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

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

Interview Summary: Public Safety Mr. Rob Stewart and Mr. Dominic Rochon

Background / Setting Priorities

Rob Stewart and Dominic Rochon were interviewed by Commission Counsel on February 6, 2024. The interview was held in a secure environment and referenced classified information. This is the public version of the classified interview summary that was entered into evidence in the course of the Commission's in camera hearings held in February and March 2024.

Notes to Reader:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.
- This summary has been prepared pursuant to subclause (a)(iii)(C)(II) of the Commission's Terms of Reference. It discloses the evidence pertinent to clauses (a)(i)(A) and (B) of the Commission's Terms of Reference that, in the opinion of the Commissioner, would not be injurious to the critical interests of Canada or its allies, national defence or national security.
- 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 interview 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.
- This summary should be read in conjunction with the Institutional Report prepared by **Public Safety Canada ("PS")** Institutional Report prepared by the Government of Canada.

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Background

- [1] Mr. Stewart was appointed as **Deputy Minister (“DM”)** of PS on December 17, 2019. He occupied this role until October 21, 2022, when he was appointed Deputy Minister of International Trade. One of Mr. Stewart’s primary responsibilities at PS was to identify and advance policy, legislative and regulatory developments that would support the activities of the five agencies overseen by PS:
- (i) the **Parole Board of Canada (“PBC”)**
 - (ii) the **Canada Border Services Agency (“CBSA”)**
 - (iii) the **Canadian Security Intelligence Service (“CSIS”)**
 - (iv) the **Correctional Service of Canada (“CSC”)**
 - (v) the **Royal Canadian Mounted Police (“RCMP”)**
- [2] Another key part of Mr. Stewart’s mandate was to monitor and maintain awareness of the activities of these five agencies, and to assist his deputy head colleagues at those agencies in carrying out their mandates. He emphasized that the five agencies were operational, unlike PS.
- [3] Mr. Rochon held the position of Senior Assistant Deputy Minister (“SADM”), National and Cyber Security Branch from October 19, 2019 until October 31, 2022. At the time of the interview, he was Associate DM at Transport Canada, soon to assume the role of Chief Information Officer for the Government of Canada.
- [4] Mr. Rochon explained that, during the relevant times, no specific group or committee within PS focused exclusively on **foreign interference (“FI”)**. Mr. Stewart noted that PS understood FI as a subset of broader hostile activity, which was referred at the time as **Hostile Activities of State Actors (“HASA”)**. HASA also included activities related to economic security and cyber security. As such, they approached FI as a subordinate element in this broader set of hostile threats, and HASA was the frame used to understand those threats. This framing can be seen in the letter that they prepared for Minister Blair to send to Members of Parliament in December 2020.
- [5] Mr. Stewart explained that PS had no formal definition of FI, but that they would know it when they saw it. PS understood FI to have a statutory definition under the *CSIS Act*, but

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conceptualized FI under the broader framework of HASA because PS was concerned with threats faced by Canada in a more global fashion.

- [6] When asked about the broader inter-departmental approach to FI, Mr. Rochon noted that PCO had the lead on the response to election threats. Mr. Rochon sat on, co-chaired, or chaired several inter-departmental governance committees that had several functions, including identifying and advancing policy and legislative needs relating to threats to the security of Canada.

Intelligence Priorities

- [7] Mr. Stewart explained that the **Privy Council Office (“PCO”)** leads the formal process to set the intelligence priorities that are delivered to various agencies for implementation. He observed that this process is circular, as intelligence priorities are also informed by input from the respective agencies. PS, PCO, the agencies and other intelligence producers and consumers reach a consensus on intelligence priorities before they are formalized. This process takes about a year.
- [8] Intelligence priorities help the agencies allocate their finite resources. Mr. Rochon added that it is the role of the review agencies, such as NSIRA, to determine whether the agencies are acting in accordance with the intelligence priorities and the resulting Ministerial Directives.

Consumption of Intelligence

- [9] Mr. Rochon described PS as consumers rather than producers of intelligence. PS consumed intelligence from a contextual or policy perspective and not from an action or operational perspective. Mr. Stewart described the incoming flow of intelligence information to PS as “a river”.
- [10] When asked how PS triages incoming intelligence, Mr. Rochon noted that the **National Security Operations Directorate (“NSOD”)** generally acts as the keeper of intelligence within PS. Its staff have access to **Canada’s Top Secret Network (“CTSN”)**, as well as the CSE system which provides access to CSE Signals Intelligence reports. NSOD

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employees look for intelligence on these systems and decide what should be brought to the attention of the SADM and DM.

- [11] Mr. Rochon further explained that CSE has client relationship officers (“CROs”) that are responsible for bringing a package of CSE intelligence to PS every two weeks. They seek feedback on what is of interest, which informs future packages. CSIS typically sends intelligence directly to PS, through NSOD, and requests that it be distributed to the appropriate recipients.
- [12] In addition to CSIS and CSE reporting, several agencies, including the **Intelligence Assessment Secretariat (“IAS”)** at PCO, the Department of National Defense, and **Global Affairs Canada (“GAC”)**, produce and send daily reports to PS. These reports are not addressed to specific recipients but can be accessed by those who are interested in reading them.
- [13] Mr. Rochon explained that the NSOD pulled together a binder every couple of days for distribution to the DM/ADM, and Mr. Rochon’s Chief of Staff would manage what went to him. Binder contents were not tracked. Mr. Rochon estimated that the average binder held between twelve and thirty reports.
- [14] Mr. Rochon explained that if PS identified a threat based on incoming intelligence, PS would generally note the issue for discussion at an upcoming governance committee meeting (e.g., the Assistant Deputy Minister National Security Operations Committee). Mr. Stewart distinguished PS from the rest of the system. He observed that PS has a policy and coordination function, but is not an operational department, so others within the system had the responsibility for responding operationally to intelligence. PS also could not dictate the appropriate response to an immediate threat.
- [15] Mr. Stewart also noted that there was no formal system within the government and outside of election periods to bring information forward or otherwise act on it, given the volume of intelligence PS received and the structure of the various committees. PS noted that the system needed refinement to ensure that intelligence was properly disseminated and, in appropriate circumstances, properly actioned.

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- [16] Mr. Stewart explained that, at the relevant time, there was no system or individual responsible for tracking readership of FI related intelligence, specifically.
- [17] During the writ period, Mr. Rochon relied on SITE to manage the FI information flow, as he considered it within SITE's mandate to assess and disseminate intelligence related to the threats to the elections. He noted that SITE was really thorough and had representation from all of the collectors, so he felt very comfortable with that body.
- [18] During COVID, Mr. Rochon explained that many employees of PS were not in the office. Because he and Mr. Stewart were always in the office, it was sometimes left to Mr. Rochon and his staff to bring intelligence to the appropriate recipients.
- [19] Throughout the interview, both Mr. Stewart and Mr. Rochon emphasized that PS is a very busy Department. They both received significant volumes of information on a continuous basis. Mr. Stewart observed that PS did not neglect the potential FI threat to elections. FI was one of many important issues of concern to PS. As an example, PS also had to address urgent priorities related to security threats brought on by COVID-19.

Relevant Committees

- [20] Mr. Rochon explained that the intelligence PS received informed the Department's participation in various interdepartmental governance committees. Those committees had various functions. Some were intended to advance national security policy and legislative initiatives, while others were operational. According to Mr. Stewart, almost all of the committees are *ad hoc* (i.e., they are not constituted by any statutory instrument). There was no formal process to consolidate any committee generated output.
- [21] Mr. Rochon and Mr. Stewart identified the following committees as contributing to coordinating the intelligence community around various threats, including FI:

**1) Assistant Deputy Ministers' Committee on National Security Policy ("ADM NS POL")
and Deputy Minister National Security Committee ("DMNS")**

- [22] Mr. Stewart explained that these committees were co-chaired by PS throughout his tenure. DMNS was a formal committee created by the Clerk of the Privy Council. Each committee was comprised of approximately fifteen to twenty members at the respective

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levels. The meeting agendas were usually driven by the information provided by the various agency or departmental representatives. Minutes of meetings were prepared and shared with all members. DMNS also prepared an Annual Report to the Clerk.

[23] Mr. Rochon identified both committees as key for the development of national security policy.

2) Deputy Minister Intelligence Assessment Committee (“DMIA”)

[24] DMIA was created in 2020, and met monthly. The topic(s) were identified by PCO IAS, which “fused” intelligence from different sources. The objective was to have a deeper discussion on the assessment of national security issues, generally based on a document provided by IAS.

3) Assistant Deputy Minister National Security Operations Committee (“ADM NS OPS”)

[25] Mr. Rochon explained that the ADM NS OPS allowed representatives from various agencies to discuss a large number of operational matters at a high-level. It was co-chaired by him, as the PS representative, and PCO. It met on a weekly basis.

[26] At the time, Mr. Rochon explained that the process at ADM NS OPS was to go around the table and to provide each participant an opportunity to flag what they were seeing that week within the national security space for the rest of the group, and to flag what they were doing operationally.

4) Deputy Minister Operations Committee (“DMOC”)

[27] DMOC is the most senior DM committee. It was chaired by the NSIA and generally met weekly, and at the discretion of the NSIA. Mr. Stewart explained that DMOC would examine fewer issues than ADM NS OPS, but in greater focus. FI was occasionally discussed at DMOC, and Mr. Stewart gave the intelligence related to the Don Valley North nomination in 2019 as an example of one such topic.

5) Deputy Minister Elections Security Coordinating Committee (“DM ESCC”) and Assistant Deputy Minister Elections Security Coordinating Committee (“ADM ESCC”)

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[28] Mr. Stewart explained that these ESCC committees met during election periods and were mostly focussed on safeguarding the physical integrity and safety of the election (e.g., by ensuring that voters could safely access the polls). Elections Canada also participated in ESCC. Mr. Rochon described PS almost as an observer member, and that he only attended a handful of these meetings.

Information Flow to the Minister

[29] Mr. Stewart and Mr. Rochon identified several ways in which PS received intelligence, including intelligence intended for the Minister. One such mechanism was through NSOD, which Mr. Stewart described as the “mail room”. He noted that the Minister’s Office could not receive intelligence directly, so NSOD would receive it and take it up to the Minister’s Office, with a copy for the SADM and DM. He noted that there were two channels to the Minister’s Office, either direct delivery to the Minister’s Office via the authoring agency (i.e., by CSIS by hand in Toronto or at its office there) or through PS. Mr. Rochon stated that PS did not filter what was sent to the Minister.

[30] Where intelligence was received by PS generally, employees within the SADM’s office decided what to send to the Minister’s Office. Mr. Stewart noted that there was some discretion in the determination of what the Minister should ultimately see, with the understanding that the Minister should receive a refined volume of intelligence, given the Minister’s other responsibilities.

[31] Mr. Stewart explained that the CSIS Director maintained a direct link to the PS Minister, and would occasionally request a meeting with the Minister to discuss specific intelligence. CSIS tended to copy the DM/SADM when they sent intelligence directly to the Minister. Further, the DM/SADM were generally present when the Minister was briefed. Neither Mr. Stewart nor Mr. Rochon knew which CSIS intelligence products the Minister personally saw or how intelligence information was treated within the Minister’s office.

[32] Mr. Rochon explained that PS had a role in relation to the process for the issuance of ss. 12 and 16 warrants by the Minister under the *CSIS Act*. The **National Security Policy Directorate (“NSPD”)**, a unit within PS, reviewed incoming warrant applications to

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ensure that the application met the requisite statutory requirements. The Director General of NSPD would also meet with CSIS as part of the process (through the Warrant Review Committee), and draft a Briefing Note for the Minister to be signed by Mr. Stewart. Each warrant application was then escalated to the SADM and DM, before being provided to the Minister for review and approval. Mr. Stewart was not aware of the Minister ever refusing to approve a warrant request, although the Minister always asked questions before doing so. Obtaining a warrant is a lengthy process.

Specific Incidents of Alleged FI

[33] Mr. Stewart and Mr. Rochon were asked about their recollection of specific intelligence regarding FI.

1) The PRC Activities in the Greater Toronto Area

[34] Mr. Stewart recalled discussing the activities of possible PRC actors in the **Greater Toronto Area (“GTA”)**. Mr. Rochon noted that the threat presented by these types of activities was an example of the type of behaviours they were trying to address through the HASA policy changes.

[35] In general, Mr. Stewart explained that he takes Intelligence Assessments (IA) more seriously than raw intelligence, and that IAs could start a conversation about what CSIS was doing in response. Mr. Stewart added that IAs were typically discussed at DMOC.

2) China

[36] Mr. Stewart indicated it was likely he had received information regarding a specific FI matter ahead of the 2021 election. PS did not respond in any specific way or provide briefings in response. Mr. Rochon and Mr. Stewart noted generally when they are provided with intelligence products these are for their information not for their action. PS would not be involved in decisions to brief the Prime Minister on intelligence that they receive. During the writ period, the Minister of Public Safety would generally not receive intelligence briefings, these would be provided to the new Minister following the election.

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3) Disinformation campaign

[37] Mr. Stewart and Mr. Rochon were generally aware of the alleged PRC FI activities in Vancouver, as well as of the disinformation campaigns targeting Erin O'Toole and Kenny Chiu, but they did not recall specific documents or details. Mr. Stewart noted that he heard more about Mr. Chiu's riding as a member of the Panel of Five.