

**PUBLIC INQUIRY INTO FOREIGN INTERFERENCE IN FEDERAL
ELECTORAL PROCESSES AND DEMOCRATIC INSTITUTIONS**

INSTITUTIONAL REPORT – PRIME MINISTER’S OFFICE

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1. OVERVIEW OF THE PRIME MINISTER’S OFFICE

1.1 Mandate

The Prime Minister’s Office (PMO) assists the Prime Minister in carrying out his responsibilities as head of government, as well in his capacity as the leader of a political party in the House of Commons and as a Member of Parliament.

As with ministerial offices, the PMO is staffed with ministerial exempt staff appointed pursuant to section 128 of the *Public Service Employment Act*,¹ rather than permanent career public servants. As such, its composition and specific activities vary from Government to Government.

The PMO works closely with the Privy Council Office (PCO). Both have distinct roles and provide advice and support from different perspectives. As outlined in *Open and Accountable Government, 2015*, exempt staff, including those in the PMO, share the political commitment of the Minister whom they serve. In this respect, they have a perspective and provide expertise that complements the professional, expert and non-partisan advice and support of the public service.

The PMO works with ministerial offices and the public service to deliver on the commitments of the government. It is a central coordinating body for ministerial offices. It also engages with its counterparts in other federal and provincial ministerial offices, including Premiers’ Offices, to advance files. The PMO itself does not have a statutory role or any decision-making authority.

¹ SC 2003, c 22, ss 12 , 13.

The PMO plans the Prime Minister's schedule, drafts speeches and other public statements, spearheads the Prime Minister's media relations and tour, and processes prime ministerial correspondence. The PMO facilitates the Prime Minister's relationships with ministers, officials, caucus, and others. The PMO also houses the Prime Minister's advisory staff, whose activities include providing advice and support on government policy objectives and policy development, issues of daily concern, and parliamentary affairs.

1.2 Organization

The current PMO is headed by the Prime Minister's Chief of Staff, Katie Telford, and two Deputy Chiefs of Staff, Marjorie Michel and Brian Clow. Ms. Michel and Mr. Clow each manage several teams, and report to Ms. Telford.

Ms. Michel oversees seven teams: the Executive Office, Human Resources, Appointments, Operations, Tour, Correspondence and Caucus Liaisons.

Mr. Clow oversees five teams: Policy and Cabinet Affairs, Communications, Issues Management and Parliamentary Affairs, and the Global Affairs team.

2. RELEVANT EXECUTIVE POSITIONS

The following are the executive positions in PMO whose responsibilities were related to the matters covered by the Commission's Terms of Reference (a)(i)(A) and (a)(i)(B), along with the names of the incumbents between January 1, 2019² and September 8, 2023 and a description of their duties.

Chief of Staff: Katie Telford, throughout the period. The Chief of Staff reports to the Prime Minister.

Deputy Chief of Staff: The Deputy Chief of Staff reports to the Chief of Staff. Brian Clow occupied this position from October 2021 to present. He was previously Executive Director, Issues Management, Parliamentary Affairs & Canada-U.S. Relations in the PMO (2019-2021).

Senior Advisors: Senior Advisors with relevant responsibilities during the period were Jeremy Broadhurst, Patrick Travers, and Ben Chin.

Director, Issues Management and Parliamentary Affairs: Samantha Khalil from November 2021 to February 2023; Alana Kiteley from February 2023 to August 2023; Alexander Jagric from August 2023 to present. There were other Issues Management staff from 2019 to present who had exposure to intelligence and foreign interference matters.

² Here, your original request specified a start date of September 2018; however, you clarified that you are requesting information from January 1, 2019 to September 8, 2023.

Policy Advisors: Policy Advisors with relevant responsibilities during the period were Jim Kapches, Ozren Jungic, and Kathleen Davis.

While not a member of the PMO, the National Security and Intelligence Advisor is the official directly responsible for advising the Prime Minister on issues relating to foreign election interference, along with many others. The NSIA, along with the officials who support her, gather information and resources from across the security and intelligence community to coordinate the government's response to foreign interference.

The NSIA is appointed by Order-in-Council and is a member of the non-partisan public service.

3. PROGRAMS, POLICIES AND PROCEDURES TO RESPOND TO FOREIGN INTERFERENCE IN THE 43RD AND 44TH GENERAL ELECTIONS

Improving Canada's capacity in the areas of intelligence and national security has been a priority of this government since before it was elected.

In its 2015 platform, the Liberal Party of Canada pledged to introduce a multi-party committee of parliamentarians that could receive classified information, thereby review the government's actions in the national security and intelligence areas.

Fulfilling this promise, the government introduced the **National Security and Intelligence Committee of Parliamentarians (NSICOP)**.

The genesis of NSICOP was the Afghan detainee affair, which took place under Prime Minister Stephen Harper, when the now-Prime Minister was an opposition Member of Parliament. In that affair, there was a long-running conflict between Parliament and the government about access to classified national security documents so that Parliament could hold the government to account. NSICOP is designed to solve that problem.

NSICOP consists of Parliamentarians, including representatives of all recognized parties in the House of Commons. Its members hold Top Secret security clearance and so are able to receive and handle classified information and documents. NSICOP can initiate its own studies. It may receive briefings from officials, and may interview elected members of the government, including Ministers and the Prime Minister. NSICOP then issues reports containing recommendations, in both a classified version, which government officials receive, and an unclassified version, which is published.

True to its mandate, NSICOP embarked on a thorough study of foreign interference, which it published in its 2019 Annual Report. More recently, at the Prime Minister's request, it is studying the issue again.

After the November 2016 presidential election in the United States, and the May 2017 presidential election in France, the problem of foreign election interference came to new prominence. In anticipation of the 2019 general elections, the Government of Canada introduced the Plan to Protect Democracy.

The Plan consists of four pillars:

1. **Enhancing citizen preparedness.** Measures include:
 - a. The Critical Election Incident Public Protocol, a mechanism for senior public servants (the Panel) to communicate clearly, transparently, and impartially with Canadians during an election in the event of an incident or incidents that threaten the integrity of a federal election;
 - b. The Digital Citizen Initiative, which aims to support democracy and social inclusion in Canada by building citizen resilience against online disinformation and building partnerships to support a healthy information ecosystem;
 - c. The Communications Security Establishment's (CSE) report on Cyber Threats to Canada's Democratic Process (2017); and
 - d. The Canadian Security Intelligence Service (CSIS) report on Foreign Interference Threats to Canada's Democratic Process (2021).
2. **Improving organizational readiness.** Measures include:
 - a. Enhancing coordination amongst government departments and agencies to identify threats, emerging tactics, and systems vulnerabilities to strengthen security practices and behaviours;
 - b. Working with political parties to improve their cyber security practices by offering thorough technical advice, including on online security measures and internal security practices;
 - c. Sensitizing decision-makers to the nature of foreign interference; and
 - d. Providing classified threat briefings to political party leadership.
3. **Combatting foreign interference.** Measures include:
 - a. The Security and Intelligence Threats to Elections (SITE) Task Force, which convenes intelligence and law enforcement organizations to share information and coordinate responses; and
 - b. The G7 Rapid Response Mechanism, which coordinates information and responses internationally.

4. **Building a healthy information ecosystem.** This pillar involves combating online disinformation, and includes supporting social media platforms in their efforts to increase the transparency, authenticity and integrity of their systems to help safeguard our elections.

Further details on some of these measures follow.

In 2018, the government established the **Security and Intelligence Threats to Elections Task Force** (SITE). SITE is a joint organization composed of representatives from CSIS, the RCMP, Global Affairs Canada, and CSE. The government created SITE so that these agencies would have a forum to quickly and effectively share information and coordinate action to respond to threats to the integrity of elections, including (but not limited to) foreign election interference. It meets regularly and is not restricted to the period of an election campaign.

Also in 2018, the government established the **Protecting Democracy Unit** (PDU) within PCO. The PDU's mandate is to coordinate, develop, and implement government-wide measures to combat disinformation and protect Canada's democratic institutions, including from foreign election interference.

In 2019, the government established the **Critical Election Incident Public Protocol** (CEIPP) by way of a Cabinet Directive. The CEIPP provides for a panel of impartial senior public servants to receive and review information, including classified intelligence information, during an election campaign, and decide whether there is a threat to Canada's ability to have a free and fair election, such that the public should be warned. The CEIPP was introduced to avoid the appearance or reality of politics influencing the decision about whether to issue a warning, which might be the case if the decision were made by the government of the day during an election campaign. The CEIPP operated in the 2019 and 2021 federal elections.

The CEIPP Cabinet Directive requires that, after each election campaign, there be an independent report on the operation of the CEIPP, which is made public. The reports may make recommendations for improvement. Such reports were published after the 2019 election (by James Judd) and after the 2021 election (by Morris Rosenberg). Mr. Judd and Mr. Rosenberg are both eminent former public servants, and they were both appointed by the panel, not by the government.

Also in 2019, the government established the **National Security and Intelligence Review Agency** (NSIRA). NSIRA reviews and investigates all Government of Canada national security and intelligence activities to ensure that they are lawful, reasonable and necessary. NSIRA also investigates public complaints regarding key national security agencies and activities. Under the *National Security and Intelligence Review Agency Act*, NSIRA has statutory powers to access relevant information and to conduct reviews independently.

NSIRA replaces the Security Intelligence Review Committee, which reviewed CSIS, and the Office of the CSE Commissioner (OCSEC), which reviewed CSE. NSIRA also assumed responsibility for reviewing the national security and intelligence-related activities of the RCMP from the Civilian Review and Complaints Commission (CRCC). SIRC, OCSEC and the CRCC each focused on reviewing one specific agency and lacked the statutory authority to review activities beyond their agency of focus.

They also could not collaborate or share classified information with other expert national security review bodies. NSIRA, by contrast, can review all national security and intelligence activities across the Government of Canada in a complete and integrated manner.

By introducing NSIRA, the government addressed shortcomings in the national security accountability framework identified by Justice O'Connor in the 2006 report of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar.

Foreign interference in election is not a problem faced by Canada alone. All democracies are potential targets. International cooperation is necessary to fight the threat, and, to foster international cooperation, the government spearheaded the introduction of the **G7 Rapid Response Mechanism** (G7 RRM) at the 2018 G7 Summit in Charlevoix. The RRM strengthens coordination across borders to identify and respond to foreign threats to democracies. Beyond the G7, the RRM has continued to expand and now includes Australia, New Zealand, NATO, the Netherlands, and Sweden as observers.

Rapid Response Mechanism Canada (RRM Canada) is the permanent secretariat to the G7 RRM, housed at Global Affairs Canada. It convenes G7 RRM members and observers to drive the annual G7 RRM Action Plan and coordinate G7 efforts. RRM Canada also monitors the digital information environment for foreign state-sponsored disinformation, including during general elections. It also supports Canada's international engagement on foreign state sponsored disinformation.

In March 2022, the Prime Minister announced additional funding for RRM Canada. In August 2022, he announced the creation of a dedicated Eastern Europe unit at RRM Canada, which will monitor and detect Russian disinformation.

More recent policy initiatives have not been included in this Institutional Report, since they do not pertain to the 2019 and 2021 general elections. They will be summarized in the institutional report pertaining to the next phase of the Commission's work.

4. MEANS AND CHANNELS BY WHICH THE PMO RECEIVES INTELLIGENCE

As a ministerial office, the PMO does not own or control any intelligence information itself. It relies on PCO, and chiefly on the NSIA, to identify and brief up intelligence information that is important for PMO staff to see. In that scenario, access of PMO staff to the information is controlled by the public service.

Sometimes, discussions of intelligence information take place in a secure facility (SCIF). As a result, frequently, review of documents containing such information also occurs in a SCIF. There are SCIFs around the country, which can be used by staff members while not physically in Ottawa.

The typical channels by which PMO staff receive intelligence information are the following:

- Certain PMO staff receive classified information packages from Client Relations Officers (CROs). In some cases, the CRO may observe the staff member read the package. In most cases, PMO staff do not keep the packages once they are reviewed.

These deliveries range in volume, priority, and regularity. Some are focused packages, which officials direct staff to review as a matter of importance.

Others are much larger packages, delivered regularly, without guidance or direction to the staff member about what to focus on and what is important. Officials do not present these packages to PMO staff as mandatory reading.

Practices in this regard changed over time, for example because of the COVID-19 pandemic.

- PMO staff receive oral briefings. These oral briefings are led by the NSIA or her staff, in which the NSIA will involve other officials as needed. If briefing material is used, PMO staff do not keep it after the briefing. As described below, briefings can be more or less formal.

As for the Prime Minister, he receives formal oral briefings from the NSIA and other officials. He may also be informally briefed on the margins of other events, for instance, before meetings with foreign leaders, or in response to unfolding events.

Overall, PMO staff and the Prime Minister rely on officials to elevate information to them as appropriate, including by highlighting it in a document package or by convening an oral briefing.

In terms of actions resulting from briefings, here one must distinguish between the Prime Minister and the PMO. The Prime Minister is head of government and can make decisions, on the advice of public servants. The PMO, by contrast, has no decision-making power. When PMO staff are briefed, it is for their information only, sometimes as a preliminary step to briefing the Prime Minister.

Even when the Prime Minister is briefed, although he can make decisions, there is not always a decision for him to make. Officials often expressly say that the briefing is for awareness only and there is no decision to be made. This can be for one or more of many possible reasons:

- The underlying intelligence information may be too uncertain;
- Taking action may risk revealing sensitive information to Canada's adversaries (e.g. revealing the identity of a human source or method of intelligence-gathering);
- Taking action may mean disclosing information that originated with one of Canada's international partners, which has restricted the use of the information;
- The relevant authority to take action may belong to another governmental actor; and/or
- Intelligence agencies or law enforcement agencies may be taking action on their own.

Often, the issue for the Prime Minister is more one of policy than operations. In this regard, the Prime Minister and his staff rely on the public service and other agencies to carry out their functions diligently.

The PMO know that the Commissioner of Canada Elections investigates contraventions of the *Canada Elections Act*; that the RCMP can investigate offences under the *Criminal Code*; that CSIS investigates national security threats and can take measures to reduce some threats; that the SITE task force shares information between various agencies and coordinates responses; and that, during an election period, the CEIPP is monitoring the situation and can issue a warning to the public if they detect an incident or incidents that threaten Canada's ability to have a free and fair election. Of course, these institutional structures can always be improved. Indeed, several of them were created wholesale by the current government. By design, they have, to varying degrees, independence from political direction at the operational level. They would have little value if they needed direction from the Prime Minister to take all operational steps.

5. RELEVANT WRITTEN INTELLIGENCE PRODUCTS RECEIVED BY PMO

As stated above, the PMO does not keep copies of written intelligence products. Accordingly, it is not possible for the PMO to produce a list of written intelligence products that it has received.

6. RELEVANT ORAL BRIEFINGS TO THE PRIME MINISTER AND PMO

The table below sets out all oral briefings provided to the Prime Minister or a member of PMO relating to the matters covered by the Commission's Terms of Reference (a)(i)(A) and (B), during the period January 1, 2019 to September 8, 2023.³ It lists the dates, briefing entity and person, content of the briefing and the substance and timing of any actions taken in response.

Of note, the following list of briefings does not include any informal or *ad hoc* briefings (of which reliable records do not exist). Given the nature of national security issues, many of these briefings are conversations which are not formally scheduled. They can occur on the margins of other briefings, during foreign and domestic travel, and on an urgent basis to meet the Prime Minister's needs for information and advice to enable responses to address threats to national security. The Prime Minister has received many such briefings since 2015.

Date and relevant topic(s)	Briefer(s)	Recipient(s)	Notes
September 28-29, 2019	Security and Intelligence Director at PCO and a CSIS official	Azam Ishmael, who conveyed the information to Jeremy Broadhurst, who briefed the Prime Minister.	This was a briefing delivered to the Prime Minister in his capacity of leader of the Liberal Party of Canada. It is included here for completeness.

³ Here, your original request specified a start date of September 2018; however, you clarified that you are requesting information from January 1, 2019 to September 8, 2023.

Date and relevant topic(s)	Briefer(s)	Recipient(s)	Notes
February 9, 2021	David Vigneault, ⁴ David Morrison, ⁵ Vincent Rigby, ⁶ Ian Shugart. ⁷	Prime Minister, Katie Telford, Patrick Travers, and potentially other PMO staff.	
September 12, 2021	CSIS and PCO Officials	Azam Ishmael and Braeden Caley, who conveyed this information to Jeremy Broadhurst	Note that this was a briefing delivered to representatives of the Liberal Party of Canada. It is included here for completeness.
June 14, 2022	Jody Thomas ⁸ and other PCO staff.	Prime Minister, Patrick Travers, Jeremy Broadhurst and various other PMO staff	Related to the HASA Memorandum to Cabinet. Discussions at this meeting may be protected by Cabinet confidence.
September 28, 2022	Jody Thomas, David Vigneault, and Rob Stewart. ⁹	Brian Clow, Patrick Travers, and Mike Jones.	This briefing led to the Prime Minister's briefing on October 27, 2022.
October 27, 2022	Jody Thomas, Janice Charette, ¹⁰ David Vigneault, Dan Costello. ¹¹	Prime Minister, Katie Telford, Brian Clow, Jeremy Broadhurst, and Patrick Travers.	

⁴ CSIS Director.

⁵ Foreign and Defence Policy Advisor to the Prime Minister.

⁶ National Security and Intelligence Advisor.

⁷ Clerk of the Privy Council.

⁸ National Security and Intelligence Advisor.

⁹ Deputy Minister of Public Safety.

¹⁰ Clerk of the Privy Council.

¹¹ Deputy Minister and Foreign and Defense Policy Advisor to the Prime Minister for the Privy Council Office.

The following intelligence products were received after the November 7, 2022 story in Global News by Sam Cooper, “Canadian intelligence warned PM Trudeau that China covertly funded 2019 election candidates: Sources”.

During this period, the practice continued, as described above, of providing informal or *ad hoc* briefings as needed.

Date and relevant topic(s)	Briefer(s)	Recipients	Notes
November 30, 2022	Jody Thomas	Prime Minister, Katie Telford, Brian Clow and other PMO staff.	This meeting was immediately before Question Period.
February 23, 2023	Jody Thomas, Mike MacDonald, and David Vigneault.	Brian Clow and Jeremy Broadhurst.	
March 20, 2023	Jody Thomas, David Vigneault, Janice Charette, and an unnamed analyst	Prime Minister, Katie Telford, Jeremy Broadhurst, and Brian Clow.	
May 2, 2023 2 meetings occurred: 12:45 pm and 2:00 pm	Jody Thomas, David Vigneault, David Morrison, Janice Charette	Prime Minister, Katie Telford, Brian Clow, Ben Chin, Patrick Travers, Jeremy Broadhurst.	
May 6, 2023	Jody Thomas, David Vigneault, David Morrison, and a CSIS Official	Brian Clow, Patrick Travers, and Ben Chin.	
May 7, 2023 7:30 am	Jody Thomas, David Vigneault, David Morrison, Janice Charette	Prime Minister, Katie Telford, Brian Clow, Ben Chin, Patrick Travers, Jeremy Broadhurst.	
May 18, 2023	Janice Charette, David Vigneault, Dan Rogers, other officials, Deputies, Chiefs of Staff	Ministers Blair, Leblanc, Joly, and Mendicino. Brian Clow, Jeremy Broadhurst, Alana Kiteley,	Discussions at this meeting may be protected by Cabinet confidence.

Date and relevant topic(s)	Briefer(s)	Recipients	Notes
		and Ministerial Chiefs of Staff.	
May 30, 2023	Janice Charette	Ministers Mendicino, LeBlanc, Blair, Joly and their respective Chiefs of Staff. Brian Clow and Alana Kiteley.	Discussions at this meeting may be protected by Cabinet confidence.
June 6, 2023	Marie-Hélène Chayer, Dan Rogers, and other PCO Officials	Brian Clow, Patrick Travers, Sarah Hussaini, and Alana Kiteley, Jim Kapches.	4C: Plan to Address Foreign Interference held later in the day on June 6, 2023.
June 29, 2023	Janice Charette, John Hannaford, Nathalie Drouin, Dan Rogers	Katie Telford, Brian Clow, Jeremy Broadhurst, and Matthew Stickney.	
August 3, 2023	Jody Thomas, John Hannaford, David Vigneault, and intelligence analyst.	Prime Minister, Brian Clow, and other PMO staff.	