like hearing that, but a lot of people get their news from WeChat and Facebook. If that was being corrupted, we needed to warn people to just take a second look. That warning never came.

Mr. Blaine Calkins: Cabinet ministers have come before this committee—some are former cabinet ministers now—speaking about the robustness of the system that they put in place. However, up until recently, at least, not one public notice was ever issued—during the election in 2021, specifically, because that was the election you were the leader in. There was not one expulsion of a diplomat until well after this became a public fiasco.

To this day and to my knowledge, still not one charge has been laid. To my knowledge, nobody from the SITE task force or any of our agencies has claimed that they've interdicted or stopped the promulgation of any false information from a foreign state actor. The message that there's a robust system and the results don't measure up.

Can you speak about whether or not you actually believe that this was taken as seriously as it ought to have been? I do have another follow-up question, so please keep this as brief as possible. I believe that our intelligence agencies collected the information, but somebody somewhere had to make a decision. Who failed to make the decision, Mr O'Toole?

Hon. Erin O'Toole: The critical election protocol process is not robust. It is a failure. That is demonstrated by the news stories afterwards. It's demonstrated, in part, by the manner in which the Rosenberg report was conducted. Ms. Thomas, when she came to this committee, even said that our party was given a robust response to our concerns, but that was incorrect. She never sent the letter to us.

So, we have key ministers of the Crown not checking emails, not reading intelligence briefs, and we have a national security adviser mistakenly suggesting that our concerns were responded to. We're a G7 country. We know this is happening. There needs to be seriousness and accountability.

This is why I think Madame Hogue should also look at decisions on threshold, as per Ms. Blaney's question. Why weren't we briefed before 2021 on the 2019 funding of 11 ridings? Mr. Soliman wanted.... He said specifically to the panel that they wanted to keep Mr. O'Toole away from fundraisers where there might be influence.

They couldn't or wouldn't tell us that it was happening. Certainly, they didn't tell us that 11 candidates had been funded in 2019. "Colossal failure" might be the best description of the process.

• (1225)

Mr. Blaine Calkins: Thank you.

Madam Chair, I'm going to cede the rest of my time to Mr. Cooper.

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

I will be moving the following motion:

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

(a) acknowledge the failure of officials in the Prime Minister's Office and the Liberal Party of Canada to provide relevant information to this Committee that they had indicated they would undertake to provide;

(b) order the production, within three weeks, of all documents which contains the names of:

(i) the Liberal Party campaign manager for the electoral district of Don Valley North in the 2019 federal general election,

(ii) the campaign manager for the 2019 nomination campaign of Han Dong for the Liberal Party nomination in the electoral district of Don Valley North, and

(iii) the field organizers and senior Liberal Party officials responsible for the Greater Toronto Area and/or the City of Toronto during and leading up to the 2019 federal general election;

(c) direct the analysts and clerk to prepare, for the members of the Committee, within three weeks, a report on all undertakings given by witnesses who have appeared during these studies and the status of those undertakings, other than the undertakings referred to in paragraph (b);

(d) direct the clerk to contact any witness who has not completely satisfied any undertaking referred to in the report prepared under paragraph (c)—

The Chair: I'm going to pause for two reasons.

First of all, everybody has stated on the record, at one point or another, that the interpreters are important for the work we do, because we have two official languages.

I know you have shared the motion with the clerk. The clerk has circulated it, but the interpreters don't have the wording. I don't think it's very complicated for us, when moving a motion, to ask

that it be circulated, then you get the floor back. We've done this on numerous occasions.

The second concern I would like to raise is that Mr. O'Toole had asked that he be able to leave by quarter after 12. We know other people have additional questions. This is now the third time Conservatives have felt they can use their round, but other people can't ask their questions.

I feel we can do multiple things at the same time. Therefore, I am going to pause to make sure the interpreters get the motion. The floor is Mr. Cooper's, but I would welcome comments from other parties as to whether they would like their time, or whether we should be seeing the witness able to leave.

I would like those comments, but I will pause to make sure the interpreters have it. I'll take a thumbs-up when they have it.

I don't see their having it yet. We're going to make sure the interpreters have it, then we'll get Mr. Cooper back.

I will do a quick round to find out where colleagues are at, because we work on a consensus basis.

This motion, Mr. O'Toole, as you know, was something all people have worked together to get to.

Mr. Michael Cooper: You're interrupting a motion.

The Chair: Yes. The interpreters don't have it, so I'm pausing.

Thank you.

Mr. Luc Berthold: I have a point of order.

Are we still on pause?

• (1230)

The Chair: The interpreters have it.

Mr. Cooper, you were in paragraph (d).

Mr. Michael Cooper: Yes. It reads:

(d) direct the clerk to contact any witness who has not completely satisfied any undertaking referred to in the report prepared under paragraph (c) to request that it be satisfied within two weeks of the clerk's request; and

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

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

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

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

(B) the matters raised by the Honourable Erin O'Toole in the House of Commons on Tuesday, May 30, 2023, and before the Committee on Thursday, October 26, 2023,

provided that

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

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

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

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

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

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

(vii) the clerk of the committee shall cause the redacted documents, provided by the Office of the Law Clerk and Parliamentary Counsel pursuant to paragraph (vi), to be distributed to the members of the committee.

With that, Madam Chair, I will make brief remarks. It is necessary to bring this motion forward because Mr. O'Toole is the last witness to appear before this committee on the question of privilege study pertaining to MP Chong. Despite the fact that Mr. O'Toole is our last witness, as a result of the NDP-Liberal cover-up coalition, this committee has not received the production of relevant documents on the question of privilege, despite our efforts to get those records. This motion is necessary as a result.

• (1235)

We need these documents to know who knew what when and what happened to warnings by CSIS that MPs—including MP Chong, MP O'Toole and MP Kwan—were being targeted by the Beijing regime. We need to know how a memo from CSIS flagged for high importance warning that MP Chong and his family in Hong Kong were being targeted by Beijing went into a black hole despite the fact that it had been sent to the then-minister of public safety Bill Blair, his chief of staff Zita Astravas, and the then-deputy minister of public safety.

Multiple ministers have come before this committee, and no one has taken responsibility for this colossal failure, this breakdown in the machinery of government. On the contrary, instead of accepting ministerial responsibility, we saw the spectacle, at our last meeting, of Minister Blair throwing everyone but himself under the bus—everyone from the director of CSIS to his deputy minister to other officials. This is the same minister who couldn't be bothered to literally go down the hall to go to the secure terminal where he would have found the memo that warned that MP Chong and his family were being targeted. Incredibly Minister Blair didn't bother to go down the hall because he was so asleep at the switch that he didn't know the location of the terminal, despite its being literally down

the hall on the same floor as his office. That's the degree to which Minister Blair has not taken seriously national security and Beijing's interference or the safety and security of members of Parliament and their families.

For months the NDP-Liberal cover-up coalition has blocked the production of documents. That begs the question: What are they hiding? Who are they protecting? We know who the NDP-Liberal cover-up coalition are ultimately protecting. They're protecting an incompetent and corrupt Prime Minister who has refused to take responsibility for turning a blind eye to Beijing's interference despite receiving multiple warnings and being briefed on multiple occasions. This is part of a pattern of a complete lack of transparency from the time that revelations of Beijing's interference first came to light last year. We still have undertakings all the way back to April from PMO officials, including the Prime Minister's chief of staff Katie Telford as well as the Prime Minister's senior adviser Jeremy Broadhurst, that have still not been provided to this committee. Is that being open? Is that being transparent? Is that working with this committee as they undertook to do? It's part of a pattern of a lack of transparency. It's part of a pattern of cover-up by this Prime Minister and his PMO.

Now that we have heard from the final witness as part of the study on the question of privilege, we need the documents to be able to prepare a fulsome report. We need to have all of the facts, and in order to get those facts, we need to see the receipts; we need to see all relevant documents. That is what this motion provides for, so I hope members of the NDP-Liberal cover-up coalition will do the right thing and support this motion so that we can get the answers that MP Chong deserves, MP Kwan deserves, MP and former leader of the Conservative Party Mr. O'Toole deserves and frankly all Canadians deserve.

• (1240)

Thank you, Madam Chair.

The Chair: Thank you.

Go ahead, Madame Romanado.

Mrs. Sherry Romanado: Thank you, Madam Chair. I'll be brief.

We have Mr. O'Toole here, who we asked to see. He's sitting here patiently. We still have more questions for him.

I'm disappointed that our colleagues across the way are disrespecting their former leader. I'm going to quote what he said when he was leaving politics. He said, "Performance politics is fuelling polarization, virtue signalling is replacing discussion, and far too often we are just using this chamber to generate clips, not to start national debates", and that's what exactly is happening right now.

With that, Madam Chair, I move to adjourn debate.

The Clerk of the Committee (Mr. Andrew Lauzon): We'll have a recorded division to adjourn the debate.

(Motion agreed to: yeas 7; nays 4)

The Chair: The yeas have it.

Mr. O'Toole, I'm going to try to get you out of here as quickly as possible. I will ask colleagues to recognize that he asked to be out of here half an hour ago. I think some of us can be mindful of that.

I'm going to go over to Mr. Bains. You have six minutes, but try to be concise, please.

Mr. Parm Bains (Steveston—Richmond East, Lib.): Thank you, Madam Chair.

I will. I'll ask a quick question, and then I'll be sharing some time with my colleague Ms. Romanado.

Thank you, Mr. O'Toole, for joining us today. It's good to hear that there is life after politics. I'll be looking forward to that at some point.

To Mr. Cooper's point, this is about the safety of Canadians. When we're talking about transparency and trying to get to where we need to go, as you've articulated, we need to find common ground and make sure that we're looking at solutions and recommendations that will mitigate some of these challenges.

I'm concerned. I have a very diverse community in my riding. I represent Steveston—Richmond East, where the UN recognized the "Highway to Heaven". It's a five-kilometre stretch of road with over 20 different faith-based institutions that are all next door to each other and living in harmony. It's a great community. I grew up there and have been there my whole life. I'm concerned about them and every member in this House.

You talked about errors of the past. I want to raise that it's widely known—and CSIS officials have sat where you are and told committees—that under the Harper government, a number of MOUs were signed and entered into directly with the RCMP that allowed 25 Chinese communist agents to come here, enter the country and look at repatriating people they thought were criminals who they needed to take back home. A number of them were deported during that period—about 290—and 2,900 citizens were influenced, shall we say. It was suggested that it would be in their best interest if they went back to China, because some of their family members were being threatened by the regime.

A government that you were a member of admitted foreign agents into Canada to intimidate Canadians. They are the same agents you're saying are targeting you.

It's clear that this set a terrible precedent. Don't you think that was a bad decision? Were you at any time aware of it happening to you...that those agents...? Has that ever been mentioned to you?

• (1245)

Hon. Erin O'Toole: Well, I think what you're referring to, Mr. Bains, goes back to 2008, 2009. I wasn't here until the end of 2012, but I'll tell you that when I joined the Conservative government of Prime Minister Harper there was already a concern about some of the transactions he had approved and about the already declining approach in Beijing with respect to human rights and with respect to more aggressive foreign policy, and this was almost a decade before the 19th People's Congress.

Richmond... We have to be here to defend the people of Richmond, of your riding, probably the epicentre of foreign interfer-

ence, from my limited ability to review things. Diaspora communities are scared if they have family still back in...I used to say "mainland China", but now Hong Kong is included in that. Hong Kongers in the GVR, in Richmond, have real concerns if they feel that they even appear on a voters list. If a Conservative had won that election, they feared for family back home.

I think we have to make sure that whether it's United Front activities, whether it's reports on police stations.... I tried to say several times in my remarks that there were mistakes made by the Conservative government with respect to trying to find the balance on China. This is why, with things now public, we have to really tackle this.

Mr. Parm Bains: Before I go to Ms. Romanado, I just wanted to say that it goes beyond just China. We're seeing that precedent may have been set in allowing foreign agents to do some work here. We're seeing other communities being affected as well. I'll just say that.

Hon. Erin O'Toole: On that, the—

The Chair: There's a second question.

Hon. Erin O'Toole: Sure.

Mrs. Sherry Romanado: Thank you, Madam Chair.

Thank you, Mr. O'Toole, and thank you for your patience.

You mentioned that knowledge is a kind of power and that MPs should be made aware if they are targets and the importance of that and the importance of having that information in real time.

I have to ask the question. In June 2017, the People's Republic of China passed the legislation for the National Intelligence Law, which you referred to in 2017, that difference in posture in China. We started NSICOP. NSICOP was named at the end of 2017, but at one point you removed the members of the Conservative Party from NSICOP for another study and another reason.

Lessons learned.... Now that we know, would you say that was maybe an error and that we should really enhance NSICOP and their capabilities now that we know a little more? I'm hoping you'll be able to provide us with some feedback.

Hon. Erin O'Toole: Sure. I'm happy to provide detailed feedback.

In my Substack, I wrote at length about the NSICOP and why I did not function it. The Prime Minister was starting to use NSICOP as a way to avoid scrutiny on matters. I was the public safety committee critic that supported—bipartisan, with my friend, the honourable Murray Rankin—Mr. Goodale's efforts to create NSICOP. I was calling for it.

It was never meant to shelve ongoing investigations or issues that were in the House of Commons by sending it to a secret committee. It was meant to be long-term robust oversight of our intelligence agencies by parliamentarians. I think we need to have a system whereby we're able to debate—with secrecy and with intelligence being respected—the events of the day as they arise.

The Chair: Thank you.

Madam Gaudreau is next.

[*Translation*]

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

This is an opportunity for me to ask questions of a witness who has a lot of experience. I've been here for four years, but there are still a lot of things that are new to me.

I have received a number of answers to my questions, but I still have a few left. We have work to do. I am referring to our democracy and to what is happening.

Obviously, we have the privilege of having the media present. We've heard from 35 witnesses on this question of privilege. There were also 70 other witnesses, and a public inquiry has been underway since September 18.

Given that the public inquiry is ongoing, that we, the Bloc Québécois, will be introducing a bill to ensure that we have a foreign agents registry, and that the government has told us that it has put measures in place—we are waiting for a list of those measures—since last spring, do you think that what you saw and heard earlier will really allow us to dig down and shed light on foreign interference in our elections and our democracy?

• (1250)

Hon. Erin O'Toole: The country must take action, and you mentioned a few important policies, including the creation of the foreign agents registry. There are cases where the presence of these agents is appropriate, such as international trade and the representation of a company or a state. There are also other instances where this can be problematic.

We need to invest more money in our intelligence services and provide more information to members of Parliament and senators, because this subject is complicated and the news changes every day. It is therefore very important that MPs have all the necessary information about their safety, their ridings and the businesses that are important to the country.

That is why this committee's study is very important.

Ms. Marie-Hélène Gaudreau: This is a very important study. We would also like to draft a report with recommendations that would enable us to act.

I understand the need to get to the bottom of this. You agree with me that the public inquiry has a job to do right now and that we, as parliamentarians, have to focus on what we know is relevant. Many hours have been invested. You've lived through it.

I have one last question for you.

When we heard from Mr. Soliman, he told us that there had been signals during the 2021 election campaign.

Did you feel like you were a target at that time?

Hon. Erin O'Toole: Yes.

Ms. Marie-Hélène Gaudreau: You noticed something.

Hon. Erin O'Toole: During the election campaign, we saw concrete examples of Chinese foreign interference on social networks, on the WeChat platform and in stores. Comments were made by certain officials, including the ambassador, who said a few words against the opposition during the debates on the Uighur genocide.

That is why we issued a warning to the Chinese Canadian community, particularly in the suburbs of Vancouver and Toronto. The threat threshold for a warning, which Ms. Blaney spoke of, is a very important element. We need to look at the approach that was used during the 2019 and 2021 elections.

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

Thank you to our witness for spending all this time with us.

The Chair: Thank you.

Ms. Blaney, you have the floor.

[*English*]

Ms. Rachel Blaney: Thank you for your card, Mr. O'Toole, but it looks like we are going to get our last round together, which I'm really excited about.

I appreciate your understanding how important it is that intelligence, CSIS, and whatnot meet a threshold. Identifying with that threshold seems to be part of the problem here because I think we all can agree that the process that has happened with regard to you, to MP Kwan and to MP Chong, is just not a threshold that we want to see.

We have heard testimony in this committee about the fact that the people who are assessing the intelligence don't always understand the process of how politics is implemented in the different parties and what intelligence may mean.

Could you give any thoughts to how we could bring more intelligence into the political realm to understand how elections flow and the impact that things may have so that there's a better understanding of threshold as we move forward?

• (1255)

Hon. Erin O'Toole: That's a great question.

I didn't perfectly know the word for "threshold" *en français* in my response to Ms. Gaudreau. That's what I was talking about in terms of level. We have to make sure the level is not ridiculously high and totally disconnected from an election campaign.

I think the protocol's panel of five had no clue how elections are run and the importance of foreign-language social media channels. The voters in a dozen or so ridings in Canada who were subject to intense misinformation and pressure don't watch The National, CTV or Global. They are drawing their news from channels controlled by a foreign entity. Without the ability to even alert them... Some of the messages I saw, Ms. Blaney, about me...I probably wouldn't have voted for me. The panel knew this, but I don't think they had a comprehension of swing-type ridings. If you suppress a few thousand or 5,000 votes, it's a completely different election. That's what I believe happened. It wasn't just on WeChat, for example.

The questions I've left the committee.... I certainly believe what I've read in the papers, not what the SITE panel and others told me. What I've read in the papers certainly met the threshold of at least warning all the parties. At least warn the people who were security-checked about what happened in the previous election and what the Prime Minister was briefed on—certainly in the case of Mr. Chong, which was just a month or so before the election.

I'll go back to Mr. Duguid's questions. Remember that Parliament dissolved when the Speaker was taking the government to court over the Winnipeg lab. We had the Uyghur genocide motion. We had a number of issues that, even publicly, the ambassador of China was commenting on. Knowing now that there were a lot of briefin-

gs at a level I certainly think met the threshold, there needs to be a discussion about who established the threshold, willful blindness, potentially, and the political education of the panel, in order to let them know that, in these swing ridings, it's crucial there's no social media manipulation by many countries.

I alluded to that in my remarks. The panel said they were aware of interference operations by several countries at the beginning, but none that were of serious concern. That's how they started the tone with the parties. I think that was inappropriate.

Ms. Rachel Blaney: Thank you for that.

I know you are a very busy man and that you need to get on, so I will finish my questions there. Thank you again for coming in, and for answering that question. I feel as if it helps us move forward.

I look forward to the next committee meeting and to discussing the member's motion. I hope, of course, that my friends from the Conservatives remember that we've had testimony in this place. Giving the papers to the law clerk is not the safest route, moving forward. It's never been done, and we have partners in other countries who have never done anything like that. This has been testified to here, and it could be of great concern for our relationships with the other Five Eyes partners.

I am done. Thank you so much.

The Chair: Thank you.

Mr. O'Toole...a minute back.

The meeting is adjourned.

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