



Stage 1 Interview Summary: Erin O'Toole

Erin O'Toole, former Member of Parliament for Durham and Leader of the Official Opposition (CPC) was interviewed by Commission counsel on February 23, 2024 and March 1, 2024.

Notes to reader

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.
- This summary contains information that relates to the Commission's mandate under clauses (a)(i)(A) and (B) of its Terms of Reference. Information provided during the interviews that relates to other aspects of the Commission's Terms of Reference has been omitted from this summary, but may be adduced by the Commission at a later stage of its proceedings.

1. Background

- [1] Erin O'Toole is the former member of Parliament for Durham from 2012 to 2023. He was Leader of the **Conservative Party of Canada ("CPC")** and Leader of the Official Opposition from August 2020 to February 2022.
- [2] In 2015, he served as Minister of Veteran Affairs in the cabinet of Prime Minister Stephen Harper. He held the post of Shadow Minister for Foreign Affairs from 2017 until becoming party leader in 2020.
- [3] Prior to his election to the House of Commons, he served for 12 years in the Canadian Armed Forces and studied at the Royal Military College. He subsequently obtained a law degree from Dalhousie, while serving part time in the military. He practiced corporate law first with Stikeman Elliott, and as in-house counsel with Procter & Gamble before joining the law firm of Heenan Blaikie.
- [4] Mr. O'Toole explained that his military background was formative for his political career, making him attuned to national and foreign affairs. At this time, he became

a bit wary of the growing influence of the **People’s Republic of China (“PRC”)** and was very concerned about China-related policy decisions made by both Liberal and Conservative governments.

- [5] He first began to be concerned with PRC foreign interference during his time as Shadow Minister for Foreign Affairs and thus took a more strident tone on PRC-related issues.

2. First experience with WeChat during 2017 leadership convention

- [6] Mr. O’Toole ran for the leadership of the CPC in 2017 and finished in third place.
- [7] He heard another candidate for the CPC leadership, Brad Trost, was making extensive use of the WeChat social media platform to target social conservative Chinese Canadian voters in Markham and Richmond Hill [Ontario]. It was the first time he observed WeChat being used as an organizing tool in a leadership convention. He was surprised to see Mr. Trost finish in fourth place, ahead of more high-profile candidates like Michael Chong and Lisa Raitt.
- [8] Mr. O’Toole eventually became aware of WeChat’s reach, learning that, to his surprise, some 600,000 users in British Columbia relied on that platform for their news. He stated that some people within the CPC were aware of how valuable this tool was as well as its potential for manipulation. According to Mr. O’Toole, there are no meaningful Canadian controls that exist on these channels.

3. Mr. O’Toole’s perspective on PRC foreign interference

- [9] Mr. O’Toole views the Chinese diaspora as complex, since it is made up of different waves of immigration. The more recent wave has featured immigrants who maintain closer ties to China and who are not fleeing persecution; in contrast, some of the past waves of Chinese immigrants featured a greater proportion of individuals who had left out of fear of the Chinese government. In his criticism of the PRC

government, Mr. O'Toole is careful to praise China's ancient culture and Chinese Canadian contributions to Canadian multiculturalism and society.

- [10] Mr. O'Toole's perspective on PRC foreign interference was shaped in part by reporting from certain diaspora groups about PRC monitoring. Persons in the Hong Kong, Uyghur and Tibetan communities reported to him that United Front Work Department agents regularly tracked members of their community. He was made aware that in certain diaspora communities, some people are known as being close to the PRC regime. The presence of these individuals demonstrates that the regime is watching, and thus constitutes a form of intimidation.
- [11] Mr. O'Toole stated that in the 2015 and 2019 elections, Chinese Canadians were viewed as a "rock solid" voting bloc for the CPC, based on the party's policies on drugs and crime. Despite a "red wave" of Liberal Party victories in 2015, the CPC picked up some seats in ridings with a large ethnic Chinese population. Moreover, despite a Liberal victory in the 2019 election, Kenny Chiu was elected to Parliament.
- [12] By 2019, during Mr. O'Toole's tenure as foreign affairs critic, some CPC organizers wanted him to tone down his rhetoric on PRC-related issues, such as the role of Huawei in Canada's telecommunications systems. There was a sense that being too vocal against the PRC would negatively affect bilateral trade relations and the party's electoral prospects.
- [13] Mr. O'Toole views foreign interference as not just a problem that affected the CPC during the 2021 election, but as an all-party problem. He has tried to present the issue in as nonpartisan a way as possible, because foreign interference attacks Canada's electoral process and democratic foundations.
- [14] His language on the PRC became more strident with respect to several issues, including the detention of the 'Two Michaels' [Michael Spavor and Michael Kovrig] and the Winnipeg Microbiology Lab controversy.

4. 2019 General election

[15] Mr. O'Toole was not aware of suspected instances of foreign interference during the 2019 general election. He states that he did not have much line of sight into the national campaign, in which, contrary to the 2015 campaign, he was not intimately involved.

5. 2021 General Election

5.1 Conservative party platform and positions on PRC-related issues

[16] Mr. O'Toole believes the two issues that likely made the CPC a target of the PRC government in the 2021 election were the House of Commons motion recognizing the Uyghur genocide and the foreign influence registry bill [Bill C-282, *An Act to establish the Foreign Influence Registry*]. Mr. O'Toole tried to treat both issues responsibly. He supported the motion once he saw sufficient credible, independent evidence that what the PRC was doing met the legal definition of genocide.

[17] With respect to the foreign influence registry, there was debate in caucus. There were some concerns raised about how the proposed legislation could be politicized and might be used to paint the Party in a negative light. To Mr. O'Toole, it was akin to a lobbyist registry and similar to existing legislation in Australia, the United States and the United Kingdom. Ultimately, a consensus of support emerged within caucus.

[18] Mr. O'Toole explained that the CPC's 2021 electoral platform contained many more references to PRC-related issues than the 2019 platform, but he did not consider any of the CPC's 2021 positions to be extreme.

[19] Mr. O'Toole believes that there was foreign interference by China in the 44th general election. Mr. O'Toole does not claim that the Conservatives would have won the election but for the foreign interference. Instead, he believes that foreign interference impacted the results in six to nine individual ridings. Ultimately, while the Conservatives did not lose the election because of foreign interference, the

foreign interference did change the course of Canadian electoral politics, as described below.

5.2 Discourse in Parliament ahead of the 2021 general election

- [20] Before Parliament ended for the summer, the government filed an application in Federal Court to prevent House Speaker Anthony Rota from releasing documents to members of Parliament related to the dismissal of two scientists from the National Microbiology Laboratory in Winnipeg.
- [21] Mr. O'Toole stated that this as well as other China-related issues dominated the end of the 43rd Parliament, such as criticism of the joint development of the CanSino vaccine and disagreements over the government's response to the detention of the 'Two Michaels'. When Conservative MPs would raise these matters, the government would often respond by cautioning against anti-Asian discrimination.
- [22] Mr. O'Toole believes the Canadian government's rhetoric about anti-Asian discrimination unwittingly aided propaganda efforts by the PRC government to paint Mr. O'Toole and the Conservatives as anti-Chinese and anti-China.
- [23] Likewise, Mr. O'Toole believes that when the Chinese Ambassador to Canada was quoted in the media at the beginning of the election directly attacking him and the CPC, that laid the groundwork for the propaganda against the CPC to spread.

5.3 The CPC's election result modeling predictions

- [24] Mr. O'Toole notes that the CPC lost the seat count but won the popular vote. In the final days leading up to the election, the CPC saw its projected seat count drop. He attributes much of this drop to the COVID-19 vaccine issue and vote gains by the People's Party of Canada.
- [25] On the day of the election, he was told by campaign staff that the CPC would finish the night with 128 seats, 124 at worst, based on their predictive modeling data. Mr. O'Toole was confident in the modeling because deeper dives in the riding-level

polling validated the modeling and the policy messages delivered to specific groups of voters seemed to be resonating.

- [26] He bases his belief that six to nine ridings were lost to foreign interference on the difference between the modelling and the result. He described the modeling as almost perfect for the rest of the country.

5.4 The CPC election results and reports of foreign interference

- [27] When the CPC finished with 119 seats, Mr. O'Toole realized that PRC foreign interference had cost the CPC some seats. He did not think it was appropriate to raise that concern publicly on election night. He wanted to bring it to the attention of the **Security and Intelligence Threats to Elections Task Force ("SITE TF")**.
- [28] When the 2021 general election was called, Mr. O'Toole had appointed the National Campaign Co-Chair, Walled Soliman, to be the CPC's representative to the SITE TF. He was informed that Mr. Soliman obtained the necessary security clearance and was privy to some briefings. Mr. O'Toole explained that they did not track every small incident that was suspicious in nature. They were lulled into believing that everything was under control because of how rigorously the security screenings were performed for political parties to participate in the SITE TF.
- [29] Mr. O'Toole describes instances of suspected foreign interference as a slow chatter at the beginning of the campaign that reached a crescendo. The CPC was not actively tracking all issues of concern, but many examples of misinformation on Chinese-language social media were raised and some examples of in-person misinformation were raised to him during and after the campaign. This included misleading advertisements displayed in a Chinese grocery store. The theme of the misinformation campaign against Mr. O'Toole included claims that he was an "extremist", the "next Donald Trump", that he was going to ban WeChat and/or that he would require Chinese Canadians across the country to input their personal information into a central registry.

- [30] During his first campaign visit to British Columbia, he was hearing from the local campaigns that the discourse and misinformation on WeChat and other platforms regarding the Conservatives were very negative and that something had to be done.
- [31] He stated that the CPC reported these incidents to the SITE TF through Mr. Soliman. The response received was to the effect that everything was fine and there was nothing to worry about.
- [32] He had heard of instances of soft intimidation such as when the Chinese Consul General in Toronto sent a message to MP Bob Saroya [running for re-election in Markham-Unionville] to the effect that he wanted to “wish [him] luck on [his] future endeavours after politics.” Mr. Saroya had believed he was headed for re-election.
- [33] MP Michael Chong told Mr. O’Toole about someone logging into one of his town halls [and asking questions that disclosed pro-PRC leanings]. He believes Mr. Chong reported the incident.
- [34] He heard reports from the campaign of MP Leona Alleslev [running for re-election in Aurora-Oak Ridges-Richmond Hill] that there were people associated with the UFDW working in the polling stations. The general feedback was that some Chinese Canadians were worried about voting. He does not believe that this allegation was reported to the **Commissioner of Canada Elections (“CCE”)**.
- [35] Later on during the campaign, in a discussion he had with Kenny Chiu, he learned of a general concern being expressed among many Chinese Canadian electors that if their names were seen on a voting roll, and a Conservative candidate was elected in that riding, there could be consequences for their family in the PRC.
- [36] MP Alice Wong [running for re-election in Richmond Centre] reported to Mr. O’Toole that, after she lost the election, constituents told her that they did not vote because they did not think she needed their vote, they thought her seat was safe and they did not want to be seen on the electoral list as having voted.
- [37] Mr. O’Toole does not believe that Mr. Saroya, Ms. Alleslev or Mr. Chiu filed complaints with the CCE. He believes that each of the defeated MPs feared that any public complaint would be viewed as “sour grapes” and possibly an affront to

some prominent voices in the local Chinese communities. He also believed that Mr. Saroya and Ms. Alleslev were considering running for office again in the future and were trying to find ways to restore relations with the Chinese communities in their ridings and not dwell on issues that could be perceived as negative. In Mr. O'Toole's view, he understood their desire to move on and not be viewed as "rocking the boat" ahead of the next election.

5.5 Petition to trigger a recall of Mr. O'Toole as party leader

- [38] Mr. O'Toole also believes foreign interference played a role in his ouster as party leader. The CPC won the popular vote in an election where his party was generally viewed by swing voters as being on the wrong side of public opinion on the issue of mandatory vaccinations. Nevertheless, the fact that the Party led by Mr. O'Toole garnered two fewer seats than in the 2019 general election made a material difference in the efforts to question his suitability as leader. In his view, if just three of the seats that may have been lost due to foreign interference had been maintained by the CPC, Mr. O'Toole would have surpassed the 2019 general election results and won the most opposition seats in Canadian history in a challenging pandemic election. That result may have made efforts to remove him more difficult.
- [39] In the immediate aftermath of the election loss, a petition and public relations campaign against Mr. O'Toole was initiated within 48 hours by a high-profile CPC party member who had served on the national council of the party. A Chinese Canadian Conservative Association group backed these efforts against Mr. O'Toole. The campaign initiated by this party activist demanded the removal or recall of Mr. O'Toole as leader and cited the loss of seats in heavily Chinese Canadian ridings as one of the reasons why the leader needed to be replaced. A trusted source in a diaspora group and a journalist have advised Mr. O'Toole in confidence that this specific party member had unusual ties to the PRC government. Mr. O'Toole has no information to corroborate these claims, but he trusts the sources. This information was brought to his attention after he had already lost the party leadership.

[40] Mr. O’Toole mentioned that there were also other serious factors at play in his ouster as CPC leader, such as his support of COVID-19 vaccinations and other public health measures, as well as his positions on certain social conservative issues. Some members of Mr. O’Toole’s parliamentary caucus considered his positions on certain social conservative issues to be too moderate.

5.6 Election post-mortem

[41] Following the CPC’s electoral loss, Mr. O’Toole, along with other CPC members, took part in a listening tour to hear what people in certain communities had to say, particularly in the Chinese Canadian communities in the Greater Toronto and Greater Vancouver areas. They met with defeated candidates, campaign organizers and community members. Mr. O’Toole participated in a roundtable discussion in the Greater Vancouver Area.

[42] Mr. O’Toole also points to other factors that contributed to the CPC losing in some ridings in 2021. For example, there were a few swing ridings where the Green Party of Canada did not have a candidate, contrary to the previous election. This provided the Liberals with a slight edge. In at least two ridings where there was no Green Party candidate – Port Moody-Coquitlam and Aurora-Oak Ridges-Richmond – the incumbent Conservative MP was defeated.

[43] As for the **People’s Party of Canada (“PPC”)**, the CPC data suggested that one-third to one-half of PPC voters would have voted for the CPC in the absence of a PPC candidate.

6. No flow of information

[44] Mr. O’Toole’s central concern is that there was no flow of information from government with respect to suspected instances of foreign interference. He considers this a major problem that needs to be addressed.

[45] Electoral candidates such as Kenny Chiu and Bob Saroya or their campaign staff were reporting incidents to the party leadership. The SITE TF led them to believe that there was nothing to worry about. These assurances from the SITE TF were

inconsistent with the information Mr. O'Toole and his team were hearing from the field. The CPC team would raise concerns of possible PRC foreign interference, particularly in relation to the mis- and disinformation surrounding Kenny Chiu, both to the SITE TF through Mr. Soliman and to CSIS. These concerns were either discounted or dismissed. The CPC continued to raise these issues until the electoral caretaker period ended.

- [46] Mr. O'Toole did not want to raise these concerns publicly as he was concerned he would be labelled as anti-Asian. According to Mr. O'Toole, it should not be incumbent on the political parties to inform the public of suspected incidents of foreign interference. This information should be disclosed as part of an independent process, in the form of a carefully crafted public notice. A public, independent body is needed to take the politics out of the process.
- [47] He believes the government could have set up a responsible information protocol. Moreover, he believes that if an intelligence agency develops a credible belief that a party or candidate is the target of foreign interference, then the agency should brief the party or candidate, even if the threat posed by foreign interference is minimal.
- [48] With the benefit of hindsight and information that he has received since the 2021 election, Mr. O'Toole would have ramped up the CPC's pre-electoral and electoral efforts regarding mis- and disinformation and WeChat in particular. He would have asked for a public airing of the mis- and disinformation circulating on social media and messaging platforms. He would have warned Chinese Canadians about ongoing mis- and disinformation efforts.
- [49] Mr. O'Toole considers that both the SITE TF and the Critical Election Incident Public Protocol (CEIPP) failed in their duty to inform and warn.