



Interview Summary: Erin O'Toole (Stage 2)

Erin O'Toole, former Member of Parliament for Durham and Leader of the Official Opposition (Conservative Party of Canada (“**CPC**”)) was interviewed by Commission Counsel on July 16, 2024 and August 21, 2024.

Notes to Readers:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.

1. NSICOP and NSIRA Reports

- [1] Since his Stage 1 Interview, Mr. O'Toole has closely followed public coverage of foreign interference and of issues related to the Commission's work. Regarding the recent special reports on foreign interference released by the National Security and Intelligence Committee of Parliamentarians (“**NSICOP**”) and the National Security and Intelligence Review Agency (“**NSIRA**”),¹ Mr. O'Toole confirmed that he was not interviewed by either body in the course of their reviews. He stated that while he had not thoroughly reviewed the NSIRA report, he has read the NSICOP report multiple times. With respect to both reports, Mr. O'Toole only had access to the public [redacted] versions.
- [2] As a general comment on the special reports' findings and recommendations, Mr. O'Toole opined that senior governmental officials had, in his view, approached the topic of foreign interference in a dismissive way. They had displayed an attitude of wilful blindness and downplayed the importance of critical intelligence regarding foreign interference. Mr. O'Toole's view was that the behaviour of these officials was reckless.

¹ **Note:** NSICOP released its *Special Report on Foreign Interference in Canada's Democratic Processes and Institutions* on June 3, 2024. NSIRA released its special report entitled *Review of the dissemination of intelligence on People's Republic of China political foreign interference, 2018-2023* on May 28, 2024.



1.1 Tactics employed against Parliamentarians

- [3] Mr. O'Toole discussed potential links between electoral candidates and community networks, some of which may pursue clandestine objectives. The NSICOP report also discussed this key foreign interference tactic. Mr. O'Toole recalled an incident that occurred in 2012 during his byelection campaign for the riding of Durham in the township of Uxbridge. He recalled that a Chinese Canadian community association provided many volunteers for a door-knocking operation. As many of the volunteers provided by this organization could not speak English well, they were tasked with distributing leaflets rather than engaging voters on their doorstep. Mr. O'Toole expressed pleasant surprise that so many people who were presumably immigrants to Canada had become so engaged in the democratic process. He made the point, however, that his campaign staff had neither the time nor the resources to investigate the backgrounds of these volunteers. Given that Durham was a safe Conservative riding, Mr. O'Toole does not believe that these volunteers were a significant factor in his victory in the 2012 byelection. Mr. O'Toole added that this specific incident came to his mind upon hearing Mr. Han Dong's testimony during the Stage 1 public hearings of the Commission regarding the marshalling of groups of people by community groups.
- [4] Mr. O'Toole also recalled dim sum fundraising events in Richmond and Markham that he attended during the 2017 and 2020 CPC leadership campaigns. He recalled that during these events, it became clear that a handful of key community leaders were in charge of their respective associations' operations and that he suspected that at least a certain portion of the attendees had been paid to attend. However, Mr. O'Toole emphasized that he conversed with some attendees who seemed genuinely proud to be at these events and warned against drawing negative inferences about the attitude or intentions of the attendees.
- [5] Regarding his relationship with Chinese Canadian community groups in general, Mr. O'Toole stressed that he has deep affinity for and stronger ties to groups opposed to the CCP, such as Falun Dafa, Hong Kong democracy activist groups, and Uyghurs rights advocacy groups, among others. According to Mr. O'Toole, these groups have clearly



aligned themselves with Canadian values and with the foreign affairs posture he envisioned for Canada.

- [6] Mr. O'Toole also suggested that Canadian political parties need to reform practices regarding the hiring and deployment of political staffers. Mr. O'Toole emphasized the importance of discretion in hiring, but suggested that all political parties should have a designated official to liaise with intelligence and security agencies. This would allow agencies to share any concerns about a given individual in a discrete fashion. Mr. O'Toole believes that such a system could easily be implemented: for instance, the hiring of a staffer could be flagged in advance to the designated official within the party to allow for a quick review for any foreign interference concerns. Mr. O'Toole indicated that currently, only staffers who work on Parliament Hill and need access to restricted locations undergo a security screening.
- [7] Based on his experience in politics, Mr. O'Toole contended that three aspects of political party governance and administration are particularly vulnerable to foreign interference: (1) Parties' policy making processes, (2) Fundraising, and (3) Leadership contests.
- 1) **Parties' policy making processes:** While every Canadian political party has different policy making practices, Mr. O'Toole noted that the CPC's grassroots approach means that policy proposals come from local delegates who may be more vulnerable to low-profile foreign interference. Mr. O'Toole reiterated that his proposal of having a designated party official to liaise with intelligence agencies would allow this individual to obtain information about foreign interference concerns in the policy making process and to warn party officials about any concerns.
 - 2) **Fundraising:** Mr. O'Toole stated that fundraising was an area of active concern with regards to foreign interference. In Mr. O'Toole's opinion, the real concern is with important donors who donate the maximum amount for individuals and can then rally other individual donors through informal PACs [political action committees]. According to Mr. O'Toole, important donors who are furthering the interests of a foreign power can effectively extract *quid pro*



quo concessions from political candidates. Inversely, he views events featuring large numbers of small donors as less problematic. In terms of remedying the issue, Mr. O'Toole noted that screening of attendees ahead of fundraisers is not always possible, but if tickets were booked in advance, his suggested designated party official could liaise with intelligence agencies to detect any potential issues.

- 3) **Leadership contests:** Mr. O'Toole stated that leadership contests are uniquely vulnerable to foreign interference. The underlying issues resemble those in nomination contests, but are amplified in the context of a leadership contest. For instance, Mr. O'Toole explained the crucial role played by diaspora community leaders given that they can sometimes wield tremendous influence across multiple ridings and regions. In Mr. O'Toole's opinion, there should be a separate and specialized regulatory framework for leadership contests. He referred positively to measures taken by the CPC to remove the ability to make cash donations and to require identification when buying a CPC membership. He further mentioned the fact that the LPC only requires email addresses from individuals wishing to become members as an example of why a stricter regulatory framework is required.

- [8] On the topic of nomination contests, Mr. O'Toole stated that he was in favour of introducing a regulatory framework, with the enforcement thereof being left to each political party. He suggested a standardized vetting process for all nomination contestants which could incorporate political parties' existing best practices. For instance, Mr. O'Toole explained that the CPC's vetting process includes a 50-page questionnaire, a police background check and social media screening. Mr. O'Toole also referenced with interest the UK's Conservative Party practice of running interview panels with potential nomination candidates to further assess their candidacy.
- [9] Mr. O'Toole is in favour of a standardized regulatory framework for determining who is eligible to vote in nomination contests. He believes that the criteria for voting should broadly resemble the eligibility requirements for federal elections. One exception is that



the voting age for party nomination contests might be lower to encourage the participation and input of younger voters. In his opinion, allowing permanent residents to vote in nomination contests opens the door to vulnerabilities. Finally, Mr. O'Toole also raised the idea of restricting voting eligibility to those party members who have been members for at least a year before the date of the nomination contest.

- [10] Mr. O'Toole is not in favour of regulating leadership and nomination contests through the framework of the *Canada Elections Act*. He mentioned that incorporating such regulation into the Act would increase the risk of politicization of Elections Canada (“**EC**”) and the Office of the Commissioner of Canada Elections (“**OCCE**”). He also pointed to existing organizational issues within these two organizations. He reiterated that he was in favour of a regulatory model in which the regulator articulates a framework and corollary standards for application by political parties, but also allows the parties to run their own processes. Such a model would have the advantage of alleviating the regulatory burden on the regulator.
- [11] Mr. O'Toole agreed there would be push back by political parties against any increase, however light, in regulatory oversight, but stated that the overarching objective of safeguarding Canadian democracy needs to trump the parties' resistance. He stated that the days of political parties having untrammelled latitude in terms of nomination and leadership contests are over, given the information that is now publicly known regarding the risk of foreign interference in these processes.
- [12] On the occurrence of cyberattacks targeting parliamentarians and political parties, Mr. O'Toole has never observed or been made aware of any such attacks. However, he expressed concerns that the widespread adoption of online communications tools in the wake of the COVID-19 pandemic, both within Parliament and by the CPC, presents vulnerabilities. As an example of one vulnerability, Mr. O'Toole mentioned that MPs are not mandated to use virtual private networks (“**VPNs**”) when they connect to secured virtual meeting platforms and thus can unwittingly jeopardize the security of communications. As such, he would not be surprised if these unsecured entry points were exploited by sophisticated foreign actors, in similar fashion to the cyberattack which



was recently revealed to have impacted some members of the Inter-Parliamentary Alliance on China (“**IPAC**”). In his view, all MPs should be given secure phones and be mandated to use VPNs to mitigate some of these risks.

- [13] The NSICOP report also refers to alleged attempts by the PRC and the Republic of India to interfere in the last two CPC leadership contests, including the one which saw Mr. O’Toole elected as CPC leader in 2020. Despite participating in that leadership contest, Mr. O’Toole did not observe any suspected acts of foreign interference and was unaware of such activity prior to reading the NSICOP report. However, he mentioned that during the 2020 CPC leadership contest, he observed diaspora politics play out in a way which arguably suggested coordination by foreign actors.
- [14] More specifically, he recalled prominent members of the Hindu community telling his campaign that the CPC ought to be “the party for the Hindus”. This narrative spawned from a widespread perception held within this community that the LPC was the party of the Sikh community in Canada, and that the CPC could play an equivalent role as the standard bearer for the Hindu community. However, Mr. O’Toole explained that he shunned this narrative, as he did not wish to leverage one religious community against the other and veer into identity politics. He maintained that engagement in identity politics will only lead to the disintegration of Canada’s national fabric. Mr. O’Toole added that it is possible that the expressed support for his candidacy by members of the Hindu community was due to their perceived underrepresentation in the LPC and diaspora politics more generally, as opposed to being the result of coordinated efforts by a foreign state.

1.2 Dissemination of intelligence

- [15] Mr. O’Toole provided his views on the balance between ensuring the protection of classified information and the need to disclose sufficient information to allow targets of foreign interference to protect themselves.
- [16] Mr. O’Toole believes that the appropriate balance between these two competing interests has not been adequately struck in Canada. He noted that in the United States,



members of Congress can be “read in” on intelligence reports based on the oaths of allegiance they take. In contrast, governmental officials viewed CSIS’ briefing of Mr. O’Toole, Michael Chong and other MPs on foreign interference threats directly concerning them as an unprecedented step. In Mr. O’Toole’s opinion, when an MP or their family is at risk or vulnerable to foreign interference threats, they should be informed so that they can take appropriate measures.

- [17] Mr. O’Toole accepts that any reforms to the process for disseminating classified information and intelligence need to be approached prudently. However, he stated that maintaining the *status quo*, in which no MPs other than members of Cabinet have access to classified information, is not desirable and that Canada needs to move towards a model in which MPs are trusted with a certain level of information. As a starting point, he noted that members of the Standing Committee on Public Safety and National Security of the House of Commons (“**SECU**”) should have the ability to receive classified information. Mr. O’Toole stated that Parliament did not intend for NSICOP to become the sole oversight body with access to classified information. Parliamentary committees and members of the House of Commons may at times require classified information to discharge their duties. In his view, the Leader of the Official Opposition should receive a greater amount of classified information.
- [18] Mr. O’Toole believes that more MPs should become security cleared to access classified information, but ultimately it should remain each individual MP’s choice whether to undergo the security clearance process. He explained that he understands how reticent some MPs are to obtain a security clearance. He also added that it would be incumbent on security cleared MPs to respect the *Security of Information Act*. Mr. O’Toole explains that in his proposed system, decision-makers could build in necessary security features, such as audits of MPs’ access to and use of classified material as well as a tiered approach to security, whereby only those MPs sitting on sensitive committees obtain enhanced clearance levels.
- [19] Regarding the possibility that compromised MPs may access and use classified information for improper purposes, Mr. O’Toole reverted to the idea of each party having



a designated official to liaise with intelligence agencies. Based on information shared by intelligence agencies, the party's designated official could recommend to the party's chief whip not to assign certain MPs to certain committees.

- [20] Mr. O'Toole also expressed support for the idea of limited briefings by CSIS to members of the public who may be targets of foreign interference. These briefings would take place on a case-by-case basis, subject to the Minister of Public Safety's approval.
- [21] Mr. O'Toole stated that the leaders of opposition parties may need to be given classified briefings when issues of national importance arise. Mr. O'Toole cited a hypothetical situation in which a foreign state riled up a diaspora movement in Canada on a particular issue. In this scenario, he stated that briefing opposition leaders would allow them to become aware of the foreign interference and consequently avoid fueling the fire on that issue. Mr. O'Toole does not believe such briefings would lead to the politicization of national security issues. While there was some risk of politicization, he referred to the high degree of respect for the strict preservation of information disclosed *in camera* that prevails in the American political system and argued that a similar level of deference would likely prevail in the Canadian political context. Mr. O'Toole also reiterated that leaders who received such briefings would be bound by the *Security of Information Act*.
- [22] In Mr. O'Toole's opinion, the risk that individuals will improperly disseminate intelligence regarding foreign interference is more than outweighed by the problems that flow from an overly restrictive approach to information disclosure. Referring to the 2021 election, Mr. O'Toole stated that he and his campaign would have taken multiple steps to increase their readiness and preparation in the face of foreign interference threats had they been properly informed of these threats. Mr. O'Toole noted that withholding information can directly abet interference with the democratic process. In his view, the failure to inform his campaign of foreign interference threats during the 2021 election directly damaged Canada's democratic process.



1.3 Misinformation and disinformation

[23] With respect to misinformation and disinformation as vehicles for foreign interference, Mr. O'Toole recommended measures aimed at restricting foreign-controlled media outlets' ability to operate during writ periods. In his opinion, social media platforms such as TikTok and WeChat, which are foreign-controlled and lack algorithmic transparency, cannot be allowed to be used as firehoses of misinformation and polarization during election periods. Mr. O'Toole justified the imposition of these measures by comparing them to other restrictions aimed at controlling the flow of information such as previously existing bans on opinion polls during writ periods. Furthermore, Mr. O'Toole also referenced the CRTC's [Canadian Radio-television and Telecommunications Commission] decision to ban *Russia Today* from Canadian airwaves as an example of concrete action taken to restrict a foreign-controlled media company's ability to spread disinformation and misinformation in Canada.

[24] Mr. O'Toole also emphasized the need to increase public education about misinformation and disinformation. In his opinion, public awareness of foreign actors' involvement in online campaigns of misinformation and disinformation should be viewed as a key component in building resilience against foreign states' ability to interfere in Canadian democracy. Provinces should ensure that young Canadians receive appropriate civics training as well as training in how to identify, report, and respond to misinformation and disinformation.

1.4 The challenges of state attribution and the existence of a “grey zone”

[25] Mr. O'Toole recognizes the challenges of attributing responsibility for foreign interference actions to specific states and state-sponsored actors. He noted that the NSICOP and NSIRA reports advanced the same conclusions. In his view, there should be a high degree of trust in Canadian intelligence agencies' ability to observe patterns and draw corollary conclusions, even in the absence of a smoking gun allowing for definitive attribution. Mr. O'Toole indicated that the rise of artificial intelligence and the use of big data tools simultaneously complicate and ease the work of intelligence agencies.



Through the intelligent deployment of such technologies in conjunction with continued reliance on human intelligence and professional expertise, Canadian intelligence agencies should be able to attribute behaviour to specific states in at least certain contexts. Mr. O'Toole emphasized that given the unlikelihood of definitive attribution in most contexts, however, definitive state attribution should not be a rigid prerequisite for action in countering foreign interference operations or disclosing foreign interference activities to those who are targeted.

- [26] Mr. O'Toole also noted that the self-perpetuating nature of disinformation narratives poses a further challenge. For instance, groups such as opponents of vaccines during the COVID-19 pandemic, trucker convoy protestors in Canada, the *gilets jaunes* [yellow vests protests] in France or MAGA supporters in the United States that propagate disinformation narratives are not necessarily aware that they are being used as conduits for foreign interference. As such, the disinformation operations take on a life of their own, which in turn increases the challenges of combatting that disinformation and of identifying the originator of the disinformation. Consequently, Mr. O'Toole reiterated his support for increased algorithmic transparency requirements for foreign-controlled media outlets.
- [27] Mr. O'Toole opined that the so-called “grey zone”, wherein the line between foreign interference and legitimate diplomatic activity by foreign states is blurred, is not as wide as one might think. Going back to his prior suggestion of having a designated party official to liaise with intelligence agencies, Mr. O'Toole stated that this individual would be attuned to the differences between foreign interference and legitimate diplomatic activity. Mr. O'Toole identified as an additional challenge the determination of whether diaspora groups are engaged in foreign interference activities: it can be unclear whether Canadian diaspora groups are engaged in legitimate communal politics or are instead promoting narratives crafted by foreign agents.

1.5 The vulnerability of diaspora communities

- [28] With regards to measures of protection and support which could be offered to vulnerable diaspora community groups by the Canadian government, Mr. O'Toole noted that limited



intelligence briefings, with proper security protocols, would be an appropriate measure in certain circumstances. Distinguishing between legitimate diaspora groups and “astroturfed”² groups, he stated that the former ought to be protected from foreign interference and infiltration by nefarious actors.

- [29] Further, for those diaspora organizations that are known to be astroturfed, Mr. O’Toole would favour a bipartisan approach of marginalization. Once an intelligence agency confirms that a group is indeed astroturfed, political parties should shun these groups and refuse to invite them to speak before parliamentary committees, to participate in events and roundtables, and to join political and governmental delegations.
- [30] Finally, Mr. O’Toole also voiced his support for the deployment of measures that would enable diaspora community members to report occurrences of foreign interference and to request assistance in dealing with foreign interference. Mr. O’Toole suggested that the creation of a CSIS hotline could prove helpful. He warned against giving these additional responsibilities to police forces, as he sees them as overburdened.

2. Meetings with Community Associations

- [31] During the 2021 federal election, Mr. O’Toole met with community associations and groups. He recognized that strong relationships with community associations could contribute to the electoral success of various members of his caucus, such as Kenny Chiu. He delegated the coordination of these meetings to members of his team, including his Chief of Staff, and did not have a high level of involvement in charting out the daily details of his campaign calendar.
- [32] Mr. O’Toole was never informed by anyone that any meeting should be cancelled due to concerns with the identity or credentials of the attendees. He indicated he would have remembered if anyone from an intelligence agency asked or advised him not to take any specific meeting. He cannot recall any instance in which he was warned or advised by

² A covert practice whereby a foreign state can conceal its involvement in an activity or organization to create a false impression that a grassroots movement is spontaneous rather than constructed with foreign aid.



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

CSIS or any other intelligence agency not to engage with any particular group or individual.