



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

**Public Hearing**

**Audience publique**

**Commissioner / Commissaire  
The Honourable / L'honorable  
Marie-Josée Hogue**

**VOLUME 25**

**ENGLISH INTERPRETATION**

**Held at :**

Library and Archives Canada  
Bambrick Room  
395 Wellington Street  
Ottawa, Ontario  
K1A 0N4

Tuesday, October 1, 2024

**Tenue à:**

Bibliothèque et Archives Canada  
Salle Bambrick  
395, rue Wellington  
Ottawa, Ontario  
K1A 0N4

Le mardi 1 octobre 2024

**INTERNATIONAL REPORTING INC.**

<https://www.transcription.tc/>

(800)899-0006

## II Appearances / Comparutions

Commission Lead Counsel

Shantona Chaudhury

Commission Counsel

Gordon Cameron

Erin Dann

Matthew Ferguson

Hubert Forget

Leila Ghahhary

Benjamin Herrera

Howard Krongold

Hannah Lazare

Jean-Philippe Mackay

Kate McGrann

Emily McBain-Ashfield

Hamza Mohamadhossen

Lynda Morgan

Siobhan Morris

Annie-Claude Poirier

Gabriel Poliquin

Natalia Rodriguez

Guillaume Rondeau

Nicolas Saint-Amour

Daniel Sheppard

Maia Tsurumi

Commission Research Council

Geneviève Cartier

Nomi Claire Lazar

Lori Turnbull

Leah West

Commission Senior Policy Advisors

Paul Cavalluzzo

Danielle Côté

### III

## Appearances / Comparutions

Commission Staff

Annie Desgagné  
Casper Donovan  
Hélène Laurendeau  
Michael Tansey

Ukrainian Canadian Congress

Donald Bayne  
Jon Doody

Government of Canada

Gregory Tzemenakis  
Barney Brucker

Office of the Commissioner of  
Canada Elections

Christina Maheux  
Luc Boucher  
Sébastien Lafrance  
Nancy Miles  
Sujit Nirman

Human Rights Coalition

David Matas  
Sarah Teich

Russian Canadian Democratic  
Alliance

Mark Power  
Guillaume Sirois

Michael Chan

John Chapman  
Andy Chan

Han Dong

Mark Polley  
Emily Young  
Jeffrey Wang

Michael Chong

Gib van Ert  
Fraser Harland

## IV Appearances / Comparutions

Jenny Kwan

Sujit Choudhry

Mani Kakkar

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka

Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando De Luca

Chinese Canadian Concern Group on  
The Chinese Communist Party's  
Human Rights Violations

Neil Chantler

David Wheaton

Erin O'Toole

Thomas W. Jarmyn

Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

Sikh Coalition

Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

## V

### Table of Contents / Table des matières

	<b>PAGE</b>
<b>INTRODUCTION OF THE PANEL ON CULTURAL COMMUNITY MEDIA/INTRODUCTION DU PANEL SUR LES MÉDIAS CULTURELS DE LA COMMUNAUTÉ:</b>	2
Examination of the panel by/Interrogatoire du panel par Mr. Matthew Ferguson	4
Examination of the panel by/Interrogatoire du panel par Mr. Hamza Mohamadhossen	9
<b>MR. SCOTT SHORTLIFFE, Affirmed/Sous affirmation solennelle</b>	76
Examination in-Chief by/Interrogatoire en-chef par Ms. Natalia Rodriguez	77
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	147
Cross-Examination by/Contre-interrogatoire par Mr. Neil Chantler	162
Cross-Examination by/Contre-interrogatoire par Ms. Sarah Teich	171
Cross-Examination by/Contre-interrogatoire par Ms. Mani Kakkar	173
Cross-Examination by/Contre-interrogatoire par Ms. Maria Barrett-Morris	182

**VI**  
**Exhibit List / Liste des pièces**

<b>No.</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
WIT0000111.FR	Addendum au résumé d'entrevue : administration centrale du SCRS	75
WIT0000112.FR	Addendum au résumé d'entrevue : représentants de bureaux régionaux du SCRS	75
WIT0000121.FR	Addendum au résumé d'interrogatoire à huis clos : M. David Vigneault, Mme Michelle Tessier et Mme Cherie Henderson	75
WIT0000123.FR	Résumé de l'interrogatoire à huis clos : Allen Sutherland, secrétaire adjoint du Cabinet, Institutions démocratiques et appareil gouvernemental	75
WIT0000125.FR	Résumé d'entrevue : Service canadien du renseignement de sécurité	76
WIT0000132.FR	Breffage technique à huis clos sur le projet de loi C-70, Loi concernant la lutte contre l'ingérence étrangère	76
WIT0000130.EN	Interview Summary: Canadian Radio-television and Telecommunications Commission (Scott Shortliffe and Daniel Pye)	77
WIT0000130.FR	Résumé de l'entrevue : Conseil de la radiodiffusion et des télécommunications canadiennes (Scott Shortliffe et Daniel Pye)	78
CRT0000026	Broadcasting Act, S.C. 1991, c. 11	84
COM0000603	Television Broadcasting Regulations, 1987	93
CRT0000027	Direction to the CRTC (Ineligibility of Non-Canadians) SOR/97-192	104
CRT0000025	Broadcasting Regulatory Policy CRTC 2024-1	114
COM0000602	PC Number: 2022-0183	117
CRT0000051	Review of the authorization to distribute Russia Today (RT) and RT France pursuant to the List of non-Canadian programming services and stations authorized for distribution	118

**VII**  
**Exhibit List / Liste des pièces**

<b>No.</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
CRT0000047	Open Letter: Egale Canada calls on the CRTC to Hold a Public Consultation on the Broadcasting of the American Fox News Channel in Canada	128
CRT0000040.003	Complaint to the Canadian Radio-television and Telecommunications Commission (CRTC) Against China Global Television Network (CGTN) and China Central Television (CCTV) Channel 4	129
CRT0000059	CCTV/CGTN Response to CRTC Complaint	131
CEF0000302_R	Memo for CCE_Summary 2022-0925	132
CAN001080_R01	PRC Foreign Interference in Canada: A Critical National Security Threat - CSIS IA 2021-22/31A	137
CAN011293	China: Domination of Chinese-Language Media in Canada Poses National Security Threats - IM 30/2023	139
CCC0000023	Designation of Additional Chinese Media Entities as Foreign Missions	169
HRC0000125	Revised list of non-Canadian programming services and stations authorized for distribution	171
HRC0000129	Entrevista Especial De Russia Today	172

Ottawa, Ontario

--- The hearing begins Tuesday, October 1, 2024 at 9:33 a.m.

**THE REGISTRAR:** Order, please.

This sitting of the Foreign Interference Commission is now in session. Commissioner Hogue is presiding.

The time is 9:33 a.m.

**COMMISSIONER HOGUE:** Good morning to all. I hope you all had a good weekend.

One little thing this morning, just to let you know as well as those that are hearing the -- following our work, the questionnaires that have been launched I think about two weeks ago will still be on the website and it will be possible to fill out the questionnaire for the -- until October 16th.

...will stay available -- will remain available on our website and we decided to extend the period until October 16th so you can answer this survey if you wish.

So good morning, sir.

**MR. MATTHEW FERGUSON:** Good morning.

**MR. HAMZA MOHAMADHOSSEN:** Good morning.

**COMMISSIONER HOGUE:** Who will be conducting?  
It's you?

**--- INTRODUCTION OF THE PANEL ON CULTURAL COMMUNITY MEDIA:**

**MR. MATTHEW FERGUSON:** Yes, Commissioner.

So good morning, Commissioner. As you know, the Commission today will be conducting a consultation panel with representatives of Community Cultural Media.



1           The panel, who are all experienced in Chinese  
2           and Indian language cultural media in Canada, will speak to  
3           the current media landscape in those communities as well as  
4           their own experiences and observations related to foreign  
5           influence and the issues affecting ethnocultural media in  
6           Canada.

7           So if you allow me, I will introduce the  
8           panel members this morning. I'll begin with Mr. Victor Ho,  
9           who is in the centre.

10           Mr. Ho, you were born in Hong Kong where you  
11           worked as a reporter before coming to Canada in 1997.  
12           Shortly after arriving in Canada, you began working as a  
13           reporter for a Chinese language radio station.

14           In 2005, you became editor-in-chief of Sing  
15           Tao Daily Vancouver, a Canadian-Chinese language newspaper  
16           partly owned by Tor Star. You held that position until your  
17           retirement in 2018, and you've taught editing and reporting  
18           and, currently, you create online content for Media Analytica  
19           Productions Inc. Is that correct?

20           **MR. VICTOR HO:** Yeah.

21           **MR. MATTHEW FERGUSON:** Okay. Thank you.

22           Mr. Gurpreet Singh, you've immigrated to  
23           Canada from India in 2001. Prior to coming to Canada, you  
24           worked as a staff correspondent for the Tribune India.

25           You hold a Bachelor of Commerce and obtained  
26           a Master's in Journalism from Punjab University in Indian,  
27           and you've worked for two Indian language radio stations in  
28           Canada and host a daily 30-minute talk program consisting of

1 interviews, news and current affairs.

2 I understand you're also a regular guest on  
3 Channel Punjabi on YouTube and you write articles for an  
4 online arts and culture media outlet. You're also the  
5 founder of an online magazine covering Canadian and  
6 international politics.

7 **MR. GURPREET SINGH:** Yes, that's right.

8 **MR. MATTHEW FERGUSON:** And Mr. Leung, Ronald  
9 Leung, you were born in Hong Kong and came to Canada as a  
10 student in 1983. You're fluent in Cantonese and Mandarin.

11 You hold a PhD in Chemistry from Simon Fraser  
12 University and you've been involved in the Chinese language  
13 media since 1995, first as a host of a call-in radio language  
14 program, and then as a commentator on a Cantonese language  
15 radio station.

16 Since 2016, you've hosted a weekly television  
17 show in which you interview a variety of individuals with a  
18 focus on Canadian politics.

19 You were also a columnist with Ming Pao and  
20 Sing Tao, two Chinese Canadian -- two Chinese language  
21 publications.

22 **MR. RONALD LEUNG:** Thank you. Yes.

23 **MR. MATTHEW FERGUSON:** Yes. So the format of  
24 the consultation panel today will resemble the consultation  
25 panels that were conducted during the national security  
26 confidentiality hearings in January 2024.

27 The panel members will not be under oath and  
28 will not -- or affirmation, so questioning of panel members

1 will be done by Commission counsel, myself, Matthew Ferguson,  
2 and Hamza Mohamadhossen.

3 And we will be breaking some time for about  
4 half an hour. It will be a bit longer this morning so we can  
5 receive questions from the parties and then we'll take that  
6 break to review the questions and put some of the questions  
7 to the panel members.

8 **COMMISSIONER HOGUE:** Perfect. You can  
9 proceed.

10 **--- EXAMINATION OF THE PANEL BY MR. MATTHEW FERGUSON:**

11 **MR. MATTHEW FERGUSON:** So I'll begin with the  
12 first questions to Mr. Ho and Mr. Leung.

13 Canada is home to a large Chinese Canadian  
14 community. It is not a monolith. There have been various  
15 waves of immigration and Chinese Canadians are spread across  
16 the country from Vancouver, Toronto, Calgary, Montreal and  
17 elsewhere.

18 There's a rich diversity of Chinese culture,  
19 language, opinion, religion. There's a diversity of opinion.  
20 There is different levels of political engagement and so on.

21 At a high level, can you tell us a bit more  
22 about that community and those communities?

23 **MR. VICTOR HO:** Start for me?

24 **MR. MATTHEW FERGUSON:** Sure, Mr. Ho.

25 **MR. VICTOR HO:** Okay. Yeah, the Honourable  
26 Commissioner, esteemed panel members and ladies and  
27 gentlemen, the Chinese community in Canada has long been  
28 caught in the cross-hairs of political discourse,

1       disinformation and propaganda originating from the Chinese  
2       Community Party, CCP. From Toronto to Vancouver, much of the  
3       Chinese language media in these communities exist under the  
4       immense influence of the CCP.

5                       This linguistic and cultural connection to  
6       the homeland has facilitated a prolonged period of  
7       manipulation, making it challenging for non-Chinese Canadians  
8       to differentiate between authentic information and fabricated  
9       narratives. If the CCP seeks to influence or interfere in  
10      Canada's democratic process, one of its most effective tools  
11      is the Chinese language media.

12                      The majority of local Chinese media has been  
13      influenced, if not outright controlled, by the CCP for years.  
14      This is why our concern group supports the countering foreign  
15      interference, Bill C-70.

16                      In addition to controlling traditional media,  
17      the CCP have also exported digital influence through popular  
18      Chinese social media platforms such as WeChat, TikTok and  
19      Weibo.

20                      These platforms are used to flood the local  
21      Chinese community with CCP narratives, serving as vehicles  
22      for political indoctrination under the guise of social  
23      interaction.

24                      The CCP's control over Chinese language media  
25      in Canada goes beyond shaping public opinion. It plays a  
26      critical role in enabling transnational repression and  
27      lateral interference. In the year 2021 Canadian  
28      parliamentary elections, there were coordinated

1       disinformation campaigns on WeChat and WhatsApp aiming at  
2       dissuading voters from supporting candidates who held entire  
3       China wills. The Chinese language media's influence,  
4       therefore, extends into direct attempts to manipulate  
5       Canadian electoral outcomes, raising serious national  
6       security concerns.

7                   **MR. MATTHEW FERGUSON:** Mr. Ho, if I ask you  
8       to speak about the diversity of opinion that exists in the  
9       Chinese language community, and by extension to the media.  
10      If I could perhaps direct the question to Mr. Leung as well.

11                   **MR. RONALD LEUNG:** Yeah. Thank you for the  
12      introduction.

13                   Now, I came to Canada in 1983. I was  
14      introduced to radio broadcast when I study at Simon Fraser  
15      University. I worked at the campus radio station, and then I  
16      worked at the co-op radio station with the Chinese community;  
17      that's 1985.

18                   So the Chinese community at that time are  
19      more uniform because they immigrate from either Hong Kong,  
20      Taiwan, a little bit from mainland China, so the public  
21      opinion on different political issues more aligned the same  
22      way. But with the change in the immigration, more coming  
23      from mainland China; particularly in the last 20 years,  
24      there's a large influx of Chinese immigrants from China, the  
25      People's Republic of China.

26                   Right now we have about 1.7 million  
27      Canadian ---

28                   **MR. MATTHEW FERGUSON:** One point seven (1.7)?

1                   **MR. RONALD LEUNG:** --- 1.7 million, and  
2                   mostly reside in the three big metropolitan area, Toronto,  
3                   Montreal, and Vancouver. And if you look at the composition,  
4                   it is still about 60 percent first-generation Chinese  
5                   immigrants. They immigrate when they are adults; 60 percent.  
6                   And about 40 percent, 1.5, first generation, means they came  
7                   here at a very young age, or they were born in Canada and  
8                   brought up in Canada.

9                   So if you look at those numbers, so the  
10                  majority, 60 percent, are still first-generation immigrant,  
11                  came here as adult.

12                  Now, in the older days, people come from Hong  
13                  Kong, Taiwan, their so-so composition is more similar to  
14                  Canada, have the freedom of press, freedom of thoughts,  
15                  freedom of speech, but closer to the last 20 years it became  
16                  from mainland China.

17                  We know it's a atheist country.

18                  **MR. MATTHEW FERGUSON:** An atheist country?

19                  **MR. RONALD LEUNG:** It's an atheist country.  
20                  And they brought up in a despotic, patriotic type of  
21                  education. So when they come to Canada, it take a long time  
22                  for them to appreciate our value as Canadian.

23                  So it's more diverse now in their public  
24                  opinion on different issues, particularly in political  
25                  issues. And with the rise and importance of the PRC, there's  
26                  always a saying in the Chinese community; it's the rise of  
27                  the East and the fall of the West. That means that their  
28                  authoritarian management system of the country is superior

1 than our democratic capitalist country.

2 So in the community there's a vast diversity  
3 of opinion, and it's more and more leaning to support what  
4 they call their mother country, China. And they have very  
5 difficult time to appreciate what they are seeing in Canada.  
6 Maybe it's not up to what they thought before they came.

7 We have a lot of social issues in the wider  
8 community, even for long-time Canadian. And if you look at  
9 the recent statistic from our Statistic Canada on the  
10 democratic analysis of how people support basic Canadian  
11 value, they are human rights, freedom of speech, our  
12 reconciliation with the aboriginals; we just have our holiday  
13 yesterday to remember that.

14 But people come to Canada in their first five  
15 to 10 years, they have more appreciation and support of those  
16 values, but after a long time, their support get less, closer  
17 to average Canadian. So it's not a very good sign.

18 But we can see if we cannot tell new  
19 immigrant in their first five to 10 years in Canada, what is  
20 our system; how we can live harmony as a society to bring  
21 Canada forward, we will have a lot of problem after the first  
22 five to 10 years when they see more and more Canadian  
23 problem.

24 So that is what is happening in the Chinese  
25 community. It's really diverse and there's more tendency of  
26 the people looking back at where they came from and to  
27 appreciate more what they left behind, and get in more and  
28 more trouble seeing Canada.

1                   So that's what I'm seeing in the Chinese  
2 community.

3                   **MR. MATTHEW FERGUSON:** Thank you, Mr. Leung.

4                   **--- EXAMINATION OF THE PANEL BY MR. HAMZA MOHAMADHOSSEN:**

5                   **MR. HAMZA MOHAMADHOSSEN:** So Mr. Singh,  
6 Canada is also home to a large Indian diaspora that is  
7 culturally, linguistically, religiously, socioeconomically,  
8 and politically diverse. And within that diaspora, there is  
9 also a large Sikh and a large Punjabi-speaking sub-diaspora,  
10 particularly in the Greater Vancouver area and the Greater  
11 Toronto area. Can you tell us a little about these  
12 communities and these sub-communities? And I would also  
13 invite you to comment if there are any differences, depending  
14 on whether it's Toronto or Vancouver or anywhere else in  
15 Canada, or whether it's impacted by when individuals  
16 immigrated to Canada?

17                   **MR. GURPREET SINGH:** Well, there's no  
18 question about it, Indian diaspora is very diverse, both in  
19 terms of their religious or ethnic identities, and also  
20 political beliefs. And there is no question, the Sikh  
21 community dominates politically here. It's widely  
22 represented, both in the Parliament and different  
23 legislatures, city councils.

24                   But nevertheless Hindu community is also very  
25 strong in Canada. And if Sikhs are 36 percent, Hindus are 32  
26 percent; this is my rough estimate.

27                   And there are other communities as well  
28 within the Indian diaspora who follow Christianity, who



1 follow Buddhism; there are atheists, there are so-called  
2 Dalits, or oppressed groups. And in Surrey, I have noticed  
3 over these recent years the South Indian community has also  
4 grown, which itself is very diverse.

5 In South India, people speak different  
6 languages; they speak Tamil, they speak Telegu, they speak  
7 Kannada and Malayalam. People speaking those languages also  
8 reside in Surrey. So it's so diverse, there's no question  
9 about it.

10 And within the Sikh community also, which is  
11 again divided on the basis of caste, although caste system  
12 has no room in Sikhism as such. But Sikh community is also  
13 divided into different caste groups. They come from  
14 different regions of Punjab, which are very distinct, in  
15 terms of their dialect. For example, people from Mahja,  
16 people from Doaba, people from Malwa, and sometimes they're  
17 also very polarized. So it's so huge, so diverse.

18 And in terms of political belief system,  
19 there is no question there are people in the community --  
20 within the Sikh community who support Khalistan; there are  
21 people who do not support it. There are people who support  
22 the current regime in New Delhi; there are people who are  
23 opposed to that regime. So everyone is politically -- have  
24 its own belief system.

25 There are supporters of the Congress Party,  
26 which used to rule India for a very long time, before the  
27 BJP. There are the Communist activists within the Sikh  
28 community or the Punjab Indian community. So it's very

1       diverse, there's no question about it. One community cannot  
2       claim to represent the entire Indian or South Asian diaspora.

3                   **MR. HAMZA MOHAMADHOSSEN:** Great, thank you.

4                   And Mr. Ho, if we speak a bit about the media  
5       landscape in the Chinese-Canadian community, can you describe  
6       the main sources of news for Chinese Canadians? Do they get  
7       their news from mainstream media or more locally?

8                   **MR. VICTOR HO:** Oh yeah. For the media  
9       consumption of the Chinese Canadian here, basically, people  
10      you know, prefers the people's original hometown. If from  
11      Hong Kong, Taiwan, they are more, you know, consume the  
12      mainstream English media, no matter radio or newspaper. But  
13      from those people, immigrants from mainland China, they have  
14      a universal habit to consume the news from their home country  
15      because of the language barrier. So they consume more  
16      Chinese language content, more than people from Hong Kong,  
17      Taiwan, or other places.

18                   So it makes a good chance for CCP to control  
19      the media export to, you know, try to make their own official  
20      narrative more popular in the local communities, especially  
21      with more people came from mainland, especially Vancouver or  
22      Toronto.

23                   As Ronald said earlier, the past 20 years a  
24      lot of people came from China, over how many, in sense of  
25      number. So for me, Mandarin is now more popular than  
26      Cantonese ---

27                   **MR. HAMZA MOHAMADHOSSEN:** M'hm.

28                   **MR. VICTOR HO:** --- in the metropolitan

1 cities in Canada, no matter Toronto or Vancouver. And ---

2 **MR. HAMZA MOHAMADHOSSEN:** But that doesn't  
3 make a difference in print media; correct?

4 **MR. VICTOR HO:** Print media, no difference,  
5 but print media is tired now.

6 **MR. HAMZA MOHAMADHOSSEN:** M'hm. Okay.

7 **MR. VICTOR HO:** So the online media makes  
8 more chance for CCP to infiltrate their narrative from online  
9 content. That makes a great concern for Canadian Government  
10 to monitor or to watch out what happens in our Chinese  
11 community.

12 How can they place full advertisement on the  
13 newspaper, the front page, to celebrate the 25<sup>th</sup> anniversary  
14 of PRC and list hundreds of organizations and individuals and  
15 names on the full-page advertisement in Chinese paper, ---

16 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

17 **MR. VICTOR HO:** --- but now here in Canada,  
18 you are not celebrating the Canada Day, but celebrating the  
19 national day of your home country? How can this happen?  
20 What is your loyalty to the new country?

21 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

22 **MR. VICTOR HO:** It may confuse some  
23 perceptions of non-Chinese societies here. There may be, you  
24 know, some strange things on this part of new immigrants from  
25 China.

26 **MR. HAMZA MOHAMADHOSSEN:** Yeah.

27 **MR. RONALD LEUNG:** Yeah, maybe I can share --

28 -

1                   **MR. HAMZA MOHAMADHOSSEN:** Yeah.

2                   **MR. RONALD LEUNG:** --- a little bit of my  
3 experience working in the Chinese media, because in the last  
4 40 years, I worked in most of the Chinese media in Canada. I  
5 started as a volunteer in a local co-op radio station as a  
6 news announcer in Chinese.

7                   In the 80's, we don't have local print  
8 Chinese paper and we only started have one Chinese broadcast  
9 three hours a day in the evening from a mainstream radio  
10 channel. Three hours a day in the evening. And the co-op  
11 radio station had three hours in the morning. So I wanted,  
12 as a student, to read the news. And the source of the news  
13 is -- they're all from Hong Kong. We used the Hong Kong  
14 newspaper as our major news source to tell our audience what  
15 is happening in the world. That is in the 80s.

16                   But the trend has changed. After Canada set  
17 up multicultural radio stations, and at that time we have two  
18 major Chinese radio stations in Canada. That is starting.  
19 Regulated multicultural broadcast. And I worked in one of  
20 those Chinese radio stations. At that time, we still used  
21 the Hong Kong newspapers as our main news source.

22                   But gradually we imported broadcast news from  
23 Hong Kong to rebroadcast those news items in Canada. That is  
24 in the 80s and in the 90s. And that trend continues even  
25 today.

26                   And in the 80s, while I was still working for  
27 the co-op radio station, one big thing happened in China is  
28 the June 4<sup>th</sup> Tiananmen killing of the democratic student

1 protest. Everyone knows about that case. And I was very  
2 impressed in what happened, because I worked in the co-op  
3 radio station. We reported what happened. And at that time  
4 in Canada, we called that the Tiananmen Massacre. A lot of  
5 media called it in that way, but in China, of course, they  
6 don't think that is a massacre. There is a killing of the  
7 Tiananmen Square of protestors.

8 But the Chinese community at that time are  
9 quite unified. Even people in Hong Kong -- the media in Hong  
10 Kong were unified. There's a lot of people died at that  
11 evening of that killing of the Tiananmen Square. Many people  
12 died. But in the Chinese community at that time, I was a  
13 reporter for the community radio station and the Fil-Chinese  
14 community leader, who has a very close connection with the  
15 Consul General's Office, they came out and spoke to the  
16 media, "No one died at the square." How can they say that?  
17 We watched from the T.V., we read from the news around the  
18 world what happened. So that is in the 80s.

19 That trend continues today. At that time,  
20 most people listened to radio stations to get the news. But  
21 now today, it's not the case. But our regulated radio  
22 stations are still the same way. They operate similarly.  
23 Make broadcasts, the majority, in Cantonese, and not  
24 Mandarin.

25 But as Victor explained, in the last 20  
26 years, more and more people came to Canada from Mainland  
27 China. Their major language is Mandarin. The commercial  
28 Canada regulated multicultural station still only have a

1 small proportion of their time dedicated to Mandarin-speaking  
2 audience. And you will think it's a commercial radio  
3 station, commercial T.V. station. Why they still spend most  
4 of the time in Cantonese? It's a business consideration,  
5 because as Victor said, people came from China in Canada,  
6 they consume their news from the internet.

7 **MR. MATTHEW FERGUSON:** Right. And so you --  
8 can you speak to that, to the internet now, ---

9 **MR. RONALD LEUNG:** Yeah.

10 **MR. MATTHEW FERGUSON:** --- and the role of  
11 social media now in that environment?

12 **MR. VICTOR HO:** Yeah, in regard of the  
13 tactics of CCP over the Chinese-language media, I have some  
14 five tactics ---

15 **MR. MATTHEW FERGUSON:** But without getting  
16 into that, we'll come to -- a bit more to tactics a bit  
17 later, but if we just speak about the role that social media  
18 now, following the examples that you've both given about  
19 going from print media, ---

20 **MR. VICTOR HO:** Okay.

21 **MR. MATTHEW FERGUSON:** --- radio and  
22 television, and now with the prevalence of social media, how  
23 does that effect how Chinese-Canadians ---

24 **MR. VICTOR HO:** Oh.

25 **MR. MATTHEW FERGUSON:** --- get their news?

26 **MR. VICTOR HO:** As for the social media, you  
27 know, the WeChat is the most important ---

28 **MR. MATTHEW FERGUSON:** M'hm.



1 concerned, a number of news channels of India are being  
2 followed here in Canada through service providers. And  
3 they're also very diverse.

4 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

5 **MR. GURPREET SINGH:** Some are called as Godi  
6 media or pro-Modi embedded media outlets. Some are neutral.  
7 Some are objective.

8 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

9 **MR. GURPREET SINGH:** And it's also very  
10 diverse. I mean, the media, the Indian media, and even the  
11 Indian community in Canada, has a very old history. So the  
12 Indians started coming to this part of the world under  
13 British occupation, so they started a paper called Swadesh  
14 Sewak, which was a very old newspaper at that time.

15 **MR. HAMZA MOHAMADHOSSEN:** Can you spell that  
16 just for the record?

17 **MR. GURPREET SINGH:** Sure.

18 **MR. HAMZA MOHAMADHOSSEN:** Yeah.

19 **MR. GURPREET SINGH:** So it's S-W-A-D-E-S-H.  
20 Swadesh. And ---

21 **MR. HAMZA MOHAMADHOSSEN:** Swadesh.

22 **MR. GURPREET SINGH:** --- Sewak -- m'hm -- S-  
23 E-W-A-K. Two words.

24 So this was a paper started by the freedom  
25 fighters. So I'm just giving you context.

26 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

27 **MR. GURPREET SINGH:** The interest in the  
28 media has been very old and the time came when some community



1 papers, they mushroomed, like Indo Canadian Times, Charhdi  
2 Kala, Punjab Guardian. So these are -- readership of those  
3 papers still -- it exists even today.

4 And also, people listen to radio a lot. I  
5 can give you a rough figure. Around the entire listenership  
6 of our community stations in Surrey, or Lower Mainland, it  
7 makes up 300,000. And out of that, we can say 119,000 are  
8 the listeners of our Spice radio station alone. So it's a  
9 huge audience.

10 **MR. HAMZA MOHAMADHOSSEN:** Yeah.

11 **MR. GURPREET SINGH:** And people also follow  
12 what is being reported on, say, OMNI TV ---

13 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

14 **MR. GURPREET SINGH:** --- share TV channel,  
15 they are local. And apart from that, the other media  
16 outlets, which are reporting services through the providers  
17 here in British Columbia ---

18 **MR. HAMZA MOHAMADHOSSEN:** Okay.

19 **MR. GURPREET SINGH:** So it's very diverse and  
20 the content is very diverse, and they have number of options.

21 **MR. HAMZA MOHAMADHOSSEN:** Yeah,

22 **MR. MATTHEW FERGUSON:** Great. Turning back  
23 now to Mr. Leung and Mr. Ho, how engaged is the -- is -- or  
24 what is the prominence of politics, either local politics or  
25 domestic politics in Canada, or politics in the PRC, how  
26 prevalent is that in the Chinese language media in Canada?

27 **MR. VICTOR HO:** Yeah, the -- always in the  
28 media, the local -- all news are local, you know, Canadian

1 news always on -- could be, you know, the first part for the  
2 audience here ---

3 **MR. MATTHEW FERGUSON:** M'hm.

4 **MR. VICTOR HO:** --- the Canadian local news,  
5 no matter federal, provincial or municipal news. But for the  
6 cover, the length of cover, the news from Hong Kong, the news  
7 from China will be bigger than local news, because they have  
8 so-called essential kitchen content provide from Hong Kong --  
9 I mean, Hong Kong news media company, or their parent company  
10 LEI Sing Tao. You know, Sing Tao, the Canadian bureaus are  
11 all give -- are all, you know, use the same China news  
12 content, Hong Kong news content, even financial news, Hong  
13 Kong financial news content from the parent newspaper in Hong  
14 Kong. And local news usually occupy around 10 pages, the  
15 first 10 pages. The others are from Hong Kong or Mainland.

16 **MR. MATTHEW FERGUSON:** Okay. Thank you.

17 **MR. RONALD LEUNG:** Now, on the ---

18 **MR. MATTHEW FERGUSON:** Yeah, sorry.

19 **MR. RONALD LEUNG:** --- radio and TV, the  
20 major news are Canadian news. They have done a pretty good  
21 job from my standard to cover Canadian news, even political  
22 bickering between different party. They have very lively  
23 discussion on Canadian politics, no doubt about it, and it's  
24 a very good sign. More and more people are in tune with  
25 what's happening in Canada. But on the other hand, when we  
26 talk about issue outside Canada, particularly around China,  
27 Taiwan, Southeast Asia, there's not much a diversified  
28 discussion. It's mostly one-sided, because in China we know

1 they do not allow people have dissent. You have to all  
2 repeat the same narrative from the government. It is later  
3 in the Chinese discussion. Most people will tow the official  
4 China line in any discussion. Only a very, very small  
5 percentage of people will have a different opinion. And the  
6 commentator used by those medias, the majority of them will  
7 tow the mainland China official line in all discussion. So  
8 only -- I discuss it with Victor. He said maybe five per  
9 cent of those commentators or callers will have different  
10 opinion from the official line from China. That is the  
11 situation in our community.

12 **MR. MATTHEW FERGUSON:** So what you're saying  
13 is essentially that there is a lively coverage of local  
14 Canadian politics and issues here, but when the topics turn  
15 to matters affecting the PRC, that's where the diversity of  
16 opinion dries up?

17 **MR. VICTOR HO:** That's right, correct.

18 **MR. MATTHEW FERGUSON:** Okay.

19 **MR. VICTOR HO:** Especially the public forum  
20 program on -- always on weekend. They will invite the local  
21 commentators to attend the program to give opinion analysis.  
22 That is the good chance for the owner of the media company to  
23 select the, you know, the tone and the way or the real  
24 points. They will always select the idea, similar way of the  
25 Chinese official organ to present their opinion, rather than  
26 have a balanced forum, one for pros, one cons. Not this  
27 case. Not this case. Especially last 10 years.

28 **MR. MATTHEW FERGUSON:** Okay. And you mention

1 some of the issues that could be touchy. Are there issues  
2 that are taboo that are not discussed in ---

3 **MR. VICTOR HO:** Oh ---

4 **MR. MATTHEW FERGUSON:** --- that medium?

5 **MR. VICTOR HO:** --- a lot. Not only Five  
6 Poisons.

7 **MR. MATTHEW FERGUSON:** Okay. And what are  
8 the ---

9 **MR. VICTOR HO:** Maybe Five Poisons mean  
10 Thailand, means Hong Kong issue, I mean Hong Kong  
11 independence something ---

12 **MR. MATTHEW FERGUSON:** M'hm.

13 **MR. VICTOR HO:** --- means Uyghur, Tibet and  
14 the Democratic Movement Overseas -- I mean, China -- Chinese  
15 Democratic Movement Oversea. This is Five Poisons. This is  
16 taboos. You cannot release these ideas opposite with --  
17 opposite to the CCP if you participate their forum. At the  
18 first time, you won't be invited. No chance to convey your  
19 opinion because they select beforehand, just like the media  
20 company. The CCP try to control the media content now. They  
21 won't control the content. They control the boss. They  
22 control the owner. They control the proprietor. And they  
23 make interest vested with the boss of the media company, and  
24 then the boss will do the right thing, so-called right thing.  
25 That is the highest level of control.

26 **COMMISSIONER HOGUE:** Mr. Ho?

27 **MR. VICTOR HO:** I will say a bit more later.

28 **COMMISSIONER HOGUE:** What you're saying is

1 actually they are controlling the content by controlling who  
2 is invited, and those that are allowed or invited and allowed  
3 to speak are those that are sharing the same views than the  
4 CPC?

5 **MR. VICTOR HO:** They are controlling the boss  
6 and then the boss have investment in Mainland. And on the  
7 other side, the boss won't invite the people with opposite  
8 viewpoints with Communist China. That will counter the way  
9 of the boss interest, commercial interest in Mainland. That  
10 is the media management control. That is the highest level  
11 control. Not only in here, in Hong Kong also.

12 **MR. RONALD LEUNG:** Yeah. I just want to say  
13 one thing. Sure. On the other hand of taboo issue, there  
14 are issue that they want to amplify is the internal conflict  
15 in Canada. For example, drug policy is one of the big topic  
16 in the Chinese community because of the history of China,  
17 people in general, they don't like drug abuse. They hate  
18 drugs. And so they have a lot of different from what  
19 Canada's doing on the management of this issue. Another one  
20 is gender identity, crime and safety, the Indigenous issue,  
21 human right. When China try to amplify those conflicts in  
22 western country, we can see it in the Chinese media in  
23 Canada, they will do the same thing to amplify those problem,  
24 to create a diversion of opinion from the Chinese community  
25 than the Canadian public in general.

26 **MR. MATTHEW FERGUSON:** Okay. Thank you.

27 **MR. HAMZA MOHAMADHOSSEN:** And so, Mr. Singh,  
28 from your perspective, in the Indo-Canadian media community,

1       how much news coverage is dedicated to politics and news  
2       events happening in India versus in Canada, and then  
3       afterwards, I'll ask you to also comment on how diverse are  
4       the viewpoints and opinions that are shared in covering these  
5       events?

6                   **MR. GURPREET SINGH:** As far as I'm concerned,  
7       I do my evening show Monday through Thursday, which is  
8       totally dedicated to the local issues. There is no question.  
9       Unless there is some Indian connection, for example,  
10      something has happened in Punjab and there is a reaction to  
11      that and some kind of demonstration is being held in  
12      Vancouver, that will be taken as a local news. Other than  
13      that, I mostly focus on the local content. As far as my  
14      Sunday morning show is concerned, there is also balance.  
15      Part of it is based on what is happening in India and part of  
16      it what was happening here. Because I'm dealing with current  
17      affairs and news, it can come from anywhere. But by in large  
18      there is a good tendency, within the South Asian diaspora  
19      media, to give a lot of coverage to the Indian news stories,  
20      because most of the listeners are in the category of 50 plus.

21                   So if you are doing open line show and you  
22      are talking about Punjab, talking about India, you will get  
23      more calls. You can engage more people. And when you talk  
24      about local issues, sometimes that is not the case.

25                   But again, there are some exceptions. For  
26      example, right now we have elections going on in British  
27      Columbia and it's a really hot issue and most of the coverage  
28      is dedicated to the B.C. election. But other than that,

1 people do take interest in day-to-day events back home, and  
2 you cannot take it away from them. As I told you, 50 plus is  
3 the average audience, and they are more engaged when you open  
4 lines on those issues. So any host will be tempted to do  
5 those kind of talk shows, rather than doing something  
6 locally. Nobody wants to have a blank.

7 **MR. HAMZA MOHAMADHOSSEN:** And in doing these  
8 talk shows and covering these events, are journalists able to  
9 present a variety of viewpoints on any one issue?

10 **MR. GURPREET SINGH:** See, that's also a huge  
11 challenge, because you were talking about taboos. So there  
12 are some taboos within the Indian media industry, for  
13 example, Kashmir, Pakistan, cast system, unfortunately even  
14 Air India is a taboo. You are only one side or that other,  
15 that's the tragedy. So, and you get a lot of pushback from  
16 the Indian Consulate or Indian diplomats if you deal with  
17 these issues. They will try to influence you to either  
18 remain on the middle of the road or give some coverage to  
19 their perspective.

20 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

21 **MR. GURPREET SINGH:** So that you cannot deny.  
22 It's a reality, we face it every day. And unfortunately, in  
23 India the Canadian tragedies, still we cannot talk about it  
24 in a very objective manner. You have to take a side.  
25 Sometimes that kind of thing happens here. And these are  
26 some of the issues which still remain taboo. Yeah.

27 **MR. HAMZA MOHAMADHOSSEN:** Thank you.

28 We'd like to talk a bit -- get a better

1 understanding of -- we've spoken about, and I think Mr.  
2 Leung, you brought it up, the fact that there has been more  
3 media outlets in the past 20 or 30 years, you mentioned in  
4 the 1980s there was just two radio stations, now there are  
5 many across the country. And I guess we're trying to get a  
6 better understanding of the independence of these outlets and  
7 whether there is -- whether they are in fact independent or  
8 there is a consolidation of -- with respect to ownership and  
9 content. Can you speak to that?

10 **MR. RONALD LEUNG:** I would divide that into  
11 the regulated and non-regulated. The regulated means they  
12 are all regulated by CRTC, so it's under the Canadian  
13 regulations. There are still about the same number. There's  
14 not that many. But their popularity are less than before  
15 because people are turning into internet to get all their  
16 information.

17 Even those regulated by the Canadian  
18 Government, they expand into the internet, they need to have  
19 apps for people to continue to listen to their program. So  
20 that means less people's owning radio, maybe that will get  
21 even less in the future. People will use mainly their cell  
22 phone to listen to broadcasts, podcasts, and all the new  
23 media, social media.

24 So when you talk about the media, the CRTC  
25 role, and the control they have on the radio, on the TV, on  
26 cable, is getting less. A lot of new immigrants from China,  
27 they set up their radio on the internet only and they have  
28 their office in Canada, they broadcast from Canada, but it's



1 through the internet, it's not regulated.

2 **MR. VICTOR HO:** Is it an underground station?

3 **MR. RONALD LEUNG:** Well, you can't call it  
4 underground, it's on the internet, it's open to the public,  
5 everyone can listen to it.

6 Okay. So this is the present situation. So  
7 more is on the internet, but regarding those regulated by the  
8 Canadian regulations, if you look at the CRTC website, look  
9 that the ownership and the structure of the ownership,  
10 usually that ethnic media outlet is controlled by one person,  
11 100 percent, 90 percent control. That is a real problem as  
12 explained by Victor.

13 We created a media for foreign influence.  
14 They can broadcast propaganda programs from an outside  
15 country, and they can tailor their news to suit the taste of  
16 the owner, because it's one person controls everything. They  
17 control who they hire, they set up gatekeepers in every  
18 department to make sure they are not outside what the boss  
19 what. So that is the present situation. So we have the  
20 regulated not really regulated, we have the non-regulated.  
21 That is our situation.

22 **MR. MATTHEW FERGUSON:** Okay. And in terms of  
23 content, how -- if you can speak to the variety of viewpoints  
24 that are expressed over that media, whether it's online,  
25 unregulated, and regulated media?

26 **MR. RONALD LEUNG:** Now, you talk about  
27 information these days. We are in an information war. We  
28 are fighting with the rest of the world. And if we allow our

1 Canadian media -- we can't control the internet, even the  
2 Canadian regulated media, we cannot control the information.  
3 We cannot have our Canadian narrative compete with all the  
4 other information, or misinformation, or disinformation from  
5 other countries. And they may come from our adversaries.

6 So this is the situation when people consume  
7 news in a different language other than English and French,  
8 how much Canada is providing to have our narrative for them  
9 to choose? We believe in freedom of speech, freedom of  
10 press, human right, and all those values. But if we are not  
11 given the alternative, or our amenity for people to choose,  
12 to make the right choice, we are losing this war.

13 **MR. MATTHEW FERGUSON:** Okay. Thank you.

14 **MR. HAMZA MOHAMADHOSSEN:** And so, Mr. Singh,  
15 from the Indo-Canadian perspective, can you speak to us a  
16 little bit about media ownership and whether there are  
17 several different independent media outlets, or whether there  
18 is some sort of consolidation of organizations?

19 **MR. GURPREET SINGH:** Most of these media  
20 outlets, I have dealt with run by private ownership, in most  
21 cases just by one person and maybe a few family members,  
22 extended family members. And that's the reason why it's very  
23 easy to control or influence them by business groups or even  
24 foreign entities.

25 **MR. HAMZA MOHAMADHOSSEN:** Right.

26 **MR. GURPREET SINGH:** So that makes our job  
27 challenging sometimes, yeah.

28 **MR. HAMZA MOHAMADHOSSEN:** And so, you said

1 the -- it's owned by one person and then ---

2 **MR. GURPREET SINGH:** One family or ---

3 **MR. HAMZA MOHAMADHOSSEN:** --- it's also run  
4 by that person or their family members?

5 **MR. GURPREET SINGH:** Yeah.

6 **MR. MATTHEW FERGUSON:** And you mentioned  
7 through business groups. Can you speak a bit about that?

8 **MR. GURPREET SINGH:** Yeah. As I understand,  
9 we are not supposed to name anyone.

10 **MR. MATTHEW FERGUSON:** No.

11 **MR. GURPREET SINGH:** But I'm talking about  
12 the businesspeople who are very close to, say Indian  
13 diplomats, or the CGI and through them they can influence  
14 your business, they can affect your sponsorship if you don't  
15 tow their line.

16 **MR. MATTHEW FERGUSON:** So can you just speak,  
17 without again as you pointed out, not naming or divulging  
18 name, to how that works, how those business groups could  
19 influence, particularly where media is often dependent on  
20 advertising?

21 **MR. GURPREET SINGH:** I can give you one  
22 personal example. A very prominent business owner in  
23 Vancouver who advertises with almost all the media channels,  
24 he has a lot of money. So during the time when Modi  
25 government brought this controversial law called CAA,  
26 *Citizenship Amendment Act*, which was basically discriminating  
27 against the Muslims coming from Pakistan, Bangladesh, and  
28 Afghanistan. So there were huge protests all over India and

1 also in Vancouver and I wrote extensively about those  
2 protests.

3 So this businessperson phones me and tells me  
4 that I got a call from somebody in New Delhi who worked for  
5 the foreign government -- Foreign Affairs department, and was  
6 wondering if I can talk to you and this is a request that you  
7 stop writing about it because there is not point. That law  
8 has already been passed, why are you wasting your time? So I  
9 told him if the law is passed than why are you concerned  
10 about it? Why are you wasting my time in the first place?  
11 I'm just given my opinion, whether you buy it or you don't  
12 buy it is your problem.

13 But that businessperson is very influential.  
14 I mean, that never happened in our case because he wasn't  
15 advertising with us anyway. But you can imagine how they can  
16 affect you if they are sponsors. They can easily pull back  
17 the sponsorship, they can stop paying you the money, then you  
18 will obviously be frustrated. That's how they try to exert  
19 some kind of pressure and influence on you through these  
20 business groups which have strong ties with the Indian  
21 Consulate or Indian diplomats.

22 **MR. RONALD LEUNG:** Oh, Mr. Ferguson, could I  
23 give just two solid examples of how we are not doing our job  
24 to get the Canadian narrative out in the public? I'll just  
25 give two very simple examples. Recently Canada and our  
26 allies sent our warship to sail past Taiwan Strait. Because  
27 we wanted to show the world Taiwan Strait is an international  
28 waterway to be free for the world to have our normal

1 transport by sea. But China look at Taiwan Strait as their  
2 sovereign waterway.

3 If we listen to the Chinese media, the China  
4 side has a very strong argument why they think Taiwan Strait  
5 is their waterway and Canada is infringing on their  
6 sovereignty. That is their narrative.

7 Canada thinks this is an international  
8 waterway. We have to show the world, we have to keep it open  
9 for the rest of the world to use it.

10 If our community -- Chinese community can  
11 only listen to the stories from the China narrative and not  
12 the Canadian narrative, we are losing the war.

13 An example, the two Michaels detained by  
14 China. China says they are spies. We think they are  
15 arbitrarily detained as revenge of Canada following through  
16 with our treaty with the U.S. to detain this waterway.

17 It's two narratives. If Canadian Chinese  
18 only listen to one side and not really on the other side,  
19 we're losing the war, so we really need to do something just  
20 to counterbalance this fight on information.

21 **MR. MATTHEW FERGUSON:** Thank you.

22 **MR. HAMZA MOHAMADHOSSEN:** So Mr. Singh, the  
23 Commission has also heard and received evidence that the  
24 Government of India is an increasingly active foreign  
25 interference actor in Canada targeting the Indo-Canadian  
26 diaspora community, including through ethnic media and  
27 Canadians politicians.

28 Apparently the Government of India's intent

1 is twofold. One, it's to promote the positive image of  
2 India, and two is to counter perceived threats to India from  
3 within Canada.

4 First, do you agree with that assessment?

5 **MR. GURPREET SINGH:** Yes, and no. The reason  
6 is part of it is true, but it's still an incomplete statement  
7 because it's more than that. They're trying to create a  
8 counter-narrative.

9 A case in point is the killing of Hardeep  
10 Singh Nijjar and the Prime Minister, Justin Trudeau, made a  
11 statement in the House. The way his statement was twisted by  
12 the Indian media outlets and was being promoted with no  
13 objectivity at all. Who gives you a licence to call Hardeep  
14 Singh Nijjar a terrorist and he was not even convicted in any  
15 court of law?

16 Just because the Indian government labeled  
17 him as a terrorist, the Indian media is describing as such  
18 through those headlines and banners, and that narrative is  
19 being accepted as it is.

20 If you compare it with the Canadian media,  
21 the way they'd handled the whole issue, they put in the whole  
22 story. They never used those kind of offensive headlines  
23 describing Najjir as a terrorist because he was never  
24 convicted in Canada, for example, so they were being very  
25 objective.

26 They even tried to approach the Indian  
27 officials for their version of the story. They didn't speak  
28 with them. That's a different story altogether.

1                   But the story in CBC, for example, was very  
2 objective as against what we have been following on the  
3 Indian media outlets.

4                   You are describing somebody who has already  
5 been killed and you're describing him as a terrorist just  
6 because the Government of India is saying it, and nobody has  
7 any licence to say that if you are working for a credible  
8 media organization.

9                   **MR. HAMZA MOHAMADHOSSEN:** How do those --  
10 those narratives from Modi aligned or Indian media outlets in  
11 India, how does that trickle down or affect English -- Indian  
12 language media outlets in Canada.

13                   **MR. GURPREET SINGH:** Definitely there is a  
14 spillover effect a number of ways.

15                   One is the Indian media channels are being  
16 followed here through those service providers. Secondly,  
17 there are some media groups here in lower mainland or B.C. or  
18 in -- even in Toronto who actually towed the line of the  
19 Indian government. Through their blue-eyed boys in the media  
20 industry, the media commentators, they made those loud  
21 statements. They parrot the line of Mr. Modi. And it's  
22 happening every day.

23                   I think the Canadian government needs to do  
24 some kind of monitoring, but this is the burning issue right  
25 now. Everybody has an eye on the trial, which is already in  
26 progress. Even today there's a -- I read in the morning that  
27 the suspects in Nijjar's case are being presented in the  
28 court today.

1                   So everyone should pay attention to how the  
2 media industry in India and their what we say mirror images  
3 in Vancouver, they are behaving on this.

4                   **MR. HAMZA MOHAMADHOSSEN:** And I think earlier  
5 when you were discussing taboo issues, you mentioned there  
6 was this pushback and you referenced the Consulate of India  
7 here in Canada.

8                   What role does that -- do they play?

9                   **MR. GURPREET SINGH:** I can give you another  
10 example about casters, as I mentioned, outside.

11                   So what happened was Kshama Sawant is city  
12 councillor in Seattle, so she brought a motion which  
13 criminalized -- criminalizes caste-based discrimination as  
14 racism. So similar kind of Bill is being presented here in  
15 Canada by Don Davies, who is a member of Parliament from  
16 Vancouver. So there's a pushback coming back from some Hindu  
17 groups who are backed by the Indian Consulate that we won't  
18 let it happen.

19                   And even in the past when the self-same  
20 groups were trying to make a prediction of the 1984 massacre  
21 as genocide, similar pushback was seen even then.

22                   So that is happening again and again. So  
23 they will try to influence the media to give a counter  
24 narrative or to stay on the middle of the road.

25                   Even in the Air India case, from their  
26 perspective it's a foregone conclusion. They have already  
27 decided that this was done by Pakistanis, period, whereas  
28 there are people within the community who strongly believe



1       that this could be the handiwork of the Indian intelligence  
2       and there needs to be another inquiry.

3               But if you -- if you say that, if you talk  
4       about those issues in those very terms on media, you will  
5       definitely get a pushback.

6               I can give you my own example of 2014 when I  
7       interviewed Gurpatwant Singh Pannun. There was a plot on his  
8       life which was exposed. So I interviewed him because they  
9       were organizing a demonstration against Mr. Modi, who was  
10      visiting U.S. for the first time after becoming the prime  
11      minister.

12              So my radio station objected to that. They  
13      said, "We cannot allow you to have Pannun on here". And that  
14      was the reason I quit that job.

15              The challenge is still there. I mean, Sikhs  
16      for Justice, Nijjar, Pannun, Khalistan, these are all hot  
17      potatoes.

18              **MR. HAMZA MOHAMADHOSSEN:** Okay. Thank you.

19              If I turn now the question to Mr. Leung and  
20      Mr. Ho, the Commission has heard and received evidence based  
21      on intelligence assessments that Community Party of China  
22      narratives inundate Chinese language media in Canada. We've  
23      heard that -- and read that censorship is pervasive in  
24      Chinese language media in Canada and alternative media voices  
25      are few or marginalized in mainstream Chinese language media  
26      here in Canada. This includes traditional media, new media  
27      and provided by online platforms and applications such as  
28      WeChat. And in some cases, it's been described as a PRC

1 takeover of Chinese language media that has transpired over  
2 decades.

3 I think, Mr. Leung, you spoke about that.

4 Do you agree with that assessment?

5 Mr. Leung?

6 **MR. RONALD LEUNG:** The way they work is very  
7 simple. They just saturate with information from one side,  
8 and it doesn't matter which media.

9 If you take all those information just from  
10 one side, it's biased. And for Canadians, the newspaper is  
11 more or less owned by people outside Canada and, as Victor  
12 explained, they take their major source of news from their  
13 headquarters either in Hong Kong or in their North American  
14 headquarters in the U.S. So all those news are already  
15 packaged with one side story, and it's not a balanced view of  
16 what is happening.

17 So this is a danger that we are facing and,  
18 also, the ownership, as I explained, is -- usually it's one  
19 person. And only one person is easy to be influenced, to  
20 have one voice. That is the danger we have.

21 And on the internet, people from the Chinese  
22 community came from China, they're so used to using WeChat or  
23 they go onto the internet to have Weixin or Weibo as two  
24 major Chinese news source, so they consume almost all their  
25 information from those sources.

26 They don't look at our Canadian television or  
27 newspaper. We only have a few newspapers compared with other  
28 countries, so we are not doing a good enough job to counter

1 all those information from outside of Canada.

2 And then I think Victor has a personal story  
3 because he was the chief editor of a Chinese newspaper and he  
4 experienced the change from his work.

5 **MR. MATTHEW FERGUSON:** Can you speak to that,  
6 Mr. Ho?

7 **MR. VICTOR HO:** Yeah. When I was editor-in-  
8 chief of the Sing Tao Vancouver office, yeah, my boss  
9 sometimes would ask me -- my boss in Toronto, ask me, "How  
10 come you chose this for tomorrow's headline?" Because he can  
11 also trace all the menu to be published on the evening the  
12 same time as me in Vancouver. And I will argue with my boss  
13 that, "Because this is editorial judgement, this is for the  
14 audience -- public interest or the news worthiness."  
15 Something. I tried to argue, not one case, several cases, as  
16 editor-in-chief for 13 years in Vancouver.

17 You know, my boss also came from Hong Kong,  
18 but he is one of the directors of the Hong Kong Sing Tao  
19 Holding Company, the listed company, and that means it's kind  
20 of a proxy from CCP to control or to influence the content.

21 However, Sing Tao is largely owned by Toronto  
22 Star, so I will sometimes argue with my boss, "I am sticking  
23 with the editorial guidelines from Toronto Star," and try to  
24 resist his, you know, intervention.

25 In a few cases, I succeeded, but most of the  
26 cases, my boss had his way, because the tactics controlling  
27 media ownership, my boss is kind of a proxy for CCP, and then  
28 liberating economic interests because Hong Kong Sing Tao, the

1 chairman has a lot of commercial interests in Mainland.

2 And then embedding Beijing personnel. That  
3 is not the case in ---

4 **MR. MATTHEW FERGUSON:** Sorry, embedding? You  
5 said embedding?

6 **MR. VICTOR HO:** Embedding.

7 **MR. MATTHEW FERGUSON:** Yeah.

8 **MR. VICTOR HO:** I mean place some pro-Beijing  
9 people in your company. But not in my case, because I have  
10 the full right to hire or not to hire my editorial people.

11 **MR. MATTHEW FERGUSON:** M'hm.

12 **MR. VICTOR HO:** But I know in some newspapers  
13 or some media organizations here, they have to accept -- the  
14 supervisor has to accept because the potential employee is  
15 appointed by your boss. You cannot, you know, refuse to hire  
16 him or her.

17 The number four. Self-censorship while  
18 financial pressured. Advertisement is the most important  
19 weapon. Advertisement.

20 **MR. MATTHEW FERGUSON:** Can you speak about  
21 that? So why is -- why does -- can you speak about why  
22 advertisement is a way of -- or advertising is a way of -- or  
23 a tactic used as a way of control?

24 **MR. VICTOR HO:** Well the sales people will  
25 come to your office, I mean editorial office, to say, "Yes,  
26 that you publish the article aroused -- a lot of this content  
27 aroused a lot of criticism from the commercial circle in the  
28 society, in the community." And he'll try to persuade you

1 not to publish this stuff again.

2 **COMMISSIONER HOGUE:** So it means that if --  
3 in your view, if a media outlet has no interest, no economic  
4 interest, for example, or no ties to the country abroad, to  
5 China, let's say, they can nevertheless control the content  
6 of what is said here in Canada through pressure put on the  
7 advertiser, the potential advertiser?

8 **MR. VICTOR HO:** Sure, because the  
9 advertisers, most of them have strong connections with  
10 Mainland or communist partners.

11 **COMMISSIONER HOGUE:** Okay. So what you're  
12 saying is when they cannot do that directly, they are going  
13 through the advertisers?

14 **MR. VICTOR HO:** Yeah.

15 **COMMISSIONER HOGUE:** And then for the media,  
16 you know, lacking a good source of revenue is ---

17 **MR. VICTOR HO:** Yeah, you cannot ---

18 **COMMISSIONER HOGUE:** --- is very painful.

19 **MR. VICTOR HO:** You cannot -- your editorial  
20 people cannot make your pay at the end of the week.

21 The number five tactic is establishing pro-  
22 Beijing media outlets. The CCP simply creates the company,  
23 media company, here, no matter it's a free paper on weekends  
24 or online media company with Chinese language content, and  
25 they fill in a lot of the official, you know, propaganda in  
26 this local, so-called local Chinese media.

27 In reality, it is the proxy media from CCP.  
28 A lot of.

1                   Now, this makes the media content or the CCP  
2                   has a good opportunity to weaponize some, you know, the media  
3                   involvement and like the people submit to their pressure.  
4                   They -- usually they don't use the Consul General to call  
5                   your people, because it's too obvious. They use the  
6                   community, the advertisers, they use the people, especially  
7                   the traditional Chinese organizations, the leaders. Somebody  
8                   that will come to your office, or give you a ring, have a  
9                   coffee chat, and then try to explain the reason why this --  
10                  these points or this kind of article is very important. They  
11                  will use many ways to lobby the editorial people, especially  
12                  at the management level, to get their message out to your  
13                  paper.

14                  **MR. MATTHEW FERGUSON:** And if -- just before  
15                  we break for -- take the morning break, maybe just one last  
16                  question. Are there voices critical of the PRC or the CCP or  
17                  its policies? Are they present here in Canadian -- in  
18                  Chinese-Canadian media?

19                  **MR. RONALD LEUNG:** There are, of course,  
20                  dissenting voices in our community, but do they have an  
21                  avenue to voice out? If our regulated media will not give  
22                  them those chances, they cannot do it. And if our  
23                  regulations are not mandating those regulated media outlets  
24                  to do it, they would not do it.

25                  **MR. MATTHEW FERGUSON:** Okay. Thank you. So  
26                  I think at this point, ---

27                  **COMMISSIONER HOGUE:** Time for break. So it  
28                  will be a 30-minute break.

1                   **MR. MATTHEW FERGUSON:** Thirty (30) minute  
2 break. Yes.

3                   **COMMISSIONER HOGUE:** So we'll come back at  
4 11:10.

5                   **THE REGISTRAR:** Order, please.

6                   This sitting of the Commission is now in  
7 recess until 11:10 a.m.

8 --- Upon recessing at 10:40 a.m.

9 --- Upon resuming at 11:13 a.m.

10                  **THE REGISTRAR:** Order please.

11                  This sitting of the Foreign Interference  
12 Commission is now back in session.

13                  The time is 11:13 a.m.

14                  **MR. MATTHEW FERGUSON:** So Commissioner, we  
15 did receive some questions from participants over the break  
16 and a bit earlier today. We're probably going to be  
17 inserting some of those questions after a section or two that  
18 we will cover first in the outline that we've prepared for  
19 the panel.

20                  So without further ado.

21 **--- EXAMINATION OF THE PANEL BY MR. HAMZA MOHAMADHOSSEN**

22 **(cont'd):**

23                  **MR. HAMZA MOHAMADHOSSEN:** So earlier in  
24 today's discussion, Mr. Singh, you alluded to backlash and  
25 pressures that journalists may be on the -- may receive to  
26 follow certain narratives, to stay away from certain issues.  
27 Can you speak a little bit about the consequences of not  
28 following those -- of not following the pressure tactics, for

1 example, whether there's a fear of intimidation or anything  
2 along those lines?

3 **MR. GURPREET SINGH:** Yeah, a number of  
4 things. One is the Indian Government can deny you a visa,  
5 simple as that. If you have oversea citizen of India card,  
6 they can even revoke it. Because I recently interviewed this  
7 young journalist from U.S., his name is Angad Singh. So he -  
8 - it was a story by another reporter. I also happened to  
9 interview him though.

10 So he made some documentaries, one of them  
11 was obviously very critical of Modi, about farmers' struggle.  
12 So he was returned from the Indian Airport and his OCI was  
13 revoked.

14 **MR. HAMZA MOHAMADHOSSEN:** Can you just  
15 describe what that is?

16 **MR. GURPREET SINGH:** Yeah. It's Overseas  
17 Citizen of India. It's a one-time card, if you get it then  
18 you don't have to apply for a visa again and again. You can  
19 travel on that document whenever you want to.

20 **COMMISSIONER HOGUE:** For how long?

21 **MR. GURPREET SINGH:** Yeah, for a very long  
22 time. I think for life I would say, but I'm not expert on  
23 that. This much I can tell you, that if you have OCI then  
24 you don't have to go again and again to the Indian Consulate  
25 for visa.

26 **MR. HAMZA MOHAMADHOSSEN:** So am I right in  
27 understanding that even if someone -- so if somebody  
28 immigrates from India and comes to Canada, they will require



1 a sort of visa to be able to go back to India?

2 **MR. GURPREET SINGH:** No, if you are new  
3 immigrant in Canada, you are still a PR, not a citizen.

4 **MR. HAMZA MOHAMADHOSSEN:** Right.

5 **MR. GURPREET SINGH:** Your Indian passport is  
6 good.

7 **MR. HAMZA MOHAMADHOSSEN:** Okay.

8 **MR. GURPREET SINGH:** Still good to go back.  
9 Once you become citizen, then you have to apply for a visa to  
10 go back to India.

11 **MR. HAMZA MOHAMADHOSSEN:** Right.

12 **MR. GURPREET SINGH:** If you get OCI, then you  
13 don't have to apply for a visa at all. So now what is  
14 happening, they have been starting revoking OCI ever since  
15 the farmers' protests took place. They started revoking it.  
16 Another thing was, not an exception, there were other  
17 prominent names whose OCI was revoked.

18 **COMMISSIONER HOGUE:** So they are revoking OCI  
19 and then ---

20 **MR. GURPREET SINGH:** Yeah, OCI.

21 **COMMISSIONER HOGUE:** --- they can refuse to  
22 issue a visa ---

23 **MR. GURPREET SINGH:** Yes.

24 **COMMISSIONER HOGUE:** --- if the person wants  
25 to go back?

26 **MR. GURPREET SINGH:** Definitely. So that is  
27 one challenge. If you apply for visa, pretty good chances  
28 you won't get it if you are critical of the Indian

1 Government. And if your name is on the blacklist, then  
2 certainly you won't get through because you have been  
3 flagged.

4 In my case they have a dossier on me, and  
5 it's based on a lot of disinformation, which is also  
6 disturbing. They have described me as anti-India, anti-  
7 national.

8 **MR. HAMZA MOHAMADHOSSEN:** When you say they?

9 **MR. GURPREET SINGH:** The Indian Government.

10 **MR. HAMZA MOHAMADHOSSEN:** Okay.

11 **MR. GURPREET SINGH:** It could be Minister of  
12 Home Affairs, it could be National Investigation Agency, it  
13 could be the Foreign Department. Because this dossier was  
14 used by so many outlets to trash me in the light of the  
15 murder of Ripudaman Singh Malik, the former Air India  
16 suspect. They branded me as someone who incited the public  
17 against Malik, which makes no sense.

18 Other than that because Malik was given visa  
19 by the Indian Government despite his baggage of Air India,  
20 Malik was also allowed to meet the head of the RA&W, which  
21 was really objectionable. So I had been raising those  
22 objections, based on that, they made this perception that I  
23 have tried to incite people to go after Malik.

24 So some media outlets reported it that way,  
25 and I did my own investigation through my own contacts in  
26 India that what is the basis of these reports? So they were  
27 telling me there's a dossier on you. So I obtained it from  
28 my own sources. So I cannot attribute it to one department

1 or the other. I'm just using my common sense that if there's  
2 a dossier out there, whether its in the file of Ministry of  
3 Home Affairs or National Investigation Agency, probably I  
4 won't get a visa to go to India. If I go there, they might  
5 even arrest me, who knows.

6 **MR. MATTHEW FERGUSON:** Okay. And this is  
7 something -- this is a fear that has an impact on you? Or is  
8 there -- do you wish to travel back to India in the future?

9 **MR. GURPREET SINGH:** Of course, I would like  
10 to because it's my home country. I would like to go back. I  
11 would like to meet my family. My mother is still there, my  
12 brother is still there, my friends are there. I started my  
13 life there. But these kind of conditions will not allow me  
14 to go back at all.

15 So if you have -- there's a dossier on you,  
16 it means you can be arrested, you can be denied visa.  
17 Anything can happen. Because last time I went to India was  
18 2017 when my father was battling with cancer. After that, I  
19 never got an opportunity to go back.

20 And this development of dossier happened in  
21 2022 after the assassination of Ripudaman Singh Malik. So  
22 this is all very recent.

23 So that is one thing.

24 Apart from that, of course, some right-wing  
25 groups also set on me when I was speaking at an event hosted  
26 by University of British Columbia about CAA, the law I  
27 mentioned earlier, *Citizenship Amendment Act*.

28 So they were really riled up. They said we

1 are going to fix you. You won't be able to -- I don't know  
2 what they meant, actually, but this is what they said  
3 literally in Punjabi, that "You won't be able to save  
4 yourself".

5 Now, this could mean anything. Could be  
6 physical harm, could be the fact that we will see that you  
7 don't get a visa to go to India. It can mean anything,  
8 right.

9 And apart from that, they have been coming  
10 after my wife because she's an elected official, so ---

11 **MR. HAMZA MOHAMADHOSSEN:** She's an elected  
12 official?

13 **MR. GURPREET SINGH:** Yes, she's an elected  
14 official. So she's been told that, "Your husband is doing  
15 this and that and we are going to oppose you".

16 So they are coming after your family as well  
17 if you are not toeing to the line.

18 So these are some of the challenges. Also,  
19 I'm getting a lot of backlash on the social media every time,  
20 and I have stopped paying attention to that anyway because it  
21 really affects your sanity.

22 You have to really focus on your work. You  
23 cannot handle the trolls all the time and you cannot waste  
24 your time on them. But these are some hard realities.

25 **MR. MATTHEW FERGUSON:** And how does this  
26 affect your independence as a journalist?

27 **MR. GURPREET SINGH:** Well, I -- sometimes I  
28 do indulge in self-censorship and that is partly because I

1 don't want to get involved in any kind of conflict.

2 For instance, if my wife is at a public event  
3 where she's been confronted by these right-wing groups, I  
4 won't go on the media to report it because that would be  
5 conflict. I'll be seen as someone who's trying to be kind to  
6 my wife and taking a side so I will rather keep quiet, sort  
7 of saying anything or even mentioning about it.

8 So that's a sort of self-censorship because  
9 of the thing that I don't want to involve myself into any  
10 kind of conflict. I want to avoid a conflict. That is the  
11 only reason.

12 Other than that, I'm an independent person.  
13 If I want to criticize anyone, I will. Nobody can stop me.  
14 But when there's a conflict, then I have to draw a line.

15 **MR. MATTHEW FERGUSON:** When there's a  
16 conflict of interest.

17 **MR. GURPREET SINGH:** Yes.

18 **MR. MATTHEW FERGUSON:** Right. Okay.

19 And this tactic, Mr. Leung, Mr. Ho, of  
20 denying visa, is this something that you've seen or  
21 experienced in your work as journalists in the Chinese  
22 language media, this tactic that Mr. Singh described of  
23 denying visas, for example?

24 **MR. VICTOR HO:** You mean the consequences?

25 **MR. MATTHEW FERGUSON:** Yes.

26 **MR. VICTOR HO:** For me, I have no chance to  
27 go back to Hong Kong because I have a ban from Hong Kong  
28 government.

1                   This is not in a direct connection with  
2 Canadian elections, but with my civil liberty because I am  
3 promoting a Hong Kong parliament event or action for the  
4 offices Hong Kong has, and then the security bureau of Hong  
5 Kong government issue a ban before me in August 2022 because  
6 they said I am -- I'm violating the national security law in  
7 Hong Kong.

8                   **COMMISSIONER HOGUE:** So you cannot go back at  
9 all.

10                  **MR. VICTOR HO:** I can go back and get  
11 arrested.

12                  **COMMISSIONER HOGUE:** Okay.

13                  **MR. MATTHEW FERGUSON:** But I understand, Mr.  
14 Ho, that that's not in connection with your work as a  
15 journalist. That was something more on -- in terms of  
16 advocacy that you were involved in.

17                  **MR. VICTOR HO:** You can say in this way, but  
18 more or less, it will -- it is relating to my previous  
19 comments to the Hong Kong government and the Communist regime  
20 because I was a strong commentator for CCP since my college  
21 years.

22                  **MR. MATTHEW FERGUSON:** Okay.

23                  **MR. VICTOR HO:** I think they have my track  
24 record for over 40 years because I was confronting the CCP  
25 pro students in campus in my college years.

26                  **COMMISSIONER HOGUE:** So it's the accumulation  
27 of everything you have said throughout the years that you  
28 think at one point ---

1                   **MR. VICTOR HO:** I'm so-called dissident of  
2 the CCP offices, one of.

3                   **COMMISSIONER HOGUE:** And it was in 2020, you  
4 said?

5                   **MR. VICTOR HO:** Pardon?

6                   **COMMISSIONER HOGUE:** It's in August 2022?

7                   **MR. VICTOR HO:** It was 2022, yeah. Two years  
8 ago when I just attend a Toronto international press  
9 conference to launch the organization committee of the Hong  
10 Kong parliament. Just one month after the announcement.

11                   **MR. RONALD LEUNG:** And I can also share my  
12 personal experience as a journalist.

13                               I still travel to Hong Kong. I didn't have  
14 big problem when I enter Hong Kong. And the last time I went  
15 to Hong Kong using a Canadian passport, which I have been  
16 using for the last 30 years. Every time I use the Canadian  
17 passport to enter Hong Kong.

18                               But since the implementation of the national  
19 security law, I show my passport at the airport and the  
20 Customs officer will say, "You are wanted in Hong Kong. You  
21 have Hong Kong identity card. You should come back to Hong  
22 Kong using your Hong Kong identity card", and they let me in  
23 without doing anything regarding my passport or even have to  
24 show my Hong Kong ID card. I enter Hong Kong.

25                               And my colleague that work in the same radio  
26 station ---

27                   **MR. MATTHEW FERGUSON:** Without stamping your  
28 passport?

1                   **MR. RONALD LEUNG:** Without doing anything.  
2                   Just ignore. My passport.

3                   **MR. VICTOR HO:** They ignore your Canadian  
4                   passport.

5                   **MR. RONALD LEUNG:** Yeah. And when I exit  
6                   Hong Kong, they say, "You never entered Hong Kong using your  
7                   passport. You have to leave Hong Kong just using your Hong  
8                   Kong ID card".

9                   So that's my personal experience.

10                  And when I went to Hong Kong, my colleague,  
11                  who works at the same radio station, said that openly on air  
12                  and -- said since I was called an anti-China commentator on  
13                  the -- at the radio station in the open line shows, anti-  
14                  China, so my colleague said that openly. For those people  
15                  who are afraid to go to Hong Kong because they criticized  
16                  China, they deserve it. They should be afraid.

17                  I don't know what that means. I wasn't  
18                  afraid to go back to Hong Kong. That's the message given out  
19                  to the community by a lot of commentators in the community.  
20                  So that is the fear that's spread out. That is the result  
21                  because you criticized a government that don't like to hear  
22                  dissent.

23                  **MR. MATTHEW FERGUSON:** And if I continue in  
24                  that vein, given the -- that -- those comments made by other  
25                  commentators, do you practise any form of self-censorship  
26                  when you're speaking on the air?

27                  **MR. RONALD LEUNG:** I exercise care, and I'm  
28                  very careful every time I talk on the radio. I know the red



1 line, where they draw it. If I cross those red lines, I  
2 don't think I can continue to do my job to present a Canadian  
3 perspective on international issues. That's how I am still  
4 working in the Chinese media.

5 **MR. VICTOR HO:** In my case, I try not to  
6 exercise self-censorship by diluting the story with different  
7 ideas and then try to cultivate more issues to make the news  
8 story more, you know, acceptable in terms of my boss'  
9 judgment.

10 I try to use my editorial power to run those  
11 so-called dissident -- overseas Chinese dissident stories  
12 like Liu Xiaobo, the death in -- Liu Xiaobo in the year 2017  
13 and ---

14 **MR. MATTHEW FERGUSON:** Liu Xiaobo was the  
15 Nobel prize ---

16 **MR. VICTOR HO:** Yeah, the peace Nobel Prize,  
17 yeah, recipient. And use the framework this is update story.

18 Liu's wife was granted to move outside China.  
19 I tried use the news judgment that is an updated story. This  
20 is a local paper. So publish this story and put it on the  
21 front page," and try to avoid so-called red line to make the  
22 story more sensible, and even my boss can, you know, can deny  
23 it because this is for the interests of the audience.

24 **MR. MATTHEW FERGUSON:** M'hm. Okay. Thank  
25 you.

26 **MR. HAMZA MOHAMADHOSSEN:** And so earlier in  
27 today's discussion, we heard about the financial consequences  
28 of not following certain narratives. I -- the withholding of

1 advertising dollars and business opportunities.

2 A question from the participant is on the  
3 inverse of that. So is there any financial incentives  
4 provided by the Government of India, the PRC, for those who  
5 cooperate with those governments? So do they receive, for  
6 example, paid sponsorships, sponsored trips to those  
7 countries, for example, or any other kinds of political  
8 favours if journalists follow the narratives that are  
9 friendly to the foreign states?

10 **MR. VICTOR HO:** Your answer is yes. If you  
11 follow the CCP's narrative to follow their story, following  
12 their topics, even topics, they will treat you very well,  
13 have a very good trip to China, or some rewards. The most  
14 direct reward is advertisements with their influence. Say  
15 Consul General, they will hint the local advertiser to put  
16 more advertisement on your paper. Otherwise, you will lose a  
17 lot of money.

18 **MR. HAMZA MOHAMADHOSSEN:** A lot of revenue;  
19 right?

20 **MR. VICTOR HO:** Yeah.

21 **MR. HAMZA MOHAMADHOSSEN:** Mr. Singh, from the

22 ---

23 **MR. GURPREET SINGH:** No, I totally agree.  
24 You just nailed it, because in 2010, I had an opportunity to  
25 travel to India on a gratis visa given by the Indian  
26 Government to cover their diaspora event. They do it every  
27 year in the month of Jan. So I was able to travel to India  
28 to cover it in 2010 and the Indian Government covered

1 everything, your travel, your stay, and they gave you the  
2 gratis visa. It's simply not possible under the current  
3 regime, and if this was happening then, it's happening even  
4 today. People who are in India's good books, they will  
5 definitely get hospitality. There is no question about it.  
6 And who aren't, they won't.

7 **MR. HAMZA MOHAMADHOSSEN:** What about at the  
8 domestic level? So what about access to consular events, for  
9 example? What's the significance of being invited to these  
10 events, to the banquets, the dinners that they hold?

11 **MR. GURPREET SINGH:** Because all those events  
12 on the national days in different hotels, or even in the  
13 consulate, and they certainly invite people who are  
14 favourable to them. Those who are critical, they won't get  
15 those invitations, neither by them directly or nor by their  
16 proxies.

17 **MR. HAMZA MOHAMADHOSSEN:** And so why do those  
18 invitations matter?

19 **MR. GURPREET SINGH:** From media perspective,  
20 it matters because the people who are listening to the radio,  
21 they need to know what is happening in the community. If  
22 there is a national day, you have to mention it, that "Today  
23 is a national day. Today, this is what has happened."

24 Even if you go there, there's a protest  
25 outside, as a journalist, you are supposed to cover that as  
26 well. Not just what is happening inside. But the problem is  
27 that they don't want anything to be reported from outside the  
28 building, outside their office, especially in terms of those

1 demonstrations.

2 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

3 **MR. GURPREET SINGH:** So that's a huge  
4 pressure. But if I had my way, I would have suggested we  
5 should be covering both what is happening inside, what is  
6 happening outside, but that will happen only if they send you  
7 an invitation to come and cover their event.

8 **MR. MATTHEW FERGUSON:** Okay. Earlier we  
9 discussed -- you mentioned that there's -- media outlets  
10 routinely do not cover what are referred to as the five  
11 poisons. For example, Uyghurs, Hong Kongers, Tibetans, and  
12 among others, Falun Gong as well. Can you speak a bit to the  
13 -- and this is a question from the participants, to what  
14 impact does this have on Chinese-Canadians awareness of the  
15 repression of these topics in the media?

16 **MR. VICTOR HO:** First of all, the audience  
17 were believing in a biased information info. And then the  
18 second thing, the CCP tries to weaponize the advertisements  
19 to expand their influence by asking the organizations and  
20 associations here to publish full page advertisement to  
21 spread that the support of CCP government, especially after  
22 2020, the National Security Law launched in Hong Kong, ---

23 **MR. MATTHEW FERGUSON:** M'hm.

24 **MR. VICTOR HO:** --- they put money, asked the  
25 organization to publish full-page advertisement to support  
26 Hong Kong Government and Hong Kong police, and then entertain  
27 the newspaper, you got the revenue, and then make a general  
28 perception that the Chinese community is supporting CCP.

1                   **MR. MATTHEW FERGUSON:** And so that has an  
2 effect on the awareness of the -- does that have an affect on  
3 the awareness of the issues?

4                   **MR. VICTOR HO:** Yeah.

5                   **MR. RONALD LEUNG:** Yeah, I think Victor is a  
6 very good example, as he's explained earlier, since 2019 or  
7 2020, he disappeared from the Chinese media because the  
8 Chinese media won't invite him to any program for commentary  
9 on political issues, whether it's in Canada or in China. So  
10 he's just not existing anymore. It's the same.

11                   **MR. MATTHEW FERGUSON:** And this is a former  
12 editor of Sing Tao.

13                   **MR. RONALD LEUNG:** Yeah.

14                   **MR. MATTHEW FERGUSON:** Right.

15                   **MR. RONALD LEUNG:** Which he used to ---

16                   **MR. VICTOR HO:** Non-existent.

17                   **MR. MATTHEW FERGUSON:** Right. Right.

18                   **MR. RONALD LEUNG:** Which he used to be very  
19 popular as a commentator in the Chinese community. So  
20 something changed since that time.

21                   It's the same with all those dissenting  
22 groups to the present Chinese Government. They are here.  
23 They are present. But their voice won't be heard in the  
24 Chinese community. So the way they want to present this  
25 forced reality is those voices are not here.

26                   **MR. MATTHEW FERGUSON:** M'hm.

27                   **MR. RONALD LEUNG:** "The Chinese diaspora in  
28 Canada, they all support the present Chinese government,"

1       which is not the case. And so if we can't hear it, we can't  
2       see it, it's not there.

3                   **MR. MATTHEW FERGUSON:** And by extension, does  
4       that have an impact, this is again a question from the  
5       participants, on Canadian elected officials' level of  
6       awareness of the repression of these topics by these media  
7       outlets? Does this have -- if the Canadian -- Chinese-  
8       Canadian communities, in speaking about this, does that have  
9       an impact about how elected officials are approaching some of  
10      these topics?

11                   **MR. VICTOR HO:** This is the -- another aspect  
12      of the political infiltration through the elected officials.  
13      Not only through the media, but through the personal contact.

14                   **MR. MATTHEW FERGUSON:** Right. But if we just  
15      focus on the media, if the media isn't discussing the topics,  
16      ---

17                   **MR. VICTOR HO:** M'hm.

18                   **MR. MATTHEW FERGUSON:** --- and then how does  
19      that impact -- if you notice any, does it have any impact,  
20      from your perspective, on how MPs, members of Parliament, are  
21      discussing these issues in relation to the Chinese community?

22                   **MR. RONALD LEUNG:** Yeah, I think it will be  
23      up to the representative of the people ---

24                   **MR. MATTHEW FERGUSON:** M'hm.

25                   **MR. RONALD LEUNG:** --- how sensitive they are  
26      to community issues. For some of those who have a large  
27      proportion of Chinese in their constituency, I think they  
28      must have heard many different voices, a diverse opinion on

1 different issues. But if our MPs are influenced by one side  
2 to ignore those other issues, the MP won't raise the issue --  
3 -

4 **MR. MATTHEW FERGUSON:** M'hm.

5 **MR. RONALD LEUNG:** --- in the Parliament, in  
6 the Canada public. But we also noticed some MPs, a small  
7 number of MPs, they are aware of the issues and they raise  
8 the issues in the House of Commons. But how about the other  
9 MPs? We have so many MPs from the Indo-Canadian community  
10 and from the Chinese community. They should be the ones who  
11 know more about what's happening in their community. But why  
12 are they kept silent? When an issue comes out in the House  
13 of Commons related to the Canada-China relation or a conflict  
14 between these two countries, why are our MPs from those  
15 ethnic backgrounds keeping silent?

16 **MR. MATTHEW FERGUSON:** M'hm.

17 **MR. RONALD LEUNG:** That is something we have  
18 to ask them.

19 **MR. MATTHEW FERGUSON:** Okay. M'hm.

20 **MR. HAMZA MOHAMADHOSSEN:** And ---

21 **MR. GURPREET SINGH:** Yeah, ---

22 **MR. HAMZA MOHAMADHOSSEN:** You want to add  
23 something?

24 **MR. GURPREET SINGH:** Even MPs face the  
25 challenges which a journalist can face. I'm talking from  
26 Indian perspective, because Jagmeet Singh, for example, was  
27 denied a visa by the India Government. Sukh Dhaliwal was  
28 denied visa once for bringing the genocide issue. So MPs are

1 also under the similar set.

2 **MR. MATTHEW FERGUSON:** M'hm.

3 **MR. GURPREET SINGH:** The Indian government  
4 can actually deny you a visa for raising some inconvenient  
5 issues in the Canadian Parliament. There is no question  
6 about it. Some people succumb to the pressure, some don't,  
7 it depends. Secondly, if there is a complete silence about  
8 any issue within the community, a radio silence or whatever.

9 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

10 **MR. GURPREET SINGH:** They have a right to  
11 say, you know what, nobody is talking about it, so why should  
12 I waste my time?

13 **MR. HAMZA MOHAMADHOSSEN:** Right.

14 **MR. GURPREET SINGH:** So it's working two  
15 ways. If the Indian side is trying to pressure the media to  
16 remain silent on these taboos, or these issues, then the MPs  
17 have a good reason not to even talk about it in the  
18 Parliament.

19 **MR. HAMZA MOHAMADHOSSEN:** Right.

20 **MR. GURPREET SINGH:** But if everybody is  
21 talking then they will be forced to make a statement one way  
22 or the other. But then they will also face the same  
23 consequences.

24 **MR. HAMZA MOHAMADHOSSEN:** Thank you.

25 **MR. GURPREET SINGH:** You're welcome.

26 **MR. VICTOR HO:** Let me tell you more --  
27 another story. My friend told me last year that there was a  
28 municipal election. He was knocked at the door by a



1 candidate in Richmond, and my friend asked that candidate,  
2 "Are you taking anti-communist stance?" The candidate is  
3 silent. Yeah. You are a legislator here in Canada and your  
4 voter asks your political stance, you just keep silent.

5 **MR. MATTHEW FERGUSON:** Thank you for that.

6 Mr. Leung, and Mr. Ho, can you share your  
7 concerns about the current media landscape in the Chinese  
8 Canadian community?

9 **MR. VICTOR HO:** My experience is Canadian  
10 Chinese media landscape is something like a subordinate of  
11 China. Media subordinate of China.

12 **MR. MATTHEW FERGUSON:** It's become a  
13 subordinate of ---

14 **MR. VICTOR HO:** We don't have independent  
15 editorial content. I think 99 percent we are fed by the  
16 communist narrative on a daily basis.

17 **MR. MATTHEW FERGUSON:** On a daily basis?

18 **MR. VICTOR HO:** Yeah.

19 **MR. MATTHEW FERGUSON:** Okay. Mr. Leung ---

20 **MR. VICTOR HO:** On a -- they have a daily  
21 radio program.

22 **MR. RONALD LEUNG:** I'll share my personal  
23 experiences, how they work. All our regulators, definitely  
24 media, operate in a shoestring budget and ---

25 **MR. MATTHEW FERGUSON:** On a shoestring  
26 budget?

27 **MR. RONALD LEUNG:** Yes.

28 **MR. MATTHEW FERGUSON:** Yeah.

1                   **MR. RONALD LEUNG:** And they depend on  
2 advertising, and CRTC require them to file the financial  
3 statement at the end of the year, and hopefully they will  
4 show a balanced budget, at least not a big loss. And all the  
5 owner of those media look at the business -- the radio  
6 business or TV business, as just a side business. They have  
7 other main businesses that make money, so they can afford to  
8 lose a lot -- a little bit of money in their radio  
9 operations.

10                   And because they are operating in a really  
11 tight budget, they cannot spend a lot of money to have  
12 professional commentator or independent commentator. Most of  
13 those commentators work as volunteers. Just think about how  
14 -- why do you spend time and effort to warranty your time to  
15 say something about politics? Either I'm one of them trying  
16 to present the position of Canadian people, Canadian value,  
17 but other people may have other motives. I don't know, but  
18 mostly I think it's for personal interest or benefit.

19                   Now, that's how they operate. And where are  
20 they getting all the news? Usually in the Chinese community  
21 they get it from WeChat and from groups. The Chinese  
22 community are divided into different groups to receive  
23 information, because WeChat is very powerful and effective to  
24 have the group. If you are the group leader, you can  
25 distribute your news to your group members.

26                   Sometime ago when I was not branded as anti-  
27 China, I still received some of those information in groups.  
28 Give you one example, still during Covid, there is a video

1 showing -- I think it's the New York Governor Cuomo.

2 **MR. VICTOR HO:** Yeah, Andrew Cuomo.

3 **MR. RONALD LEUNG:** Andrew Cuomo, said  
4 something about China and the Covid. I saw it in the English  
5 news, but the Chinese news video coming from WeChat it's got  
6 splice added and inserted something into it. So it's a  
7 manipulated video of what Andrew Cuomo said in reality. And  
8 I pointed out to the one who sent me that information with  
9 the comparison, with the actual video. My friend kept silent  
10 and stopped sending me anymore.

11 And then I think it's about two years ago,  
12 another video came in from a group that showed test tubes  
13 with fruit flies, and the video said the U.S. Secret Service  
14 sent those DNA modified fruit flies to China to kill the  
15 crops in China. It's a manipulated video, but it's in  
16 professional quality. And I told my friend, it's not true,  
17 that I have not seen that kind of information from anywhere  
18 else except from your video. It's not true. And then I  
19 stopped receiving information from that friend again.

20 So now it's all stopped, so I'm not receiving  
21 any of those videos through WeChat, and that's how the  
22 community receives the information. It's the saturation of  
23 manipulated information in a connective level to shape the  
24 thinking of Chinese Canadians, how they look at the world and  
25 issues related to China.

26 **MR. MATTHEW FERGUSON:** Thank you.

27 **MR. VICTOR HO:** But we are now facing the  
28 cognitive warfare for over 20 years. Cognitive warfare.

1 Basically, it's the same case the entire web.

2 **MR. MATTHEW FERGUSON:** With relation to the  
3 recent election, is that what you're referring to?

4 **MR. VICTOR HO:** The CCP manipulates.

5 **MR. MATTHEW FERGUSON:** Right.

6 **MR. VICTOR HO:** They use the social media,  
7 use a lot of fake news, and also AI stories.

8 **MR. MATTHEW FERGUSON:** Mr. Singh, can you  
9 speak to your concerns if any, as they relate to the Indian  
10 Canadian media here in Canada?

11 **MR. GURPREET SINGH:** Well, there are a number  
12 of them. We have already covered, I think, a lot. But maybe  
13 I can try to cover some of the territory even we were asked  
14 to talk about the recommendations.

15 **MR. MATTHEW FERGUSON:** Sure.

16 **MR. GURPREET SINGH:** But I can do it even  
17 now. The Canadian authorities need to be -- to come out of  
18 their selectivity and denial. What is happening in terms of  
19 China, with due respect, they actually restricted the use of  
20 TikTok, especially for the public officials. I mean, I also  
21 didn't kind of use it.

22 But we don't see that kind of aggressive  
23 behaviour when it comes to India, and let's face it, the  
24 Government of Canada gave enough long rope to the Modi  
25 government until the time Hardeep Singh Nijjar was murdered.  
26 Nothing of that sort was happening, nobody was talking about  
27 it. Mr. Trudeau never stood up for the people of people of  
28 Kashmir, never stood up for the Muslim community facing

1 persecution every day. He just made one symbolic statement  
2 during the farmers' protests and there was a huge backlash.

3 So why we are letting the right-wing India  
4 media outlets spreading the hatred in this country? We need  
5 to keep a balance of course, between the freedom of speech  
6 and the hate speech. That is only they can do, not my cup of  
7 tea. I can't do anything about it. I can only recommend  
8 that you find a way how to handle the situation.

9 **MR. MATTHEW FERGUSON:** Okay. Thank you.

10 Have any of you raised concerns as it relates  
11 to freedom of the press, or for any matter, any of the  
12 concerns that we spoke about today, have you raised them to  
13 any regulatory body in Canada? You know, issues that related  
14 to, for example, ownership, or what you've described as  
15 propaganda on -- in Chinese Canadian regulated media?

16 **MR. VICTOR HO:** You mean regular meetings  
17 with the officers?

18 **MR. MATTHEW FERGUSON:** Yeah, regular -- yes.

19 **MR. VICTOR HO:** We don't have any chance to  
20 meet or to discuss with federal government with regulating  
21 the media. We don't have any chance. But I did participate  
22 several times to joint -- to sign the joint letter. To have  
23 a petition to CRTC regarding the content bias or the CCP  
24 control media problem after 2019. The joint signature to  
25 CRTC and of course to the station, radio station. Most cases  
26 were regarding the radio station, especially here -- not -- I  
27 mean in Vancouver, because our radio station ---

28 **MR. MATTHEW FERGUSON:** And what were those

1 complaints that you were raising with regard to the radio  
2 stations?

3 **MR. VICTOR HO:** About the one-sided story  
4 about the CCP (indiscernible) of that who violate our general  
5 perception and normal knowledge about Hong Kong and China.  
6 Because to most of the audience this is propaganda, not news.  
7 It is using the broadcasting organization to disseminating  
8 the CCP official line. We don't like it. And we don't think  
9 the radio should do this in the wrong way.

10 **MR. RONALD LEUNG:** Now, personally, I have  
11 not complained to the CRTC of any direct contact with CRTC in  
12 the last 40 years, since I start working in the media.

13 There are some reason why I'm not doing it.  
14 First, I am not aware there's a way to do it, or if there's a  
15 way it's not communicated clearly on the CRTC website, so I  
16 can't find anything.

17 And on the other hand, I receive a lot of  
18 complaints from listeners of the buyers of the media. I  
19 encourage them to complain. And then they said, "How do we  
20 complain?" "Oh, you cannot complain to CRTC; you complain to  
21 CBSA, the Canadian Broadcast Standard Association, which is a  
22 volunteer organization. The media can join or not join it.  
23 If the media join it, it is regulated by the regulation of  
24 the CBSA; they have a system how to handle complaints from  
25 the audience. But the complaint procedure is quite  
26 complicated and time consuming.

27 It's a radio broadcast; if you heard  
28 something that's not right, you want to complain. The CBSA

1 require you need a record of that program. It's already  
2 gone, I have no record. And then you have to translate to  
3 English; we only work in English and French. If it's in  
4 Punjabi, in Chinese, how do I have the program translated,  
5 send it to CBSA?

6 It's a very complicated and long process.  
7 Not many people can do it. So that is a hindrance to people  
8 making complaint to the government official or those  
9 professional organizations.

10 And when CRTC want to update or enhance their  
11 policy on different issue, they invite the owners to talk to  
12 them. Of course the owner will think about their own  
13 benefit. Have they proactively asked people in the community  
14 or people working in the media to have a dialogue; to find  
15 out what's really happening and how we can improve our system  
16 to achieve the objective of our media policy? It's not  
17 there.

18 **MR. HAMZA MOHAMADHOSSEN:** So earlier today  
19 you shared a couple of personal experiences, incidents, have  
20 you ever contacted any Government of Canada agency, Mr.  
21 Singh, in relation to any concerns, any incidents that may  
22 have involved foreign interference?

23 **MR. GURPREET SINGH:** I've been trying to find  
24 this out through my writings, through my articles, first of  
25 all, which were addressed to the Prime Minister, to the MPs,  
26 elected officials. And personally to -- I've been trying to  
27 tell our local MPs that, "This is what is happening, you  
28 should do something about it." Besides that, some security

1 officials also had an opportunity to meet me in person, and I  
2 told them everything.

3 And lastly, there was a demonstration we  
4 organized in the year 2014 outside the Indian Consulate. So  
5 one of the prominent media channels in our community, they  
6 sent in their crew. The crew came there, they took the  
7 footage, but they didn't show anything on TV. So I filed a  
8 complaint with CRTC but all I received from them was, "You  
9 should take it up with channel concern. We can't do anything  
10 about it." I mean, why would that channel do something about  
11 it? You know? I filed a complaint with them as well, but  
12 nothing came out of it. Yeah.

13 **MR. MATTHEW FERGUSON:** If I turn now to the  
14 recommendations, and -- that you may have for the Commission  
15 and the Commissioner and in the work of the Commission. And  
16 keeping in mind the values enshrined in the *Charter of Rights*  
17 *and Freedoms*, namely freedom of thought, opinion, expression,  
18 and freedom of the press, do you have any ideas or proposals  
19 on ways to counter CCP influence in Chinese-language media in  
20 Canada? What are some of the steps we can take to -- other  
21 than banning media, which would be inappropriate in a free  
22 and democratic society?

23 **MR. VICTOR HO:** Yeah. I have nine  
24 recommendations to present.

25 **MR. MATTHEW FERGUSON:** Nine recommendations?  
26 So please note we only have the morning session, so...

27 **MR. VICTOR HO:** Well, I can ---

28 **MR. MATTHEW FERGUSON:** Yeah. No, go ahead.



1 Please, yeah. Yeah.

2 **MR. VICTOR HO:** To address the challenge  
3 posed by CCP interference. Number one, foreign interference  
4 transparency. I think this regularly is now going on.

5 Number two, CRTC licence regulations. So,  
6 you know, so improve and also to change a lot.

7 **MR. MATTHEW FERGUSON:** What would you  
8 recommend in that particular area, the CRTC licence  
9 regulations?

10 **MR. VICTOR HO:** The CRTC should increase  
11 criteria in its licence renewal process to assess whether  
12 radio or television stations are knowingly spreading  
13 propaganda or misinformation from hostile foreign states like  
14 the CCP. Stations proven to serve as propaganda tools should  
15 not have their licence renewed.

16 The second point, to effectively monitor and  
17 assess Chinese language media, the CRTC will require staff  
18 who have a strong understanding of traditional Chinese  
19 characters, simplified Chinese characters, Mandarin, and  
20 Cantonese. Building linguistic expertise is essential for  
21 accurately evaluating the content and ensuring that the  
22 stations are not used to disseminate foreign propaganda.  
23 That is my CRTC point.

24 **MR. MATTHEW FERGUSON:** Great, thank you.

25 **MR. VICTOR HO:** Number three, tax deductions  
26 for advertising.

27 **MR. MATTHEW FERGUSON:** Tax deductions for  
28 advertising?

1                   **MR. VICTOR HO:** Yeah. And the details, one,  
2                   enforce section 19 of the *Canadian Income Tax Act*, which  
3                   prohibit tax deductions for advertising in foreign-owned  
4                   media. This provision is currently underenforced,  
5                   particularly in Chinese-language media outlets like *Ming Pao*,  
6                   which are foreign-owned but primarily target Canadian  
7                   audiences. Clear identification of foreign-owned media  
8                   should be made accessible to advertisers.

9                   Point two, as recommended by Friends of  
10                  Canadian broadcasting, the deductibility of advertising  
11                  expenses in foreign media, including digital media platforms,  
12                  like WeChat, should be eliminated. This would reduce the  
13                  financial incentives for businesses to advertise on foreign  
14                  platforms and help redirect funds to Canadian media. This is  
15                  point number three.

16                  Point number four, support for Canadian-  
17                  Chinese language media. Very simple; to increase support for  
18                  Radio-Canada International that is OCI Chinese.

19                  **MR. MATTHEW FERGUSON:** Yeah.

20                  **MR. VICTOR HO:** Point number five ---

21                  **MR. MATTHEW FERGUSON:** How would you do that?

22                  **MR. VICTOR HO:** Strengthen OCI capacity to  
23                  provide reliable, independent news and analysis to counter  
24                  the CCP's forced narratives, especially on issues such as  
25                  Hong Kong, Sin Chung, Taiwan, and Canada-China relations.  
26                  Regarding the money that is the burden of the financial  
27                  secretary, not me.

28                  **MR. MATTHEW FERGUSON:** Okay.

1                   **MR. VICTOR HO:** Number five, designation of  
2 PRC state media as foreign nations. The details: Canada  
3 should follow the US lead and designate PRC state media  
4 outlets as foreign nations, requiring them to register as  
5 foreign agents under the *Foreign Agents Registration Act*,  
6 FARA. This would increase transparency regarding their  
7 operations and restrict their influence on Canadian soil.  
8 Consider banning PRC's say in media for violating CRTC  
9 regulations similar to how Russia's state-run RT was banned  
10 earlier from Canadian airways.

11                   Recommendation number six. Regulating PRC's  
12 social media platforms. Canada's top ministries to regulate  
13 WeChat, TikTok, and other PRC social media platforms. This  
14 could be requiring these platforms to be owned and operated  
15 by Canadian entities and enabling better regulation,  
16 complaint handling, and oversight. Canada should follow the  
17 U.S. examples in exploring a potential ban on Tik Tok if  
18 these previously and better security concerns remain  
19 unaddressed.

20                   Recommendation number seven. New regulations  
21 for social media disinformation. Create new regulations  
22 requiring social media companies to detect, identify, and  
23 deter disinformation on their platforms. This regulation  
24 should apply to platforms above a certain user threshold in  
25 Canada.

26                   Establish an independent NGO funded by the  
27 Canadian Government to work with social media companies in  
28 identifying disinformation, particularly around elections.

1                   The NGO should consist of trusted experts,  
2                   such as former judges and information professionals.

3                   This kind of NGO should have the authority to  
4                   require social media platforms to a, ban posts containing  
5                   clear misinformation or posing an immediate threat to the  
6                   electoral process. B, attach warning labels to posts  
7                   spreading disinformation similar to Covid-19 warnings. C,  
8                   ban accounts engaging in repeated disinformation.

9                   The other part, social media platforms that  
10                  fail to comply with these regulations should face potential  
11                  bans in Canada.

12                  Recommendation number eight. Ban non-  
13                  compliant social media platforms. Platforms posing  
14                  cybersecurity and privacy risks or those consistently  
15                  ignoring Canadian regulations should be banned from app  
16                  distribution platforms -- that is Apple's App Store and  
17                  Google Play -- for Canadian users especially within  
18                  government-funded institutions.

19                  Number nine, recommendation number nine.  
20                  Expand Public Safety reporting and resources. Public safety  
21                  Canada should expand its webpage on foreign interference to  
22                  input comprehensive information on the topic in various  
23                  languages, including Chinese language. This will ensure that  
24                  Canadians of all linguistic backgrounds are equipped with the  
25                  tools to identify and report foreign interference  
26                  effectively.

27                  Thank you.

28                  **MR. MATTHEW FERGUSON:** Thank you. And Mr.

1 Leung, apart from those recommendations, do you have any of  
2 your own?

3 **MR. RONALD LEUNG:** I just have two remarks  
4 regarding this issue.

5 **MR. MATTHEW FERGUSON:** M'hm.

6 **MR. RONALD LEUNG:** As I mentioned earlier, if  
7 we look at this issue as an information war, it's a war, so  
8 we have to upgrade our defence and also if not a big offence,  
9 at least a general offence to make sure we'll still be a  
10 sovereign country.

11 So the first one is regarding our regulation.  
12 CRTC's under Heritage Canada, and if you look at the  
13 Government budget, Heritage Canada only is a small budget  
14 ministry. And CRTC's under Heritage, and the regulation  
15 regarding ethnic media is about diversity and equal  
16 opportunity for all the ethnic groups in Canada. So that is  
17 their mandate. Their mandate is not to present a Canadian  
18 story to the rest of the world or make use of our large  
19 ethnic diaspora to help Canada to promote ourselves to all  
20 the countries. This is not their mandate.

21 So maybe we have to upgrade CRTC to include  
22 those in the regulations to make Canada stronger and to have  
23 our story heard around the world. And we don't have to  
24 invent anything new. We can just take examples from our  
25 allies. In the U.S. they have Voice of America. In France,  
26 they have Radio France International. In Germany, they have  
27 Deutsche Wala, the DW.com on the internet. And in Australia,  
28 they have SBS, Special Broadcasting Service. And our CBC is

1 modeling the British BBC.

2 **MR. MATTHEW FERGUSON:** M'hm.

3 **MR. RONALD LEUNG:** And BBC is renowned around  
4 the world for their ethnic broadcasting in different  
5 languages.

6 So we have a small operation under CBC, the  
7 RCI, as mentioned by Victor, but when compared with all our  
8 allies, what they are doing, it's completely not enough.

9 But those operations by other allies of  
10 Canada, they are not operated by the government. They are  
11 usually arm's length foundations set up by the government and  
12 controlled by the parliament, not at the whim of the  
13 governing party, to continue telling the world the story of  
14 the country. This is something we have to do to be  
15 proactive. And we have such a diaspora from so many  
16 countries in the world. We have to make good use of them to  
17 tell our Canadian story to the world, instead of helping them  
18 to maintain their culture, to maintain their tie to their  
19 original country. This is something that we have to be less  
20 concentrated, because we are doing all the settlement  
21 services from other departments. We should not put that as  
22 our priority under Heritage and CRTC. This is one way to  
23 make sure Canada's voice is heard around the world.

24 And also we have to change our mindset, is  
25 don't think about the foreign interference, foreign influence  
26 is only affecting a few ridings in our election. If we allow  
27 one country to affect a few ridings, another country affect a  
28 few ridings, we're turning into United Nations, not a

1 sovereign country. That's something we have to keep in mind.

2 **MR. MATTHEW FERGUSON:** Thank you.

3 And Mr. Singh, you touched earlier on  
4 recommendations be more decisive by the Government of Canada.  
5 Are there any other recommendations that you think would be  
6 helpful? Any other areas that the government should focus  
7 on?

8 **MR. GURPREET SINGH:** Sure. I won't be  
9 repeating what has already been said. So just a few of them.

10 One is the -- we need -- Canada needs to  
11 intensify monitoring of the proxies, especially during the  
12 election times, because that's the time when they really  
13 become active. All these proxies really try to influence  
14 candidates, political parties. They try to prop up their own  
15 favourable candidates. They try to interfere in the campaign  
16 of other people.

17 **MR. HAMZA MOHAMADHOSSEN:** Do you see the work  
18 of these proxies within the media organizations also?

19 **MR. GURPREET SINGH:** Yes, definitely, because  
20 these two issues cannot be delineated. Election time, media  
21 outlets are busy doing the stories. So definitely they will  
22 try to influence the voters through the media outlets. So  
23 you cannot delineate the two.

24 **MR. HAMZA MOHAMADHOSSEN:** Right.

25 **MR. GURPREET SINGH:** So very important, the  
26 monitoring should be intensified on these proxies, especially  
27 during election time. They can affect the voters. They can  
28 influence them through whatever means, including the media

1 outlets.

2 **MR. HAMZA MOHAMADHOSSEN:** Okay.

3 **MR. GURPREET SINGH:** And secondly, as I  
4 mentioned before, we need to keep the balance between free  
5 speech and hate speech and protection of those who report  
6 interference, which is very, very important. So people who  
7 have any kind of clues, they should not be feeling scared.  
8 They should come to even elected official with this kind of  
9 information which can be passed on to people on top of the  
10 hierarchy so that somebody can take care of this.

11 I'll give you one example. It might amuse a  
12 lot of you here. So I was at B.C. Punjabi Press Club, and we  
13 have a member from a different radio station. So we organize  
14 once a rally in support of the journalists back home who are  
15 being threatened and intimidated by the police. So we  
16 organized a demonstration outside the Indian Consulate. And  
17 this gentleman didn't show up. So he was doing his online  
18 show and a caller asked him, "Why you weren't there?" So he  
19 said that, "I have to go to India. How can I go take this  
20 risk?" This was an honest acknowledgement. It sounds very  
21 funny, but it's a serious matter. It shows that side of --  
22 of these are really works in the community. The people  
23 really need that kind of protection.

24 When they are coming to the Government of  
25 Canada, that kind of report, that should be taken seriously  
26 and the person should be given some kind of personal  
27 assurance that your privacy will be -- we'll respect your  
28 privacy and you will get all the protection from the Canadian



1 state.

2 **MR. MATTHEW FERGUSON:** Okay. Thank you very  
3 much for this discussion today. It's been very helpful.

4 I'm not sure if Madam Commissioner has any  
5 questions that she'd like to put to ---

6 **COMMISSIONER HOGUE:** No, it's fine. I've  
7 asked the questions I wanted to ask, so thank you very much.  
8 It was very interesting to hear from all of you. And now  
9 we'll have to turn our mind to -- at one point to  
10 recommendations, so thank you.

11 **MR. GURPREET SINGH:** Thank you, Madam  
12 Commissioner.

13 **MR. MATTHEW FERGUSON:** Thank you very much.

14 **COMMISSIONER HOGUE:** So we'll come back at  
15 1:30.

16 **THE REGISTRAR:** Order, please.

17 The sitting of the Commission is now in  
18 recess until 1:30 p.m.

19 --- Upon recessing at 12:10 p.m.

20 --- Upon resuming at 1:31 p.m.

21 **THE REGISTRAR:** Order, please.

22 This sitting of the Foreign Interference  
23 Commission is now back in session.

24 The time is 1:31 p.m.

25 **COMMISSIONER HOGUE:** Good afternoon.

26 **MS. NATALIA RODRIGUEZ:** We just have some  
27 documents that we need to enter into the record as exhibits.

28 So there were several French translations of

1 interview summaries that were entered into evidence and that  
2 have now become available, so the Commission will enter the  
3 following documents as exhibits.

4 And there's no need for the Court Operator to  
5 pull them up, but for the record there are WIT111.FR. And  
6 this is an addendum to the CSIS HQ Stage 1 interview summary.

7 **--- EXHIBIT No. WIT0000111.FR:**

8 Addendum au résumé d'entrevue :  
9 administration centrale du SCRS

10 **MS. NATALIA RODRIGUEZ:** The second one is  
11 WIT112.FR. And this is the addendum to the CSIS Region's  
12 Stage 1 interview summary.

13 **--- EXHIBIT No. WIT0000112.FR:**

14 Addendum au résumé d'entrevue :  
15 représentants de bureaux régionaux du  
16 SCRS

17 **MS. NATALIA RODRIGUEZ:** The next one is  
18 WIT121.FR. And this is the addendum to the CSIS HQ Stage 1  
19 *in camera* examination.

20 **--- EXHIBIT No. WIT0000121.FR:**

21 Addendum au résumé d'interrogatoire à  
22 huis clos : M. David Vigneault, Mme  
23 Michelle Tessier et Mme Cherie  
24 Henderson

25 **MS. NATALIA RODRIGUEZ:** The next one is  
26 WIT123.FR. And this is the interview summary of Allen  
27 Sutherland.

28 **--- EXHIBIT No. WIT0000123.FR:**

1                   Résumé de l'interrogatoire à huis  
2                   clos : Allen Sutherland, secrétaire  
3                   adjoint du Cabinet, Institutions  
4                   démocratiques et appareil  
5                   gouvernemental

6                   **MS. NATALIA RODRIGUEZ:** The next one is  
7                   WIT125.FR. And this is the CSIS Stage 2 interview summary.

8                   **--- EXHIBIT No. WIT0000125.FR:**

9                   Résumé d'entrevue : Service canadien  
10                  du renseignement de sécurité

11                  **MS. NATALIA RODRIGUEZ:** And finally,  
12                  WIT132.FR. And this is the *in camera* technical briefing on  
13                  Bill C-70.

14                  **--- EXHIBIT No. WIT0000132.FR:**

15                  Brefpage technique à huis clos sur le  
16                  projet de loi C-70, Loi concernant la  
17                  lutte contre l'ingérence étrangère

18                  **MS. NATALIA RODRIGUEZ:** And with that,  
19                  Commissioner, we can proceed. The witness before you is  
20                  Scott Shortliffe from the CRTC, and I would ask that the  
21                  witness be affirmed, please.

22                  **THE REGISTRAR:** So Mr. Shortliffe, could you  
23                  please state your full name and then spell your last name for  
24                  the record?

25                  **MR. SCOTT SHORTLIFFE:** My full name is Scott  
26                  Lewellyn Shortliffe. S-h-o-r-t-l-i-f-f-e.

27                  **THE REGISTRAR:** Thank you.

28                  **--- MR. SCOTT SHORTLIFFE, Sworn:**

1                   **THE REGISTRAR:** Counsel, you may proceed.

2                   **--- EXAMINATION IN-CHIEF BY MS. NATALIA RODRIGUEZ:**

3                   **MS. NATALIA RODRIGUEZ:** Good afternoon, Mr.  
4 Shortliffe.

5                   Do you recall being interviewed by Commission  
6 counsel on August 28, 2024?

7                   **MR. SCOTT SHORTLIFFE:** I do so recall, yes.

8                   **MS. NATALIA RODRIGUEZ:** Great.

9                   So we will ask the Court Operator to please  
10 call up WIT130.EN.

11                   Thank you.

12                   And is this the witness summary that was  
13 generated from your interview with Commission counsel?

14                   **MR. SCOTT SHORTLIFFE:** It is.

15                   **MS. NATALIA RODRIGUEZ:** And do you have any  
16 corrections, additions or deletions to make to this summary?

17                   **MR. SCOTT SHORTLIFFE:** I do not.

18                   **MS. NATALIA RODRIGUEZ:** And do you adopt the  
19 contents of this summary as part of your evidence before the  
20 Commission today?

21                   **MR. SCOTT SHORTLIFFE:** I do.

22                   **MS. NATALIA RODRIGUEZ:** Great.

23                   So we'll have that entered in as the next  
24 exhibit and, for the record, the French translation is at  
25 WIT130.FR. And there's no need to call that up, but it will  
26 go in as the next exhibit as well.

27                   **--- EXHIBIT No. WIT0000130.EN:**

28                   Interview Summary: Canadian Radio-

1 television and Telecommunications  
2 Commission (Scott Shortliffe and  
3 Daniel Pye)

4 --- EXHIBIT No. WIT0000130.FR:

5 Résumé de l'entrevue : Conseil de la  
6 radiodiffusion et des  
7 télécommunications canadiennes (Scott  
8 Shortliffe et Daniel Pye)

9 **MS. NATALIA RODRIGUEZ:** So Mr. Shortliffe, I  
10 just want to start with your background.

11 I understand you're currently the Director of  
12 Broadcasting at the CRTC and that you have held that role  
13 since 2019. Is that right?

14 **MR. SCOTT SHORTLIFFE:** That is correct.

15 **MS. NATALIA RODRIGUEZ:** And you first joined  
16 the CRTC in 2017 as the Chief Consumer Officer?

17 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

18 **MS. NATALIA RODRIGUEZ:** And you've been with  
19 the public service for about 30 years, 23 of which you spent  
20 at Heritage Canada. Is that right?

21 **MR. SCOTT SHORTLIFFE:** Yes, that's right, 30  
22 years as of this August.

23 **MS. NATALIA RODRIGUEZ:** Congratulations.

24 And at the Department of Heritage and  
25 starting in about 2010, you were also looking after the  
26 broadcasting portfolio within Heritage. Is that right?

27 **MR. SCOTT SHORTLIFFE:** Yes, I was Deputy  
28 Director-General of broadcasting, so I was not in charge of

1 the broadcasting portfolio but I was a senior official of the  
2 broadcasting portfolio.

3 **MS. NATALIA RODRIGUEZ:** Okay. And I  
4 understand now in your current role you are focused on the  
5 implementation of the new *Broadcasting Act*, which regulates  
6 broadcasting activities -- some broadcasting activities on  
7 the internet as well, and the *Online News Act*, which  
8 regulates the distribution of monies relating to news  
9 broadcasts. Is that about accurate?

10 **MR. SCOTT SHORTLIFFE:** That's about accurate.  
11 Those are my two primary focuses right now.

12 **MS. NATALIA RODRIGUEZ:** And can you briefly  
13 explain the changes to the *Broadcasting Act* that have been  
14 brought in by this new *Broadcasting Act*? What do the changes  
15 generally entail at a high level?

16 **MR. SCOTT SHORTLIFFE:** So the *Online*  
17 *Streaming Act's* a very complex piece of legislation, but in  
18 brief, it expands the CRTC's ambit to take in those  
19 broadcasting entities that operate on the internet. So if  
20 you think of Netflix, Amazon Prime or the musical sphere,  
21 Spotify, Apple Music, we now have explicit regulatory  
22 authority over them.

23 The Act directs us to regulate them in a way  
24 that will be somewhat equivalent to how we regulate  
25 conventional broadcasting, not exactly the same regulation,  
26 but trying to bring them into the broader Canadian  
27 broadcasting system to support the objectives of the  
28 *Broadcasting Act*. So it's redefining broadcasting to include

1 those services that are mostly foreign owned and delivered  
2 online.

3 **MS. NATALIA RODRIGUEZ:** Okay, great. Thank  
4 you.

5 Now, in terms of the CRTC mandate, you  
6 touched on it a little bit, that the new *Online Streaming Act*  
7 will expand a little bit the scope of the CRTC's mandate, but  
8 generally, I understand that the statutory authority for the  
9 CRTC comes broadly from the *Canadian Radio-television and*  
10 *Telecommunications Commission Act*. Is that right?

11 **MR. SCOTT SHORTLIFFE:** Yes, and no. It sets  
12 up how the Commission operates, then there's specific pieces  
13 of legislation for broadcasting, telecommunications, do not  
14 call and anti-spam and the *Online News Act*, and they give us  
15 our specific powers in regards to those fields. But the *CRTC*  
16 *Act* sets out the overall operation of the Commission as a  
17 quasi-judicial Tribunal.

18 **MS. NATALIA RODRIGUEZ:** Right. And it  
19 references within it the specific areas of regulatory  
20 authority that the CRTC has with, for example, the  
21 *Telecommunications Act*, the *Broadcasting Act*, et cetera, as  
22 you mentioned.

23 **MR. SCOTT SHORTLIFFE:** Yes.

24 **MS. NATALIA RODRIGUEZ:** And can you tell us,  
25 then, what types of activities or entities fall within the  
26 *Broadcasting Act*?

27 **MR. SCOTT SHORTLIFFE:** So the *Broadcasting*  
28 *Act* refers to broadcasting as a single system, so anyone who

1 is transmitting through a broadcast and receiving apparatus  
2 in Canada, which would be radio or television, is subject to  
3 our Act. So if you think about licensed broadcasting, that  
4 would be over-the-air radio. It would now include digital  
5 radio. If you look at television, it would be individual  
6 television providers and what we call BDUs -- I'm sorry, we  
7 have a lot of acronyms -- the CRTC Broadcast Distribution  
8 Undertakings, which is cable and television and internet  
9 protocol systems.

10 So we regulate the distributors and we  
11 regulate the individual licensed entities.

12 **MS. NATALIA RODRIGUEZ:** And I'm just going to  
13 remind you to please speak slowly for the interpreters. We  
14 have English and French interpretation as well as sign  
15 language interpretation, so just a reminder. I do it as  
16 well, so I have to remind myself.

17 And so you said digital radio. And is that  
18 something that is now within the ambit of the CRTC as a  
19 result of the new *Online Streaming Act*?

20 **MR. SCOTT SHORTLIFFE:** Yes, and no.

21 So digital radio when we refer to it, there's  
22 different ways of transmitting radio. There's analog radio  
23 systems, there are digital radio systems that exist in  
24 Canada. You're still essentially talking about having a  
25 radio transmitter or source within Canada, and we also have  
26 satellite radio, and we do regulate satellite radio in  
27 Canada.

28 Basically, though, in the radio sphere, it's



1 within the confines of Canada. There's some slight fuzziness  
2 at the border. And we regulate individual stations.

3 What has been added to us now are digital  
4 music services or audio services that come in through the  
5 open internet, which would include, as I mentioned before,  
6 Spotify, Apple and other services like that.

7 The Act tries to restrict our ambit to make  
8 it very clear that they should be analogous to broadcasting  
9 entities. We don't have control over the entire internet or  
10 over social media, but if you're coming into Canada in a  
11 manner that will be receivable through a broadcasting  
12 apparatus like a radio or an audio service, we will be able  
13 to regulate you on that basis.

14 **MS. NATALIA RODRIGUEZ:** Okay. Thank you.

15 So you gave us some examples of online  
16 content that now falls within the CRTC's ambit, for example,  
17 Spotify, Apple Music, that type of thing. Are there online  
18 activities that don't fall -- what are some examples of  
19 online activities that the public may assume potentially is  
20 captured, but is actually not captured by the new *Online*  
21 *Streaming Act*?

22 **MR. SCOTT SHORTLIFFE:** Well, for example,  
23 explicitly social media services. Anyone who has a social  
24 media service, we do not regulate them at all. There's a  
25 very slight asterisk related to the *Online News Act* which I  
26 probably won't go into because that would take up our time,  
27 but if you're thinking of broadcasting, we don't regulate  
28 services such as Facebook or Twitter or WeChat. We have a

1 small regulatory responsibility for YouTube when it operates  
2 as a broadcaster, having channels that are professionally  
3 produced, but if you're an individual YouTube creator, we do  
4 not regulate you. So our entry into the internet is very  
5 limited to people who are operating in a manner very  
6 analogous to a typical broadcast.

7 **MS. NATALIA RODRIGUEZ:** And I imagine this is  
8 all relatively new to the CRTC since this Act, the *Online*  
9 *Streaming Act* is relatively new as well, and the CRTC's still  
10 kind of working out the contours of what that new authority  
11 might entail; is that right?

12 **MR. SCOTT SHORTLIFFE:** Very much so. And  
13 because we're a tribunal, we operate on the basis of public  
14 hearings. We actually have a regulatory plan where we are  
15 looking at these issues. We've had a few major decisions in  
16 terms of who is subject to our Act and must register with us  
17 in terms of who must make base contributions to the Canadian  
18 broadcasting system, but we have announced that we have  
19 another very lengthy series of proceedings to finish defining  
20 that work and just for defining our roles for the future.

21 **MS. NATALIA RODRIGUEZ:** Now this morning --  
22 I'm not sure if you heard the panel this morning, but we had  
23 a panel of Cultural Community Media members, who talked about  
24 -- and one of them specifically spoke about Chinese Canadians  
25 setting up radio stations on the internet from within Canada,  
26 and he described that as unregulated radio. Would an online  
27 radio station like the one that he described fall within the  
28 ambit of the CRTC's regulation?

1                   **MR. SCOTT SHORTLIFFE:** Generally speaking,  
2 no. Of course, I would have to see a specific case. But if  
3 you set up an audio service on the open internet, as many  
4 people do, that would not fall under our current regulatory  
5 ambit. Again, a specific case I would have to look at, to  
6 see if it could be applicable to our roles, and we will be  
7 consulting on audio policy going forward.

8                   **MS. NATALIA RODRIGUEZ:** So I want to turn now  
9 to Canada's broadcasting policy, which is where the CRTC  
10 derives its direction from. Can I please, Court Operator,  
11 have CRT-26 brought up?

12                   **--- EXHIBIT No. CRT0000026:**

13   Broadcasting Act, S.C. 1991, c. 11

14                   **MS. NATALIA RODRIGUEZ:** And this is just a  
15 copy of the *Broadcasting Act*. I understand that the  
16 broadcasting policy for Canada is set out in Section 3 of  
17 this Act; is that correct?

18                   **MR. SCOTT SHORTLIFFE:** That is correct.

19                   **MS. NATALIA RODRIGUEZ:** And if we can go to  
20 page 12? Broadcasting Policy for Canada. There it is. And  
21 so 3(1)(a) there kind of sets out the broad scope of what  
22 broadcasting should entail and what it should accomplish.

23   "the Canadian broadcasting system  
24 shall be effectively owned and  
25 controlled by Canadians, and it is  
26 recognized that it includes foreign  
27 broadcasting undertakings that  
28 provide programming to Canadians"

1                                   And then (a.1) says,  
2                                   "each broadcasting undertaking shall  
3                                   contribute to the implementation of  
4                                   the objectives of the broadcasting  
5                                   policy set out in this subsection in  
6                                   a manner that is appropriate in  
7                                   consideration of the nature of the  
8                                   services provided by the undertaking"

9                                   And if we just go to (d), it's explaining  
10                                  there that the policy should,

11                                  "serve to safeguard, enrich and  
12                                  strengthen the cultural, political,  
13                                  social and economic fabric of Canada"

14                                  It also talks about "providing a wide range  
15                                  of programming". And if we go to page 13, it talks about  
16                                  reflecting

17                                  "the linguistic duality and  
18                                  multicultural and multiracial nature  
19                                  of Canadian society and the special  
20                                  place of Indigenous peoples and  
21                                  languages within that society"

22                                  And if we go to page 14, (vi) there, it says  
23                                  that broadcasting policy should "ensure freedom of expression  
24                                  and journalistic independence". And this broadcasting policy  
25                                  goes on until page 18, so it's quite a broad set of  
26                                  principles ---

27                                  **MR. SCOTT SHORTLIFFE:** Yeah.

28                                  **MS. NATALIA RODRIGUEZ:** --- if you will, to

1 apply. And so my understanding then is that the CRTC is  
2 tasked with implementing and interpreting this broad policy  
3 and then making more specific regulatory policy that accords  
4 with this broad policy; is that generally correct?

5 **MR. SCOTT SHORTLIFFE:** Yes, that is.

6 **MS. NATALIA RODRIGUEZ:** Okay. And then in  
7 doing so, the CRTC issues regulatory policies and public  
8 notices regarding these regulatory policies; is that right?

9 **MR. SCOTT SHORTLIFFE:** That is correct, yes.

10 **MS. NATALIA RODRIGUEZ:** Okay. And so the  
11 CRTC then is engaged in different activities. You mentioned  
12 some decision making and adjudication. So aside from policy  
13 setting, it does a range of things, including issuing  
14 licenses to broadcasters ---

15 **MR. SCOTT SHORTLIFFE:** M'hm.

16 **MS. NATALIA RODRIGUEZ:** --- is that right?

17 **MR. SCOTT SHORTLIFFE:** That is correct, yes.

18 **MS. NATALIA RODRIGUEZ:** Ensuring regulatory  
19 compliance?

20 **MR. SCOTT SHORTLIFFE:** Yes.

21 **MS. NATALIA RODRIGUEZ:** Receiving complaints  
22 from the public and from other stakeholders?

23 **MR. SCOTT SHORTLIFFE:** Yes.

24 **MS. NATALIA RODRIGUEZ:** Investigating  
25 complaints?

26 **MR. SCOTT SHORTLIFFE:** Yes.

27 **MS. NATALIA RODRIGUEZ:** And issuing  
28 decisions?

1                   **MR. SCOTT SHORTLIFFE:** That is correct, yes.

2                   **MS. NATALIA RODRIGUEZ:** Is there anything  
3 else that the CRTC, anything I missed there, any broad  
4 categories of activities that the CRTC undertakes?

5                   **MR. SCOTT SHORTLIFFE:** I don't think in the  
6 broad categories, no.

7                   **MS. NATALIA RODRIGUEZ:** Okay. Now my  
8 understanding is that broadcasting generally falls under the  
9 Minister of Canadian Heritage. Can you maybe explain a  
10 little bit the CRTC's relationship with the Department of  
11 Canadian Heritage?

12                   **MR. SCOTT SHORTLIFFE:** Yes, we're an arm's  
13 length quasi-judicial tribunal, so we are independent from  
14 the Minister of Canadian Heritage. We report to Parliament  
15 through the Minister, but we do not take direction from the  
16 Minister. Under the *Broadcasting Act*, the government has  
17 very limited ways in which it can issue direction to us. It  
18 can issue policy direction of a general nature under Section  
19 7. Under Section 15 it can ask us to make a report to -- on  
20 any subject within our ambit. And it can refer back for  
21 reconsideration decisions to issue, amend or issues -- sorry,  
22 to issue or amend a license. It cannot, however, refer back  
23 to us any of our regulatory policies.

24                   So the design of Parliament is that we are  
25 supposed to be very independent from the government, and that  
26 while we have a reporting relationship as any portfolio  
27 agency does through the Minister of Canadian Heritage, we do  
28 not take direction from the Minister, and for the government

1 to issue us a direction, there has to be a process, which  
2 includes posting in the Canada Gazette, and it is very  
3 limited in terms of the potential direction they can give us.

4 **MS. NATALIA RODRIGUEZ:** Right. So you've  
5 kind of described how the Department of Heritage would  
6 communicate to ---

7 **MR. SCOTT SHORTLIFFE:** Yeah.

8 **MS. NATALIA RODRIGUEZ:** --- CRTC. Is there a  
9 process by which the CRTC can communicate to the Department  
10 of Heritage maybe gaps in its authority, or potential  
11 additional tools that it would need to carry out its mandate?  
12 Is there -- is it a back and forth, or is it more direction  
13 coming?

14 **MR. SCOTT SHORTLIFFE:** It's more direction  
15 from the government. The CRTC does -- sees its role as  
16 implementing the legislation passed by Parliament. We don't  
17 see our role as advocating for what legislation Parliament  
18 should give us. We could have informal contacts on minor  
19 issues. For example, because we report up, there's a  
20 departmental report that has to be submitted through  
21 Heritage. We can inform each other of things that are in the  
22 public domain, but we do not lobby Canadian Heritage to adopt  
23 particular policies or a particular approach in terms of  
24 legislation.

25 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. So  
26 at a high level, I just want to understand the CRTC's  
27 understanding of its concern with foreign interference  
28 generally. Is this, at a high level, foreign interference,

1 something that the CRTC is aware of and -- and/or is  
2 concerned with?

3 **MR. SCOTT SHORTLIFFE:** So I'm going to take a  
4 moment, and I won't do this too often, just to point out  
5 there's a difference between me as senior staff and the  
6 Governor-in-Council appointees. I can speak to the  
7 perspective of senior staff, but for the Chairperson of the  
8 Commission and her colleagues or Governor-in-Council  
9 appointees, I cannot speak for them. Having made that  
10 caveat, from the perspective of senior staff, I think we  
11 don't see ourselves necessarily as an office of primary  
12 responsibility, but as a government agency with oversight of  
13 part of -- with oversight of the broadcasting system in  
14 Canada, we are concerned about the questions of foreign  
15 interference, and we are certainly open to playing a useful  
16 role. We don't see ourselves as necessarily a lead agency,  
17 but we would be very open to any discussions of how we can  
18 assist in this matter, while respecting our legislation and  
19 our primary responsibilities and our overall approach to  
20 support diversity of content and not be involved in making  
21 decisions of a journalistic nature.

22 **MS. NATALIA RODRIGUEZ:** And so, currently,  
23 does the CRTC play -- in senior staff's view, and I take your  
24 point that you can't speak for the Commissioner of the CRTC,  
25 but in senior staff's view, does the CRTC now play a role, is  
26 it, in fact, playing a role in detecting, deterring or  
27 countering foreign interference?

28 **MR. SCOTT SHORTLIFFE:** I would say, at the



1 moment, we see ourselves as playing a relatively minor role.  
2 To my knowledge, the number of complaints that we have  
3 received specifically about foreign interference have been  
4 relatively small. We have not -- we are not integrated into  
5 the national security architecture, so we have, at least to  
6 date, not played a major role.

7 **MS. NATALIA RODRIGUEZ:** Okay. And we'll come  
8 back to those contacts with the security intelligence  
9 agencies in a minute. So moving now to the licensing kind of  
10 regulatory framework, I understand that generally, as you  
11 mentioned, television and radio broadcasters in Canada need  
12 to be regulated and issued a license by the CRTC. Is that  
13 right?

14 **MR. SCOTT SHORTLIFFE:** That is correct. Yes.

15 **MS. NATALIA RODRIGUEZ:** And unless they're  
16 operating online, as you mentioned, broadcasters and  
17 distributors operating in Canada require a license and -- but  
18 in some cases, they can be eligible for exemptions? Is that  
19 right?

20 **MR. SCOTT SHORTLIFFE:** Yes.

21 **MS. NATALIA RODRIGUEZ:** Okay. And generally,  
22 what are some categories of exemptions? Who is eligible for  
23 an exemption?

24 **MR. SCOTT SHORTLIFFE:** We have a wide number  
25 of exemption orders, but for example, we exempt when the  
26 regulatory burden would not be commensurate with the public  
27 good of going through a process. I'll give you a concrete  
28 example. There are what are called Category A Indigenous

1 radio stations. These are very small stations that probably  
2 broadcast to an immediate community within a few kilometres.  
3 We think there are roughly 500 in Canada. Making them go  
4 through a regulatory process every few years would be very  
5 burdensome for those communities with very little reward.

6 So we issue exemption orders when we do not  
7 see that there would be a public policy reason to have a more  
8 defiant license process.

9 **MS. NATALIA RODRIGUEZ:** And is that generally  
10 related to the reach or the viewership or listenership of  
11 that station?

12 **MR. SCOTT SHORTLIFFE:** Yes, it's typically --  
13 and again, there's many different exemption orders for  
14 different reasons, but it's typically related to small  
15 numbers of people, limited reach.

16 **MS. NATALIA RODRIGUEZ:** Okay. And those who  
17 have exemptions, are they still bound by the content  
18 regulations from the CRTC? Like, understanding they don't  
19 hold a license, but are they still required to uphold certain  
20 standards?

21 **MR. SCOTT SHORTLIFFE:** Yeah, exemption from a  
22 license registration process, you are still governed by CRTC  
23 rules. So if we say that you are operating under an  
24 exemption order and the exemption order typically lists the  
25 conditions under which you must operate, you must abide by  
26 it. We are not increasing the regulatory burden on you by  
27 saying you have to come in, but you still must abide by our  
28 rules.

1                   **MS. NATALIA RODRIGUEZ:** Okay. So all  
2                   broadcasters have either a license or an exemption order? Is  
3                   that generally accurate?

4                   **MR. SCOTT SHORTLIFFE:** All broadcasters  
5                   within Canada, yes. There are people who can access the  
6                   broadcasting system from outside Canada who are not licensed.

7                   **MS. NATALIA RODRIGUEZ:** Right. And my  
8                   understanding is that licenses typically come with conditions  
9                   of service.

10                  **MR. SCOTT SHORTLIFFE:** That is correct.

11                  **MS. NATALIA RODRIGUEZ:** Can you maybe explain  
12                  a little bit about generally what those are?

13                  **MR. SCOTT SHORTLIFFE:** Yes, and I'll again  
14                  just do a caveat that we are in the middle of implementing  
15                  new law and this is changing things.

16                  Prior to conditions of service, we had  
17                  conditions of license. In order to hold your license, you  
18                  must abide by certain rules, we would set them out. For  
19                  example, for a radio station, we would say you must broadcast  
20                  a certain percentage of Canadian content, it must be during  
21                  these hours. If you are a television station, you must  
22                  broadcast a certain amount of Canadian content. If you are a  
23                  cable or satellite company, you must devote a certain amount  
24                  of your spending, expenditures, on Canadian programming.

25                  Those were conditions of license. Under the  
26                  new act, we're transferring them to what are now called  
27                  conditions of service. It's highly technical to get into.  
28                  We have a little more flexibility as a regulator. Conditions

1 of license automatically have an endpoint of three, five, or  
2 seven years. Conditions of service, we can have longer  
3 lasting.

4 So think of conditions of service as being  
5 very analogous to conditions of license for the purpose of  
6 this discussion.

7 **MS. NATALIA RODRIGUEZ:** Sure. And do some of  
8 those conditions include compliance with regulations that  
9 relate to content?

10 **MR. SCOTT SHORTLIFFE:** Yes.

11 **MS. NATALIA RODRIGUEZ:** Okay. So I want to  
12 take you now to some of those regulations.

13 Court Operator, if we can go to COM603?

14 **--- EXHIBIT No. COM0000603:**

15 Television Broadcasting Regulations,  
16 1987

17 **MS. NATALIA RODRIGUEZ:** And this is the  
18 *Television Broadcasting Regulations, 1987*. And if we can go  
19 to section 5, which is on page 11, at the bottom of page 11?  
20 Yeah, programming content. Thank you.

21 So it indicates there that:

22 "A licensee shall not broadcast  
23 (a) anything in contravention of the  
24 law;  
25 (b) any abusive comment or abusive  
26 pictorial representation that, when  
27 taken in context, tends to or is likely  
28 to expose an individual or a group or

1 class of individuals to hatred or  
2 contempt on the basis of race, national  
3 or ethnic origin, colour, religion,  
4 sex, sexual orientation, age or mental  
5 or physical disability;  
6 (c) any obscene or profane language or  
7 pictorial representation; or  
8 (d) any false or misleading news."

9 And my understanding is that these  
10 requirements are replicated for cable and satellite operators  
11 under the *Broadcasting Distribution Regulations*. I believe  
12 that's correct?

13 **MR. SCOTT SHORTLIFFE:** Yes.

14 **MS. NATALIA RODRIGUEZ:** And then likewise,  
15 the *Radio Regulations* have very similar content requirements  
16 or prohibitions as well?

17 **MR. SCOTT SHORTLIFFE:** Yes.

18 **MS. NATALIA RODRIGUEZ:** So I want to focus on  
19 the requirement not to broadcast any false or misleading  
20 news, which is D there. Could this include false or  
21 misleading information more generally? Because it says news,  
22 but could it include just information?

23 **MR. SCOTT SHORTLIFFE:** I have to say, I'm not  
24 comfortable making a legal interpretation of what the  
25 statement is. I think the plain meaning is false or  
26 misleading news. If a case were brought to the Commission to  
27 expand it, it would be considered *de novo*.

28 **MS. NATALIA RODRIGUEZ:** Right. And has that

1       come up? Have you had complaints related to false or  
2       misleading news? Broadcasters broadcasting false or  
3       misleading news?

4                   **MR. SCOTT SHORTLIFFE:** We receive, you know,  
5       on average, several hundred complaints a year. Some of them  
6       are related to this. Our issue when we look at this is we  
7       need to balance these rules with also the instruction in the  
8       *Broadcasting Act* to support freedom of expression and  
9       journalistic independence, which means that the Commission  
10      generally puts a very high burden of proof on any complaint  
11      about any of these sections.

12                   That then raises an issue for us of  
13      interpretation. So we're -- typically we do receive  
14      complaints, but then they're assessed one by one. You can  
15      receive a complaint that would say, and I'm giving you a  
16      hypothetical, not a real complaint, but similar to a  
17      complaint we've seen, "I saw the Prime Minister on the news  
18      last night. He's lying. Therefore you're broadcasting false  
19      news and you should pull the license."

20                   When something like that arrives, it's a non-  
21      specific complaint and it's difficult for us to action.

22                   If someone comes in, on the other hand, and  
23      says, "I can present to you examples where a broadcaster  
24      knowingly presented false or misleading news," that would  
25      probably be actioned at a much higher level.

26                   So it's hard to give a single answer. Every  
27      complaint needs to be assessed on its own merits.

28                   **MS. NATALIA RODRIGUEZ:** And has the CRTC

1 grappled with whether or not mis- or disinformation could  
2 fall under that section?

3 **MR. SCOTT SHORTLIFFE:** I would say that less  
4 grappling with it under that section and more that as we're  
5 implementing the new *Broadcasting Act*, and I need to be  
6 cautious because there are things that we will be producing  
7 public records on, we are grappling with the changes to the  
8 broadcasting environment as a whole. I think as a matter of  
9 public discourse, false and misleading news is certainly part  
10 of that discourse. We're concerned with questions, for  
11 example, around artificial intelligence, how that will change  
12 news.

13 I think that is part of the broad context in  
14 which we are going to be looking at our changes to the  
15 broadcasting system. I would not say that we have  
16 specifically targeted that in the past, but it is part of the  
17 context we're examining for the future.

18 **MS. NATALIA RODRIGUEZ:** Okay. And if a  
19 complaint came in about, for example, a radio station  
20 broadcasting propaganda, specifically in this case because  
21 we're looking at foreign interference, foreign state  
22 propaganda, is that something that could potentially fall  
23 under false or misleading news?

24 **MR. SCOTT SHORTLIFFE:** It could, absolutely.

25 **MS. NATALIA RODRIGUEZ:** Okay. And has the  
26 CRTC encountered that situation with respect to propaganda  
27 specifically?

28 **MR. SCOTT SHORTLIFFE:** We've received

1 complaints about propaganda, and without entering too much  
2 into specific cases, our issue is always that because the  
3 Government's direction is that we should lean on the side of  
4 freedom of expression, we are extremely reluctant to become  
5 the arbiter of what is true and what is propaganda. And over  
6 time, the Commission has taken the point of view of that is a  
7 greater danger. We should not, as government officials, be  
8 determining what is truth. We've instead leaned in the  
9 direction of saying we should have pluralistic sources of  
10 information so that Canadians can make up their own minds.

11 That's not to say that we could never act in  
12 a case, but to say that we've taken that barrier as being  
13 extraordinarily high because we are very concerned that our  
14 role is not to be arbiters of truth or censors and to reflect  
15 through the broadcasting system.

16 **MS. NATALIA RODRIGUEZ:** Right. But -- oh, go  
17 ahead, Commissioner.

18 **COMMISSIONER HOGUE:** Is there any specific  
19 sources that you are relying on, or -- for doing it, or you  
20 are referring to all the potential sources within the civil  
21 society?

22 **MR. SCOTT SHORTLIFFE:** I think all the  
23 potential sources within civil society.

24 **COMMISSIONER HOGUE:** Okay. There's no  
25 specific sources in particular.

26 **MR. SCOTT SHORTLIFFE:** No. I mean, we --  
27 again, the way -- and again, I'm speaking for senior staff,  
28 and government appointees may or may not agree with me, but



1 the viewpoint of senior staff has been we should not be put  
2 in the place of being arbiters of truth if there's something,  
3 for example, where there is a legal decision or a government  
4 decision, we would -- we would respect that. If there are  
5 matters of opinion, we are very reluctant to weigh in to  
6 whether this matter of opinion is propaganda or not and  
7 whether or not it reflects truth because there's an inherent  
8 danger to us doing that.

9 **MS. NATALIA RODRIGUEZ:** But the regulation  
10 does prohibit false or misleading news, does prohibit  
11 broadcasting false or ---

12 **MR. SCOTT SHORTLIFFE:** Yeah.

13 **MS. NATALIA RODRIGUEZ:** --- misleading news.  
14 So in theory, if a broadcaster did that and  
15 the complaint met that threshold that you say is a high  
16 threshold, and rightly so, in theory that broadcaster could  
17 face some consequence or sanctions.

18 **MR. SCOTT SHORTLIFFE:** Yes. They could face  
19 -- and the reason amendments to the Act have increased our  
20 options here, they could face a number of consequences from a  
21 mandatory hearing to explain why they broadcast what they did  
22 to the possibility of an Administrative Monetary Penalty --  
23 think of it as a fine -- to the ultimate sanction is us  
24 removing a licence to broadcast from someone.

25 **MS. NATALIA RODRIGUEZ:** And has that ever  
26 happened? Has the CRTC ever revoked a licence on the basis  
27 of airing false or misleading news?

28 **MR. SCOTT SHORTLIFFE:** Not to my knowledge on

1 false or misleading news. I believe we have withdrawn a  
2 licence in terms of abusive comment related to a radio  
3 station in the Quebec City market. I don't have the details  
4 of that in front of me, but we have withdrawn at least one  
5 licence on the basis of abusive comment.

6 I do not recall any case where we're removed  
7 a licence on the basis of false or misleading news.

8 **MS. NATALIA RODRIGUEZ:** And how does the CRTC  
9 determine, then, whether something is false or misleading  
10 news?

11 **MR. SCOTT SHORTLIFFE:** To the greatest  
12 possible extent, if there is a matter put in front of us and  
13 it is a matter of fact, we can determine whether it is false  
14 or misleading. So if someone were -- and I'm going to use  
15 ridiculous examples, and forgive me for this.

16 If someone were to say "A killer tornado was  
17 bearing down in Ottawa and you must evacuate", creating panic  
18 on a beautiful sunny day, that is false and misleading. It  
19 is clearly false and misleading and that would be mischief-  
20 making and there is a sanction to it.

21 That is different from someone saying, "I  
22 have an opinion strongly for or against something", whether  
23 it is political opinion or worldwide opinion, a view on  
24 social cohesion. And I think that is where we are more  
25 cautious.

26 There are things that individuals in good  
27 faith would say this is news and I believe it is misleading  
28 that the Commission might decide this is a matter of opinion.

1 It may or may not be a well-supported opinion, but that is  
2 different from a fact. A fact would be something that I  
3 believe the Commission would likely take more action on.

4 **MS. NATALIA RODRIGUEZ:** And if something came  
5 to the CRTC and it wasn't apparent on its face whether it was  
6 false or misleading, what is the CRTC's capacity to  
7 investigate whether something is false or misleading?

8 **MR. SCOTT SHORTLIFFE:** It depends on the  
9 allegation, it depends on what we could do on the public  
10 record. Typically -- and I'm going to go to the extreme  
11 where we would talk about revoking a licence.

12 Any action like that or, for that matter, an  
13 Administrative Monetary Penalty, we would create a public  
14 record, there would probably be a hearing. We would invite  
15 people to bring forward evidence to us and put it in front of  
16 us. And so we can carry on in that nature.

17 We have broad information-seeking powers. We  
18 can go to any of our licensees and seek information about  
19 their operations. We can ask to listen to recordings of  
20 their broadcasts. So we have fairly broad ambit there.

21 Where we start to have more issues is  
22 anything that's overseas that is not subject to Canadian law  
23 and we do not have staff overseas. And within Canada, there  
24 are sometimes capacity questions where a relatively small  
25 government organization, so it then becomes a matter of the  
26 Commission in this would be a Commission decision, not a  
27 staff decision, are we going to proceed on with an  
28 investigation that would involve, for example, a public

1 hearing.

2 **MS. NATALIA RODRIGUEZ:** Right. Now, we heard  
3 this morning from the panel that propaganda, foreign  
4 propaganda, is commonplace in Indian language and Chinese  
5 language media in Canada. Is this something that the CRTC is  
6 aware of?

7 **MR. SCOTT SHORTLIFFE:** I'm aware that there  
8 have been allegations of that. I, again -- and I can't speak  
9 for what Commissioners are aware of. I can say that staff is  
10 aware of this.

11 I would say it is an area of general concern  
12 within the broader question of, is it opinion, is it  
13 something that we can see as fact, and that generally  
14 determine licences and licence renewals on the basis of a  
15 public record. So I could say that it is something that we  
16 are aware of that there are complaints.

17 **MS. NATALIA RODRIGUEZ:** And so is the CRTC  
18 able on its own initiative to commence proceedings or to open  
19 an investigation to somehow address allegations that have  
20 been made now publicly about widespread propaganda on  
21 Canadian airwaves?

22 **MR. SCOTT SHORTLIFFE:** I have to be very  
23 careful here. The CRTC has wide powers to decide what its  
24 priorities are as an administrative tribunal, so it could,  
25 but I cannot speak to what the priorities and choices of the  
26 Commission may be in the future.

27 **MS. NATALIA RODRIGUEZ:** I'm asking about  
28 whether it has the authority to initiate a proceeding on its

1 own accord ---

2 **MR. SCOTT SHORTLIFFE:** Yes.

3 **MS. NATALIA RODRIGUEZ:** --- without --

4 without a formal ---

5 **MR. SCOTT SHORTLIFFE:** We do have -- we have

6 -- we absolutely have that authority.

7 **MS. NATALIA RODRIGUEZ:** Okay, perfect. Thank

8 you.

9 I want to go back to the regulations we were  
10 just looking at. If we can put COM603 back up.

11 If we can go up to the -- page 11, I want to  
12 look at abusive comment B. Yes, thank you.

13 So I read it already. What can you tell me  
14 about the CRTC's experience with complaints relating to B,  
15 abusive comment?

16 **MR. SCOTT SHORTLIFFE:** As I've mentioned, I  
17 can think of one case where I believe we did address this  
18 following a public hearing to revoke a licence. My  
19 recollection is -- and it was before I was at the CRTC, so I  
20 cannot comment as someone who was at the Commission at that  
21 time. It was a case where there was more than one public  
22 process, there was repeated contravening of our regulations  
23 and the Commission took action.

24 On a more daily basis, when we receive a  
25 complaint like this, we look at it, we may refer it to the  
26 Canadian Broadcast Standards Council, which is an industry-  
27 led regulatory body. The way it works is we refer complaints  
28 to them. If the complainant is not happy with how they

1 adjudicate it, they can still bring it back to the  
2 Commission, but we find that most complaints are dealt with  
3 that way.

4 When we're looking at abusive comment or a  
5 pictorial representation, one of the things we look at is, is  
6 this repeated, is this something that shows a pattern.

7 If you look, for example, if you are  
8 interviewing someone who may have hateful viewpoints and they  
9 express something that is abusive, you could come back and  
10 argue we are illustrating that these views are out there and  
11 we are presenting this as a matter of news. We are not  
12 endorsing the hateful or abusive comment.

13 If this is repeated, that is something that  
14 then starts to show a pattern, and that typically becomes of  
15 greater concern to the Commission.

16 So it is something that we are certainly --  
17 we are alive to complaints. Depending on the complaints and  
18 the severity, we investigate as needed. And it is part of  
19 our regulatory framework to try to ensure that these do not  
20 occur.

21 **MS. NATALIA RODRIGUEZ:** And in terms of the  
22 CRTC's response to these complaints, its ability to  
23 investigate, is it similar -- similarly placed, I guess, this  
24 -- a contravention of this subsection -- is it similarly  
25 placed to the false or misleading news, or do you find that  
26 those two are kind of similarly investigated, similar  
27 capacity to deal with them or is there a difference between  
28 the two?

1                   **MR. SCOTT SHORTLIFFE:** I would say that they  
2 are very similar, yes.

3                   **MS. NATALIA RODRIGUEZ:** And again, the tools  
4 and authority to respond is the same with respect to this one  
5 as with the false and misleading news.

6                   **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

7                   **MS. NATALIA RODRIGUEZ:** And you said that the  
8 one licence has been revoked based on this section?

9                   **MR. SCOTT SHORTLIFFE:** Yes, to my memory, and  
10 I could confirm that after this. As I said, I was not at the  
11 Commission at that time, but that is my memory.

12                   **MS. NATALIA RODRIGUEZ:** Thank you. Okay. We  
13 can take that one down. I want to move on to -- and we'll  
14 talk a little bit more about complaints later and we'll get  
15 into maybe some more specifics, but I want to turn now to  
16 Canadian ownership. As we saw in the broadcasting policy in  
17 Section 3, broadcasters need to be Canadian owned. And I  
18 want to also now turn to CRT-27, which is the direction that  
19 lays that out at page 9. If we go to under direction, keep  
20 going down. There we go. Yes. So number two says,  
21 essentially, that no licence or renewal shall be given to a  
22 non-Canadian.

23                   **--- EXHIBIT No. CRT0000027:**

24   Direction to the CRTC (Ineligibility  
25   of Non-Canadians) SOR/97-192

26                   **MR. SCOTT SHORTLIFFE:** M'hm.

27                   **MS. NATALIA RODRIGUEZ:** And I'm paraphrasing  
28 there. Now at page 5 under interpretation, there's a

1 definition for what Canadian means, and it's not as  
2 straightforward as one would think. There's a lot of  
3 conditions there as to what Canadian is. And if we keep  
4 going down, we'll just see how far it goes. Keep going down.  
5 Yes, so that is the definition of Canadian. It's quite  
6 extensive. And if we go to page 9, Section 3 -- keep going  
7 down. Yes, and I'm just going to read Section 3 because it  
8 seems to add a bit of gloss to Section 2, where,

9 "Where the Canadian Radio-television  
10 and Telecommunications Commission  
11 determines that an applicant is  
12 controlled by a non-Canadian, whether  
13 on the basis of personal, financial,  
14 contractual or business relations or  
15 any other considerations relevant to  
16 determining control, other than the  
17 beneficial ownership and control of  
18 the..."

19 Keep scrolling down, please.

20 "...voting shares of a qualified  
21 successor by a Canadian carrier or  
22 its acquiring corporation, the  
23 applicant is deemed to be a non-  
24 Canadian."

25 Can you just explain in layman's terms what  
26 this is saying?

27 **MR. SCOTT SHORTLIFFE:** So probably the best  
28 way to put it is that we need to look at two things. We need



1 to look at legal control and we need to look at actual *de*  
2 *facto* control, and they're both elements in our decision. So  
3 legal control is usually related to share, the number of  
4 shares a company has. Someone could turn up and  
5 theoretically say, "I own this company. I am a Canadian. I  
6 have 51 per cent of the voting shares." And as you saw in  
7 that long list, there's many different variations to that,  
8 but this is the simplest example. It's Canadian because I  
9 own 51 per cent.

10 The separate question though is control in  
11 fact. I could own 51 per cent of the shares, but if I am,  
12 for example, in debt to millions of dollars to a foreign  
13 entity who has a contract with me saying that I can't do  
14 anything in my various businesses without their permission,  
15 they, in fact, would then control the company through me,  
16 even though I control the shares because I have to answer to  
17 them. So when we get an ownership application, we need to  
18 look at both. We need to look at what the shares are, and we  
19 need to look at control in fact. Control in fact is not a  
20 single test. It is a question of looking at different  
21 factors to determine is the body actually independent.

22 **MS. NATALIA RODRIGUEZ:** And what -- how do  
23 you do that? How do you determine whether someone -- an  
24 entity is actually controlled by a Canadian?

25 **MR. SCOTT SHORTLIFFE:** So I must say, this is  
26 -- this reports through different sections of the CRTC than I  
27 -- than the one I'm responsible for, so I am going to be very  
28 high level here because I don't want to speak for my

1 colleagues. I'm sure they will let me know later if I say  
2 anything that is incorrect. We typically then try to look at  
3 anything we can find. We start with financial factors, where  
4 the money flows, who might control the money going into a  
5 system. We look at who their suppliers are because if your  
6 supply is controlled by a non-Canadian entity, you may not  
7 actually have choices in what you put on the air. We look at  
8 any licensing arrangements they may have. But one of the  
9 issues around control in fact, it is usually different for  
10 any applicant. There's no single rulebook for control in  
11 fact. And when control in fact is determined, it's usually  
12 on the basis of a preponderance of evidence, and then it  
13 becomes a Commission decision. It's not a staff decision.  
14 Staff needs to present that preponderance of evidence to the  
15 Commission for a decision.

16 **MS. NATALIA RODRIGUEZ:** And ownership is  
17 looked at at the time that the licensee or the prospective  
18 licensee applies for the license?

19 **MR. SCOTT SHORTLIFFE:** Yes, or if there is a  
20 transaction. If there's a change of ownership, they are  
21 required to inform us of the change of ownership, and if  
22 there -- during their licence, if there is change, for  
23 example, to the shares they own, they are required to inform  
24 us. So at any point when they are making a change to their  
25 structure, we can investigate it.

26 **MS. NATALIA RODRIGUEZ:** And what about when  
27 there's a renewal of a licence, does the ownership get looked  
28 at again?

1                   **MR. SCOTT SHORTLIFFE:** It usually depends on  
2 the status of the licence. I mean, I'm going to be very sort  
3 of -- I don't want to say flippant because that would not  
4 respect the importance of this proceeding, but, for example,  
5 if Bell Canada came to us and said, "We are renewing  
6 licensees," unless there has been a major change, we're  
7 pretty much going to assume that Bell Canada remains  
8 Canadian, and that if there is a major change, that it's  
9 probably front page news. So we would look at it, but we  
10 probably wouldn't look in great depth. If on the other hand,  
11 someone comes to us who we've had concerns about in the past,  
12 or questions have been raised about their ownership and  
13 control, we would take a much deeper look at them at the time  
14 of licence renewal.

15                   **MS. NATALIA RODRIGUEZ:** Now we heard this  
16 morning from the Cultural Community Media Panel that most  
17 Chinese language radio stations in Canada are individually  
18 owned, and that the CCP, which is the Chinese Communist  
19 Party, exerts control over that owner by leveraging that  
20 person's business interests in China, and then the owner then  
21 as a result of that kind of financial pressure or incentive  
22 ensures that the radio content is consistent with CCP or pro-  
23 PRC messaging. So if what I've described is accurate, could  
24 this be an example of a non-Canadian control of a Canadian  
25 owned broadcaster?

26                   **MR. SCOTT SHORTLIFFE:** I think it is  
27 absolutely a factor that the Commission would want to look  
28 at, at the time of any licence issuing or renewal. I think

1 it would certainly be a factor that would enter into  
2 Commission decision making.

3 **MS. NATALIA RODRIGUEZ:** So it could  
4 potentially engage Section 3, which is the no *de facto*  
5 control by a non-Canadian of a Canadian broadcaster ---

6 **MR. SCOTT SHORTLIFFE:** Yes, absolutely.

7 **MS. NATALIA RODRIGUEZ:** Okay. We can take  
8 this one down. I want to talk a little bit about  
9 broadcasting distribution undertakings, which you referenced  
10 earlier as BDUs, and what is known as the list. So as we saw  
11 earlier, broadcasting licensees must be Canadian owned. Is  
12 it possible for a non-Canadian radio station to broadcast in  
13 Canada?

14 **MR. SCOTT SHORTLIFFE:** It should -- well, no,  
15 except that if you're on the border, you can pick up a  
16 transmissions from the United States, so you could have  
17 someone who is over the border, who is broadcasting, whose  
18 radio station you are receiving in Canada, but generally  
19 speaking, a -- that is the only case where there should be  
20 foreign signals coming into Canada through the radio system.

21 **MS. NATALIA RODRIGUEZ:** Okay. So only kind  
22 of limited to the border ---

23 **MR. SCOTT SHORTLIFFE:** Yeah.

24 **MS. NATALIA RODRIGUEZ:** --- area. Okay. So  
25 moving to television then, can you maybe give us a sense for  
26 how can -- non-Canadian television services are broadcast or  
27 enter Canadian homes.

28 **MR. SCOTT SHORTLIFFE:** Yes, this is going to

1 be a little bit complicated, and I'll beg your indulgence  
2 while I lay it out. I'm going to try and do it in the  
3 clearest possible way. Imagine for a moment you're looking  
4 at your cable or satellite TV package at home. You have  
5 channels that are Canadian. We are in the national capital  
6 region. CJOH is the local Bell affiliate. It broadcasts  
7 over the air and then it is carried on cable and satellite  
8 systems and available in Ottawa. That is a licenced  
9 broadcaster. You have what are called specialty channels.  
10 Because you are Canadian, you love curling, the great sport  
11 of curling, you watch it on the Sports Network, which is a  
12 Canadian licenced specialty channel. So you have on your  
13 cable and satellite list a large number of channels that are  
14 licenced and issued conditions of service by the CRTC.  
15 However, you also have channels like CNN, BBC News, and we'll  
16 get into I'm sure some of the others as we go along. These  
17 are foreign channels. They are not licenced in Canada. What  
18 they are is authorized for distribution.

19 What authorized for distribution means, at  
20 some time in the past, a BDU, or a law firm representing  
21 them, has approached the Commission and said, "We want to add  
22 them to the authorized for distribution list." They will not  
23 commercially compete with Canadian stations. Canadian  
24 stations typically make their money through either direct  
25 subscriptions, or through advertisers. They are not  
26 competing with them. But they will offer views that you will  
27 not receive just from watching Canadian channels.

28 Over time, and this dates back to -- the

1 first authorized channels of this nature were I believe in  
2 1984. The Commission has more and more taken the point of  
3 view of pluralism, especially when it comes to third language  
4 broadcasting, and has authorized a large number of them. I  
5 believe there are 300 foreign channels authorized for  
6 distribution in Canada.

7 Most of them are selected by individual  
8 Canadians as they make up their cable package. So if you are  
9 having a cable or satellite package, you can say, "I want the  
10 basic package," which everyone must have, "And then I want  
11 Lifestyle, and I want Sports," and, if you are part of a  
12 diaspora, "I want content in this language, and therefore I  
13 will buy either individual channels that are authorized for  
14 distribution or perhaps a package of those channels," because  
15 every Canadian should have the ability, to a great extent,  
16 tailor what their choices in terms of Canadian television.

17 So when you look at what is on Canadian  
18 television, some of it, and I would say the majority of what  
19 you see, has gone through a licensing process. Some of it  
20 has been added for distribution in Canada, but when it's  
21 added for distribution, they're not licensed, they're not  
22 changing their programming for Canada, we're just bringing in  
23 the feed from another country.

24 So I'll go back to if you're interested in  
25 United States politics, and in election season many people  
26 are, you may wish to have CNN, MSNBC, Fox News so that you  
27 get the complete gambit of different views, those are three  
28 channels that are authorized for distribution currently in

1 Canada, but not licensed.

2 I hope that makes it somewhat clear.

3 **MS. NATALIA RODRIGUEZ:** Yes, thank you. It  
4 does. So when a broadcasting distribution undertaking, which  
5 I understand to be, like, Bell, or Rogers, the kind of big --  
6 -

7 **MR. SCOTT SHORTLIFFE:** Yeah.

8 **MS. NATALIA RODRIGUEZ:** --- companies that  
9 offer all of the small channels, or smaller channels, when  
10 they approach the CRTC wanting to add a non-Canadian  
11 broadcaster to the list, ---

12 **MR. SCOTT SHORTLIFFE:** M'hm.

13 **MS. NATALIA RODRIGUEZ:** --- what is the --  
14 what criteria do they have to meet in order for that non-  
15 Canadian broadcaster to be added?

16 **MR. SCOTT SHORTLIFFE:** So there's -- there is  
17 a mixture, because, again, we proceed through -- go through  
18 public proceedings. Many of them are very non-controversial.  
19 There are cases where there is public dissent about whether  
20 they should be added to the list. Our most basic test was  
21 the competitive test. Will this unfairly compete with a  
22 Canadian channel? There are Canadian ethnocultural channels,  
23 and the question was would this take business away from them  
24 and thus make them less viable? That's our starting point.

25 We do have cases in the CRTC's history though  
26 where there has been enormous public discussion about should  
27 we add this channel? Al Jazeera English was a case where in  
28 fact the Commission ultimately authorized them, but put

1 conditions on and further down the road had another public  
2 process to reduce those conditions.

3 When we look at it, the default is we're  
4 going to add channels, because the basic approach has been  
5 plurality, have as many voices as possible authorized for  
6 distribution in Canada. The next step is look at whether  
7 it's competitive. And then we look at whether there are  
8 issues of public controversy around them.

9 **MS. NATALIA RODRIGUEZ:** Okay. And these are  
10 public processes? Every time a new prospective non-Canadian  
11 broadcaster is going to be added or is being considered, it's  
12 publicly available for people to respond and to intervene?

13 **MR. SCOTT SHORTLIFFE:** Yes.

14 **MS. NATALIA RODRIGUEZ:** Is that -- okay. And  
15 so a BDU who wants to quote unquote sponsor a non-Canadian  
16 broadcaster on the list, what do they -- what do they -- do  
17 they have to show anything? Do they have to -- do they  
18 assume any risk with that? Are they certifying or agreeing  
19 to anything with respect to that non-Canadian broadcaster?

20 **MR. SCOTT SHORTLIFFE:** If I could just ask  
21 for a clarification? What sort of certification are you  
22 thinking of?

23 **MS. NATALIA RODRIGUEZ:** Well in the sense  
24 that, you know, declare that this non-Canadian broadcaster  
25 meets these requirements, for example. Do they have to  
26 attest to anything? Do they have to vouch for that non-  
27 Canadian broadcaster in any way? Do they take on any risk in  
28 sponsoring this non-Canadian broadcaster on the list?



1                   **MR. SCOTT SHORTLIFFE:** Generally speaking,  
2 no. They are still -- because they are licensed BDUs, they  
3 are responsible for the content that is broadcast in Canada.

4                   So for example, if they took on and then  
5 broadcast a foreign entity, they would, in a large sense, be  
6 responsible for that content.

7                   But it's important to remember that those  
8 foreign entities are not directly licensed by Canada. So  
9 they're taking on, I would say, a low level of assumed risk.  
10 They do present to us information saying that they will abide  
11 by copyright restrictions. So for example, if you have a  
12 foreign broadcaster and they happen to be showing something  
13 that someone else in Canada owns the rights to, it would have  
14 to be blocked because that would be interfering with  
15 copyright in Canada. And there is the competitiveness test.

16                   But again, over the decades the ambit of the  
17 Commission has been to add more and more voices, and not to  
18 place large numbers of barriers in front of them.

19                   **MS. NATALIA RODRIGUEZ:** And if we can go to  
20 CRT25? I just want to scroll through the list, because it is  
21 quite a long list, but just to show -- give a sense as to  
22 what the list entails. CRT25. Thank you.

23                   **--- EXHIBIT No. CRT0000025:**

24                   Broadcasting Regulatory Policy CRTC  
25                   2024-1

26                   **MS. NATALIA RODRIGUEZ:** Yeah, and so it's  
27 Broadcast Regulatory Policy 2024-1. It's dated January 8,  
28 2024. And it looks like -- if we go down? Yeah, the list

1 starts there. And we can just scroll through it as I'm  
2 talking just to kind of get a sense for some of the non-  
3 Canadian broadcasters that are authorized on the list.

4 And so as you mentioned, this list has been  
5 growing over the years. And from what I understand, it has  
6 not decreased very much, in the sense that non-Canadian  
7 broadcasters are rarely removed from this list, aside from  
8 perhaps administrative reasons, if one of them stops  
9 operating or something like that.

10 My understanding, and correct me if I'm  
11 wrong, is that there has been one instance in which a non-  
12 Canadian broadcaster has been removed from this list for non-  
13 administrative reasons, so for substantive reasons. Is that  
14 right?

15 **MR. SCOTT SHORTLIFFE:** Yes.

16 **MS. NATALIA RODRIGUEZ:** Okay. And so --  
17 yeah. And now we've got to the end. There we go.

18 It's, again, a pretty long list. Can you  
19 tell us about the process that the CRTC undertook to arrive  
20 at the decision that it did to remove the non-Canadian  
21 broadcaster, which I understand was RT and RT France? Is  
22 that right?

23 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.  
24 And if I may, I'm going to add two pieces of context in  
25 answering ---

26 **MS. NATALIA RODRIGUEZ:** Yes, please.

27 **MR. SCOTT SHORTLIFFE:** --- your question.

28 I had said before the Government has very

1 limited ways of interacting with the Commission. One of them  
2 is by asking us to make a report. In the case of Russia  
3 Today, the Government asked us to make a report as to whether  
4 Russia Today still met the objectives of the *Broadcasting*  
5 *Act*. This was after the invasion of Ukraine.

6 The Commission did have a public process.  
7 The Government gave us a very tight timeline, two weeks, but  
8 we did have a public process, collected quite a bit of public  
9 evidence, and the Commission in the end decided that RT  
10 should be removed from the list.

11 In the time since then, we have received  
12 other complaints. Notably we had one about Fox News,  
13 specifically asking whether it was exposing LGBTQ+  
14 individuals to disparagement and hatred. I'm paraphrasing  
15 here and I apologize for that. And we received more than  
16 7,000 interventions on that record.

17 Since then, the Commission has said that in  
18 our regulatory work that is forthcoming, we see that we need  
19 to relook at how we do this list and how we either add or  
20 detract people to it, because we've seen both in the RT case  
21 and then in the complaint which is still before us, it is not  
22 a closed complaint, about Fox TV, and a number of other  
23 complaints, that this is an issue that is becoming of greater  
24 importance to the Commission and we will be revising our  
25 process for how we both add and subtract persons from the  
26 list in the future. We've not announced the exact way in  
27 which we'll be doing that or the timeline on that.

28 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. So



1 television and Telecommunications  
2 Commission hold a hearing, which is  
3 to be initiated no later than one day  
4 after the effective date of this  
5 Order, to determine whether RT and RT  
6 France should be removed from the  
7 List of non-Canadian programming  
8 services and stations authorized for  
9 distribution and make a report as  
10 soon as feasible, but no later than  
11 two weeks after the effective date of  
12 this Order."

13 So this is what you were referring to, the  
14 tight timelines that you were given ---

15 **MR. SCOTT SHORTLIFFE:** Yes.

16 **MS. NATALIA RODRIGUEZ:** --- by the Order in  
17 Council. And so this process to evaluate RT's inclusion on  
18 the list was not initiated as a result of a complaint or the  
19 CRTC's own initiative. It was this Order in Council that  
20 initiated the process; is that right?

21 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

22 **MS. NATALIA RODRIGUEZ:** And is this something  
23 the CRTC could have initiated on its own in terms of its  
24 authority to do that?

25 **MR. SCOTT SHORTLIFFE:** Yes, we could have.

26 **MS. NATALIA RODRIGUEZ:** Okay. And so I just  
27 want to go to the decision very briefly. It's at CRT51.

28 **--- EXHIBIT No. CRT0000051:**

1 Review of the authorization to  
2 distribute Russia Today (RT) and RT  
3 France pursuant to the List of non-  
4 Canadian programming services and  
5 stations authorized for distribution

6 **MS. NATALIA RODRIGUEZ:** And it's Broadcasting  
7 Decision CRTC 2022-68 and it's dated March 16<sup>th</sup>, 2022. And I  
8 just want to go to the first paragraph of the summary. I  
9 think it kind of summarizes it quite well there.

10 "The Commission finds that the  
11 continued authorization for  
12 broadcasting distribution  
13 undertakings {BDUs} to distribute RT  
14 (formerly known as Russia Today) and  
15 RT France is not in the public  
16 interest as their content appears to  
17 constitute abusive comment since it  
18 tends [to]..."

19 Sorry,

20 "...it tends or is likely to expose  
21 the Ukrainian people to hatred or  
22 contempt on the basis of their race,  
23 national or ethnic origin, and that  
24 their programming is antithetical to  
25 the achievement of the policy  
26 objectives of the *Broadcasting Act*."

27 So my understanding from that is that the  
28 conclusion was that RT and RT France were removed because it

1       wasn't in the public interest to continue allowing its  
2       distribution; is that right?

3                   **MR. SCOTT SHORTLIFFE:** That is correct, yes.

4                   **MS. NATALIA RODRIGUEZ:** And so it wasn't in  
5       the public interest because it was determined that its  
6       content was abusive comment, as it's understood under Section  
7       5(b) that we looked at earlier in those regulations.

8                   **MR. SCOTT SHORTLIFFE:** Yes and no. In the  
9       actual decision, and I believe it's a page or 2 down, we talk  
10      about Section 5(b). We then explicitly say that that refers  
11      to licensed entities, not to unlicensed entities. However,  
12      in this case, we are using that as a proxy for the public  
13      interest, and the Commission had concluded that were we to  
14      apply the same test, that it wouldn't be -- it would be  
15      antithetical to really achieving a policy objectives. I know  
16      it seems like a very fussy point, but I want to be clear that  
17      we said that those rules don't necessarily apply. We are  
18      choosing to apply them in this case because we find there's a  
19      parallel. I think this also points out why we need to have a  
20      more defined policy cadre for what is added and removed to  
21      the list, which is something that we're committed to doing.

22                  **MS. NATALIA RODRIGUEZ:** Okay. So as you say,  
23      a non-licensed entity is not bound by the regulations;  
24      however, the conclusion was if this were aired by a licensee,  
25      it would violate those regulations that they -- that that  
26      licensee would be subject to ---

27                  **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

28                  **MS. NATALIA RODRIGUEZ:** Okay. And so you

1 haven't gone through this process to determine how and why a  
2 non-Canadian broadcaster could be removed from the list, but  
3 presumably, there could be other ways in which a broadcast --  
4 a non-Canadian broadcaster is not in the public interest to  
5 continue being on the list ---

6 **MR. SCOTT SHORTLIFFE:** Yes.

7 **MS. NATALIA RODRIGUEZ:** --- presumably.

8 Okay. And so do you have any more specificity with respect  
9 to the scope of that future process or the timeline that the  
10 CRTC's considering? Is it in the next 5 years, in the next  
11 12 months? Can you give us a better sense?

12 **MR. SCOTT SHORTLIFFE:** I could say it  
13 certainly wouldn't be in the next five years. I'd say it is  
14 something that is very much on our radar screen. I have to  
15 be cautious because what we'll be doing in the future, and we  
16 have an enormous workload around the two Acts we were  
17 assigned, is involving some juggling of what priorities are.  
18 I would say that speaking for staff, this is something that  
19 we are certainly actively engaged in and considering, but I  
20 cannot give you an exact date where we'll be going forward  
21 with the public consideration of it.

22 **MS. NATALIA RODRIGUEZ:** And what about in  
23 terms of the scope, is the CRTC going to be looking at  
24 reconsidering admission to the list, or are we only talking  
25 about removal from -- criteria for removal from the list?

26 **MR. SCOTT SHORTLIFFE:** I can't fetter the  
27 discretion of the Commission in the future and what it will  
28 because we haven't given them a firm recommendation. I could



1 say that I think what we have said publicly is that it would  
2 be both, but I cannot get more precise than that because I  
3 can't fetter the discretion of the Commission in the future.

4 **MS. NATALIA RODRIGUEZ:** Fair enough. And so  
5 I want to talk now a little bit -- we can take that down --  
6 about the CRTC's complaint process. And in your interview  
7 summary, you described a no wrong doors approach ---

8 **MR. SCOTT SHORTLIFFE:** Yeah.

9 **MS. NATALIA RODRIGUEZ:** --- when it comes to  
10 complaints. Can you maybe just explain what that means and a  
11 little bit of the process when a complaint comes in the door?

12 **MR. SCOTT SHORTLIFFE:** So I'll back up a bit.  
13 The CRTC, and I think we have publicly acknowledged this,  
14 we're very good at certain things in public hearings. We  
15 have said, and our Chairperson has said numerous times in  
16 speeches, we need to get better at outreach to, for lack of a  
17 better term, ordinary Canadians. We're very easy for  
18 regulatory lawyers to find us. We're -- we need to do a  
19 better job in reaching out.

20 One of the things we're trying to do is  
21 encourage people to come to us with complaints. If you go to  
22 the website for the CRTC and there's a button that says  
23 contact us, when you click on it, there is a big thing,  
24 submit a complaint, and that's, you know, one of the things  
25 we're trying to do to bring more people in. However, I think  
26 both staff, and as I said, there've been public speeches  
27 about this, Commissioners would say, "We need to do a better  
28 job of reaching out to encourage people to reach out, reach

1 out to us." So I'll just put that down as a first thing.

2 That said, if someone needs to reach us with  
3 a complaint, they can click that button, submit a complaint.  
4 They can write a letter to us. If they're a regulatory  
5 lawyer, they know there's a process called a Part 1  
6 Application. But what we're trying to apply now is the no  
7 wrong door policy. A Part 1 Application, which is very  
8 technical to the CRTC is an application where you come in and  
9 you say, "I want you to consider an issue with a licence."  
10 Technically, if you're coming in to make a complaint about I  
11 think someone should not be considered Canadian owned and  
12 control, you would submit a Part 1 request.

13 We've had cases though where someone writes  
14 in, has a valid complaint. They obviously don't know that we  
15 have this highly technical process, and so we contact them  
16 and say we are going to deem it a Part 1. We're going to  
17 publish it for comment. We're going to build a public record  
18 on it. And that's the kind of thing we're trying to do  
19 increasingly, which is to say there's no wrong door. If you  
20 come to us with a complaint, we will try to send it to the  
21 right place.

22 Now the right place could be us internally.  
23 I was looking at radio complaints this morning. I think last  
24 year staff dealt with 350 to 360, so at least 1 a day. That  
25 doesn't count complaints that we send to the Canadian  
26 Broadcast Standards Council. It doesn't count complaints  
27 that are maybe unaddressable because they -- you know,  
28 someone writes in and says, "I hate so-and-so's face. You

1       should not permit them on TV." It's a complaint but it's not  
2       actionable. So we get a wide variety of complaints in.

3               I will say that I think we can do a better  
4       job in communicating how people can reach out to us. That is  
5       something we're very much concerned with as a Commission and  
6       trying to improve our methods for that. That said, if anyone  
7       watching this has a complaint to make to us, please, approach  
8       us. We will try to apply the no wrong door principle and  
9       send it to the right place. If it is a complaint about a  
10      particular licensee and their licence is not up yet, we will  
11      sometimes then keep that for the next time the licence is  
12      under consideration and make sure that we consider the  
13      complaints in that ambit. If it is a complaint about an  
14      individual broadcast, we will often contact the broadcaster,  
15      try and get a response from them.

16              Again, every complaint is individual, so it  
17      needs to be dealt with on an individual basis because there's  
18      no sort of standard complaint that we get.

19              That was a bit meandering, I apologize for  
20      not having a more on-point response.

21              **MS. NATALIA RODRIGUEZ:** No, it was perfect,  
22      thank you.

23              Can you give us a sense for how many  
24      actionable complaints the broadcasting office gets each year?  
25      Is it in the hundreds; is it ---

26              **MR. SCOTT SHORTLIFFE:** It's definitely in the  
27      hundreds. Between radio and television -- I would have to  
28      confirm this with staff -- I'd say perhaps five to 600 that

1 we're dealing with per year. We tend to get more on radio  
2 than we do on television. And this does not count people who  
3 go directly to CBSE who does make a report to us.

4 So we do have -- I mean, we receive a lot of  
5 complaints during the course of the year.

6 **MS. NATALIA RODRIGUEZ:** And typically are  
7 these related to content?

8 **MR. SCOTT SHORTLIFFE:** Yes, they're usually  
9 related to content. Again, a complaint can be all over the  
10 map. It could be someone writing in saying, "I don't think  
11 that you're properly regulating the Canadian Broadcasting  
12 System because I don't see enough different points of view,"  
13 which is ultimately related to content. I think content is  
14 at the root of most of the complaints we receive.

15 **MS. NATALIA RODRIGUEZ:** Now, one of our  
16 panellists this morning mentioned the complaint process under  
17 the Canadian Broadcasting Standards Council, which you  
18 mentioned as well. Can you explain what this is and when a  
19 complaint would go to them versus you? What's the  
20 relationship between the CRTC and this other Standards  
21 Council?

22 **MR. SCOTT SHORTLIFFE:** So ultimately the  
23 authority for regulating the system is the CRTC's, and it  
24 rests with us. That said, we've have a pro-regulatory system  
25 where we've encouraged the private sector to set up bodies  
26 like the CBSC; on the telecom side there's the Commission for  
27 Complaints on Telecom Services.

28 We do this for two reasons; first of all,

1 volume. Secondly, because there are certain complaints that  
2 we don't want, necessarily, a public servant adjudicating,  
3 but you could make a complaint to the CBSC, which is  
4 supported by a wide range of broadcasters, so it would be  
5 looked at, you know, by broadcasters to determine whether the  
6 complaint is valid.

7 A lot of the complaints they receive are, for  
8 example, broadcasting offensive language outside the hours it  
9 is permitted. They also receive complaints about the nature  
10 of particular content, but is something that is then -- they  
11 will adjudicate, they'll issue a report on. If the complaint  
12 is founded, they will request that the broadcaster who  
13 overstepped the bounds issue a public -- in some cases a  
14 public notification.

15 So for example, if a broadcaster -- and this  
16 happens relatively frequently -- permitted foul language at a  
17 time when children are usually watching television, they may  
18 need to broadcast several times, "This happened, we  
19 apologize, and this is what we're doing to correct the  
20 situation."

21 Having said that, the ultimate authority  
22 rests with us. If an individual goes to the CBSE, the CBSE  
23 adjudicates it and they're not happy with it, they can still  
24 bring it to the CRTC. I mean, the ultimate responsibility  
25 rests with us. This doesn't happen that frequently, but it  
26 has happened that someone has had a case in front of the  
27 CBSE, and it's come to us.

28 I should also mention, by the way, the CBSE

1 does not cover the CBC. The CBC has an English and French  
2 Ombudsperson who looks at CBC issues. Most other private  
3 broadcasters belong to the CBSE, and we usually make that a  
4 condition of service, saying, "You must belong to it," so  
5 there's a place for complaints to go.

6 **MS. NATALIA RODRIGUEZ:** And so are you made  
7 aware of all broadcasting complaints that require some sort  
8 of decision or adjudication?

9 **MR. SCOTT SHORTLIFFE:** Not the ones that go  
10 to the CBSE. The CBSE has annual report, which they share  
11 with us. Typically if they have a finding they let us know  
12 as a courtesy.

13 As Executive Director of Broadcasting, my  
14 staff informs me when there are frequent complaints or  
15 complaints about an individual issue, but given volume, I  
16 don't see all the complaints that come in.

17 **MS. NATALIA RODRIGUEZ:** And to your  
18 knowledge, has the CRTC ever received a complaint relating to  
19 foreign interference, in the context of broadcasting?

20 **MR. SCOTT SHORTLIFFE:** I haven't seen one  
21 that is specifically about foreign interference. I have seen  
22 many complaints that there are broadcast where they consider  
23 it is supportive of foreign government's point of view, not  
24 necessarily interference in an election.

25 And I have to be precise here, I don't recall  
26 seeing that; I would have to go through all the complaints in  
27 the CRTC, so I'm not saying that has never happened. I am  
28 certainly aware that we have received complaints about

1 particular broadcasters, raising concerns that they are  
2 representing points of view supported by foreign government.

3 **MS. NATALIA RODRIGUEZ:** Thank you. And I  
4 just want to enter it for the record, you mentioned the  
5 complaint from Egale Canada against Fox News on the list.  
6 And I just wanted to pull up the complaint, just to enter it  
7 into the record, CRT47.

8 **--- EXHIBIT NO. CRT0000047:**

9 Open Letter: Egale Canada calls on  
10 the CRTC to Hold a Public  
11 Consultation on the Broadcasting of  
12 the American Fox News Channel in  
13 Canada

14 **MS. NATALIA RODRIGUEZ:** If we can go to the  
15 other view; this is native view, the image view. Yeah, I  
16 think we can see it in -- there we go. So if you can just  
17 scroll down a little bit.

18 Is this the complaint that was filed?

19 **MR. SCOTT SHORTLIFFE:** Yes.

20 **MS. NATALIA RODRIGUEZ:** Okay, perfect. And  
21 so you mentioned earlier that no decision has been made as of  
22 yet, but there will be one forthcoming, or there's some  
23 adjudications still to be done with respect to this  
24 complaint.

25 **MR. SCOTT SHORTLIFFE:** It is still open in  
26 front of us. This is the one where specifically -- two  
27 things I can mention about this; we considered this no wrong  
28 door and posted as a part 1 application, received 7,000

1 responses. And in our correspondence back to them, I believe  
2 in September of 2023, we said that would hold a forthcoming  
3 process on how things are dealt with on the list.

4 **MS. NATALIA RODRIGUEZ:** Okay. And the other  
5 complaint that you mentioned in your interview with  
6 Commission counsel was the complaint by Safeguard Defenders.

7 **MR. SCOTT SHORTLIFFE:** M'hm.

8 **MS. NATALIA RODRIGUEZ:** And I just want to  
9 pull that one up as well. CRT40.3.

10 **--- EXHIBIT NO. CRT0000040.003:**

11 Complaint to the Canadian Radio-  
12 television and Telecommunications  
13 Commission (CRTC) Against China  
14 Global Television Network (CGTN) and  
15 China Central Television (CCTV)  
16 Channel 4

17 **MS. NATALIA RODRIGUEZ:** And if we can scroll  
18 down a little bit?

19 Is this the complaint that you mentioned in  
20 your interview with Commission counsel?

21 **MR. SCOTT SHORTLIFFE:** Yes, it is.

22 **MS. NATALIA RODRIGUEZ:** And can you explain  
23 the basis for the complaint, and generally your understanding  
24 of what the complaint it is about and how it's being handled  
25 or how it has been handled by the CRTC?

26 **MR. SCOTT SHORTLIFFE:** I can certainly do so.  
27 I will say it's also an open complaint and no decision has  
28 been issued on it yet.



1                   Safeguard Defenders wrote the CRTC  
2                   specifically about a number of Chinese language channels, the  
3                   CCTV channels that are authorized for distribution in Canada,  
4                   so they're authorized for distribution to uphold the licence.  
5                   And presented evidence that they were broadcasting forced  
6                   confessions and confessions that had been generated by  
7                   torture. And therefore they brought this to our attention  
8                   and said that we should remove them from the list.

9                   The record then has a long back and forth  
10                  where we have shared this complaint with CCTV. They came  
11                  back with a point-by-point rebuttal where they basically  
12                  denied the allegations.

13                  One of the reasons why the Commission has not  
14                  yet issued a decision in this matter -- and this relates back  
15                  to us looking at the overall context of how we add and  
16                  subtract things from the list -- as it relates to our ability  
17                  to investigate questions of fact. Safeguard Defenders poses  
18                  a question of fact, which is people have been tortured and  
19                  these are forced confessions. The broadcaster has said this  
20                  is not true.

21                  Now, any reasonable person might have an  
22                  opinion one way or the other reading the document, but we  
23                  don't have an independent ability to investigate this, to  
24                  see, especially in a foreign country, has someone in fact  
25                  been tortured.

26                  This poses an important question to the  
27                  Commission, where we have facts that are dispute, facts that  
28                  are clearly of a serious nature; an allegation of torture is

1 very serious, and therefore what is the basis on which we  
2 will remove this channel, if that were the decision, or keep  
3 this channel, bearing in mind that we're setting a precedent  
4 that would apply to all the other hundreds of channels that  
5 we have on that list.

6 **MS. NATALIA RODRIGUEZ:** Thank you. And I'll  
7 take that down and we'll go to CRT59, which I believe is the  
8 response from CCTV-4 that you were mentioning.

9 **--- EXHIBIT NO. CRT0000059:**

10 CCTV/CGTN Response to CRTC Complaint

11 **MS. NATALIA RODRIGUEZ:** And as it comes up,  
12 are you aware that these two stations are state-run media;  
13 this is not, you know, an independent Chinese-language  
14 broadcaster, these are -- is that your understanding as well,  
15 that this is state-run media?

16 **MR. SCOTT SHORTLIFFE:** Yes.

17 **MS. NATALIA RODRIGUEZ:** Okay. And so this is  
18 the response that you received, is that right?

19 **MR. SCOTT SHORTLIFFE:** Yes.

20 **MS. NATALIA RODRIGUEZ:** Okay, perfect. Thank  
21 you.

22 And are you aware that the UK broadcasting  
23 regulator also received a similar complaint from Safeguard  
24 Defenders related also to these two channels, and they  
25 subsequently took them off the air, essentially? Were you  
26 aware of that?

27 **MR. SCOTT SHORTLIFFE:** Yes, I am, and I've  
28 spoken to my UK colleagues about it.



1 "The review [undertaken] did not  
2 identify sufficient evidence to reach  
3 the threshold to initiate an  
4 investigation..."

5 But I do want to take you to some portions of  
6 the memo, as some of it may relate to the CRTC's mandate.

7 So if we go to page 60, at the bottom,  
8 paragraph 143, if we keep -- so that we can see -- there we  
9 go.

10 Essentially it says there that the OCCE  
11 conducted several interviews with Chinese Canadians and on  
12 the next page we see that the OCCE concluded the following  
13 matters were particularly relevant.

14 And if we go down, we're going to see a  
15 bulleted -- or indented list.

16 I want to take you to subparagraph nine,  
17 roman numeral nine. Yeah.

18 And so the last sentence there says,  
19 "Further, that..." and it's redacted. It says:

20 "... (named interviewed subjects)  
21 reported that both print media and  
22 radio stations were primarily owned  
23 by China or Chinese entities..."

24 And then page 66. Right. So findings and  
25 conclusions. If we go down a little bit? Keep going? Yeah,  
26 148. Perfect.

27 "Information gathered indicates that  
28 impetus and direction was given by

1 PRC officials for the anti-CPC  
2 campaign..."

3 And this is the Conservative Party of Canada,  
4 which it explains earlier. And then it lists some examples.

5 Then if we go to page -- sorry, paragraph  
6 149, it says:

7 "The overall campaign [-- which is  
8 the direction and impetus --] was  
9 carried out and amplified via a  
10 multi-pronged and layered approach  
11 using Chinese Canadian association  
12 individuals, Chinese-Canadian  
13 business interests as well as the  
14 pervasive social media and printed,  
15 digital and broadcast media  
16 messaging."

17 And then at paragraph 156 on 68:

18 "Foreign ownership or control of  
19 Canadian broadcasting media may be in  
20 contravention of applicable Canadian  
21 statutory and regulatory  
22 requirements. Consideration will be  
23 made for a recommendation to disclose  
24 to the CRTC as appropriate."

25 So I have a few questions on this point. If  
26 the PRC gave impetus and direction to regulated broadcasters  
27 in Canada to amplify anti- you know, any political party  
28 messaging, could that be a breach of a regulation or a

1 condition of service?

2 **MR. SCOTT SHORTLIFFE:** It could be. We would  
3 need to look at specific cases through a public process, but  
4 it could be.

5 **MS. NATALIA RODRIGUEZ:** And would this --  
6 would there be any difference -- would it be more or less  
7 serious if this direction and messaging was done during a  
8 write period, during an election?

9 **MR. SCOTT SHORTLIFFE:** In terms of the  
10 seriousness, I cannot offer an opinion. That would be up to  
11 the CRTC Commissioners as they're contemplating the issues.  
12 So I cannot actually give you an answer to that.

13 **MS. NATALIA RODRIGUEZ:** Okay. And if the PRC  
14 gave impetus and direction to regulated broadcasters to  
15 amplify misleading or false information, could that be a  
16 breach of a regulation or a condition of service?

17 **MR. SCOTT SHORTLIFFE:** It could be, yes.

18 **MS. NATALIA RODRIGUEZ:** Okay. Now, the OCCE  
19 on that last paragraph indicated that it may consider making  
20 a disclosure to the CRTC about this issue, and this issue  
21 being foreign ownership or control of Canadian broadcasting  
22 media. Can you confirm whether the OCCE has made such a  
23 disclosure?

24 **MR. SCOTT SHORTLIFFE:** We received a  
25 disclosure of that nature last week.

26 **MS. NATALIA RODRIGUEZ:** Last week?

27 **MR. SCOTT SHORTLIFFE:** Last week.

28 **MS. NATALIA RODRIGUEZ:** Okay. And was this a

1 Part I application?

2 **MR. SCOTT SHORTLIFFE:** It was a direct email  
3 to the Commission, which was then brought to my attention.  
4 It was not brought in as a Part I application. So it's now  
5 before us as the Commission to determine what the next  
6 appropriate steps are.

7 **MS. NATALIA RODRIGUEZ:** And is this something  
8 that would be made public, such as the Egale complaint or the  
9 other complaints that you've received?

10 **MR. SCOTT SHORTLIFFE:** Very honestly, I  
11 haven't had the time to confer with legal staff whether it is  
12 something we have the authority to make public and whether we  
13 should. So I must give you a possibly answer, but honestly,  
14 we have not finished our internal treatment of it because we  
15 only received it a few days ago.

16 **MS. NATALIA RODRIGUEZ:** Fair enough. And  
17 given that caveat, and the fact that it's ongoing matter, is  
18 there anything more you can tell us about the information  
19 that you received from the OCCE?

20 **MR. SCOTT SHORTLIFFE:** I think it's very  
21 commensurate with the information which is in here. It  
22 refers specifically to radio stations in the Greater  
23 Vancouver Area, I believe it's Richmond specifically, and  
24 concerns about slant in terms of the coverage. I'm going by  
25 memory, having read the disclosure here.

26 I'll say as a broader issue that while each  
27 individual case must be looked at specifically, and I can  
28 certainly not promise any outcome from anything brought in

1 front of us, the Commission is happy to receive material  
2 which will contextualize us looking at any license in the  
3 future or license renewal.

4 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. I  
5 want to take you to CAN1080\_R1.

6 **--- EXHIBIT No. CAN001080 R01:**

7 PRC Foreign Interference in Canada: A  
8 Critical National Security Threat -  
9 CSIS IA 2021-22/31A

10 **MS. NATALIA RODRIGUEZ:** Now, this is a CSIS  
11 intelligence assessment and on page 2 we see that it's dated  
12 September 8, 2021. It's entitled "PRC Foreign Interference  
13 in Canada: A Critical National Security Threat". And I just  
14 want to take you to page 6 of this assessment, where it says:

15 "Media Interference, 'Managing the  
16 Message' and positively Portraying  
17 the Party"

18 And it says:

19 "Chinese-language media outlets  
20 operating in Canada, along with  
21 members of the Chinese-Canadian  
22 community, are primary targets for  
23 PRC-directed foreign-influenced  
24 activities in the media realm."

25 And if we see the last sentence there, it  
26 says:

27 "In Canada, PRC FI [-- so foreign  
28 interference --] actors have sought



1 to promote voices that portray the  
2 PRC positively and 'tell the China  
3 story well' in an effort to bolster  
4 the Party's reputation and counter  
5 what the CCP views as 'anti-PRC' or  
6 'anti-Party' narratives in the west."

7 Now, we heard some of the panelists this  
8 morning describing this in their own personal experiences.  
9 And if we look at the first bullet point it says:

10 "PRC government influence over  
11 Chinese-language media has become  
12 increasingly problematic."

13 And in the second bullet point, it says:

14 "PRC FI actors have sought to use  
15 Canada-based media outlets to shape  
16 Canadian opinions."

17 And then the rest is redacted.

18 So focusing on the parts that I read, does  
19 any of this engage any of the CRTC's rules or regulations,  
20 which could potentially be the basis of a complaint or some  
21 sort of response from the CRTC if such a complaint were made?

22 **MR. SCOTT SHORTLIFFE:** I would have to say  
23 potentially. I'd say it's certainly an issue of interest.

24 To my knowledge, this report was not shared  
25 with CRTC at the time. I certainly do not recall ever seeing  
26 it. I have to be very cautious because we deal with things  
27 on the public record as they go forward. We do proceed, you  
28 know, in a deliberate manner.

1 I would say that the Commission would have  
2 great interest in having more of this context.

3 **MS. NATALIA RODRIGUEZ:** Okay. So that was  
4 going to be my next question. Before your involvement as a  
5 witness in these proceedings, were you aware of the substance  
6 of what this is saying? Maybe not the assessment itself, but  
7 the substance of what I read out.

8 **MR. SCOTT SHORTLIFFE:** Not in any great  
9 depth, no, and not in any official capacity. I certainly,  
10 following press coverage of these proceedings this spring,  
11 had seem similar issues were raised and were intrigued by  
12 them, but you know, I have not seen any of these reports from  
13 -- because we are not part of the national intelligence  
14 spectrum in Ottawa.

15 **MS. NATALIA RODRIGUEZ:** Fair enough.

16 And if we can go to CAN11293.

17 **--- EXHIBIT No. CAN011293:**

18 China: Domination of Chinese-Language  
19 Media in Canada Poses National  
20 Security Threats - IM 30/2023

21 **MS. NATALIA RODRIGUEZ:** Now, this is a joint  
22 PCO Intelligence Assessment Secretariat and CSIS assessment,  
23 and it's dated July 31st, 2023. We see that on the top  
24 right-hand corner there.

25 And its title is "China: Domination of  
26 Chinese Language Media in Canada Poses National Security  
27 Threats".

28 And just looking at the key

1 judgments portion of this, it says:  
2 "Communist Party of China friendly  
3 narratives inundate Chinese language  
4 media in Canada. Censorship,  
5 including self-censorship, is  
6 pervasive and alternative media  
7 voices are few or marginalized in  
8 mainstream Chinese language media.  
9 This includes traditional media such  
10 as newspapers and in new media  
11 provided by online platforms and  
12 applications such as WeChat."

13 And then the second bullet point says, "The  
14 CPC's strategy" -- and here, the CPC is the Communist Party  
15 of China:

16 "...to shape the media landscape  
17 relies on two main areas of effort;  
18 control over narratives and control  
19 over platforms [and then it's  
20 redacted] overt and clandestine."

21 And then the third bullet point says:

22 "The CPC controls narratives by  
23 limiting opportunities for dissenting  
24 voices [and it's redacted] by  
25 providing economic incentives  
26 [redacted] fostering self-censorship  
27 [redacted]."

28 And the last bullet, we can go down a little

1 bit so we can see it:

2 "The CPC's ability to influence  
3 Chinese language media and therefore  
4 shape overseas public opinion also  
5 plays a critical enabling role in its  
6 other activities, including  
7 transnational repression efforts, and  
8 attempts to influence electoral  
9 outcomes."

10 So again, just focusing on these key  
11 judgments, the parts that I've read, does any of it raise  
12 possible breach of a CRTC regulation or rule? Does it engage  
13 the CRTC's regulatory authority?

14 **MR. SCOTT SHORTLIFFE:** I wouldn't put it that  
15 it engaged our authority. It would certainly raise questions  
16 that the CRTC would wish to look further into, specifically  
17 whether this raises questions of control and fact. Again,  
18 this was not an intelligence assessment that we were party  
19 to, but I think would be of great interest to us.

20 I think that -- and again, I have to be  
21 cautious here. I'm speaking from staff perspective, not from  
22 the perspective of the Commission. We would be very  
23 interested in learning more about the economic incentives and  
24 fostering self-censorship because those do seem to raise  
25 questions that are troubling if they are in a licensed party.

26 So I would say that it raises questions that  
27 the Commission would certainly be interested in. Whether or  
28 not it engages our regulatory authority would be a judgment

1       that the Commission would have to make looking at that  
2       evidence, but it certainly would raise issues that we would  
3       be interested in.

4                   **MS. NATALIA RODRIGUEZ:** And before your  
5       involvement as a witness in these proceedings, were you aware  
6       of the substance of what's in these key judgments section of  
7       this assessment?

8                   **MR. SCOTT SHORTLIFFE:** No, I was not.

9                   **MS. NATALIA RODRIGUEZ:** Okay. And so moving  
10      now to what you touched on, which is your involvement or lack  
11      of involvement with the security and intelligence community,  
12      first of all, does the CRTC have security cleared personnel?

13                  **MR. SCOTT SHORTLIFFE:** Many of the staff are  
14      security cleared. The actual Commission members are not  
15      required to hold a security clearance with the exception of  
16      the Chairperson. The Chairperson is also the deputy head  
17      and, for government reasons, has to have a security  
18      clearance. The others do not. By happenstance, several of  
19      them do currently because they are former public servants,  
20      but they're not required to.

21                  Senior staff generally has to have a secret  
22      clearance. To my knowledge, no one in the Commission holds a  
23      top secret clearance.

24                  **MS. NATALIA RODRIGUEZ:** Okay. And that was  
25      going to be my next question, so thank you.

26                  Now, has the CRTC ever been briefed on issues  
27      of foreign interference by any government department or  
28      agency, anyone within the security intelligence community?

1                   **MR. SCOTT SHORTLIFFE:** Not in -- not in a  
2 direct sense. I can remember one case in the past where  
3 there was a complaint which we had received from the Indian  
4 High Commission. It wasn't about foreign interference. It  
5 was -- because it was from the Indian High Commission, we did  
6 meet with foreign counter -- sorry, with government  
7 counterparts about that.

8                   More recently at the request of our  
9 Chairperson, I and our secretary general have had preliminary  
10 meetings with Public Safety Canada to explore whether there  
11 is information from the intelligence community that can be  
12 appropriately shared with us.

13                   This is very new for the CRTC. It does  
14 engage questions about our independence, about our ability to  
15 deal with secret material or material that would not be on  
16 the public record because we make our decisions based on a  
17 public record.

18                   So it is something that we have not  
19 traditionally done in the past, and we are in sort of very  
20 nascent discussions about that.

21                   **MS. NATALIA RODRIGUEZ:** So in your view,  
22 would it be helpful for the CRTC to further engage with these  
23 agencies given -- I understand your concern about potentially  
24 the CRTC's independence, but in terms of receiving  
25 information that might be helpful to its mandate, especially  
26 as it relates to foreign interference.

27                   **MR. SCOTT SHORTLIFFE:** I would say that we  
28 would very much like to engage and explore how this can be

1 appropriately done without pre-determining that the outcome  
2 is that it can be appropriately done and they should share  
3 information with us. That said, within those boundaries we  
4 want to explore this very much with other agencies within the  
5 government.

6 **MS. NATALIA RODRIGUEZ:** Okay. So the CRTC  
7 would be open to receiving briefings on foreign interference  
8 from members of the security and intelligence community.

9 **MR. SCOTT SHORTLIFFE:** Within the caveats of  
10 whether we could set up a protocol which respects or  
11 independence and our decision-making, yes.

12 **MS. NATALIA RODRIGUEZ:** Fair enough.  
13 Now, very briefly, you mentioned in your  
14 interview summary at paragraph 58 that you considered the  
15 CRTC's greatest vulnerability to be its inability to react  
16 quickly. And I just wondered if you could expand briefly on  
17 that, especially as it relates to allegations of potential  
18 foreign interference.

19 **MR. SCOTT SHORTLIFFE:** Yes. I think that  
20 what I was trying to get across is, we make our decisions  
21 based on public processes and public records. If we received  
22 an allegation that said a broadcaster is misbehaving right  
23 now, that they have been instructed by a foreign body to  
24 broadcast something that is untrue that could affect an  
25 election that is potentially happening that day, our ability  
26 to do anything within the space of ours on no public record  
27 is essentially zero. That's not how we're constituted as a  
28 quasi-judicial tribunal.

1           We're not -- we're not, generally speaking, a  
2 law enforcement body. And I'm sorry I have to say "generally  
3 speaking" because our anti-spam and do not call is  
4 technically law enforcement. But we're not constituted on the  
5 broadcasting or telecom side as law enforcement agency. We  
6 don't have sort of arbitrary powers and, in fact, everything  
7 is tilted towards us building a public record exactly so that  
8 as a government body, we will not take people off the air or  
9 have the power to take people off the air, which could easily  
10 become a tool for repression in the wrong hands.

11           Now, I would argue that that is, for many  
12 public policy outcomes, a very good thing for the Commission.  
13 I would say that if there is a concern about election  
14 misinformation being broadcast on an election day or just  
15 before an election day, it limits the Commission's ability to  
16 take instant action.

17           The Commission's ability to take action after  
18 the fact, conduct an investigation, lobby -- have an  
19 Administrative Monetary Penalty, remove a licence, we have  
20 all of that, but that is something that takes time to apply.  
21 It's not something we can apply instantly on the day.

22           **MS. NATALIA RODRIGUEZ:** Thank you.

23           And before we conclude, is there anything  
24 else you would like to tell the Commissioner about anything  
25 that we haven't touched on that relates to your mandate?

26           **MR. SCOTT SHORTLIFFE:** I think just one thing  
27 I would like to mention is around news.

28           As we're bringing in the foreign entities,



1 the streaming services, one of our initial decisions for what  
2 we call base contributions included setting up a news fund  
3 for radio which is new, bring in more news for independent  
4 television stations. Partly this is because we're trying to  
5 build up democratic institutions, journalism news because we  
6 see this as a way of countering disinformation. It's not a  
7 direct way of countering it, but we do see it structurally on  
8 the system as something very important that we can do. We  
9 can devote more funds to news and try to direct it towards  
10 independent news voices which we see as very important in  
11 Canada.

12 I'd also say that while, as I said earlier,  
13 we don't see ourselves as an office of primary responsibility  
14 for foreign interference, this does not mean we are an office  
15 of no responsibility for foreign interference. We recognize  
16 that this is a challenge that affects all Canadians and while  
17 we try to figure out what an appropriate role is, I certainly  
18 would say that we wish to play an appropriate role in that  
19 nature.

20 Thank you.

21 **MS. NATALIA RODRIGUEZ:** Thank you very much.

22 Those are my questions, Commissioner.

23 **COMMISSIONER HOGUE:** Thank you.

24 So we'll break for 20 minutes. We'll come  
25 back at 3:30.

26 **THE REGISTRAR:** Order, please.

27 This sitting of the Commission is now in  
28 recess until 3:30 p.m.

1 --- Upon recessing at 3:11 p.m.

2 --- Upon resuming at 3:33 p.m.

3 **THE REGISTRAR:** Order please.

4 This sitting of the Foreign Interference  
5 Commission is now back in session.

6 The time is 3:33 p.m.

7 **COMMISSIONER HOGUE:** So we'll begin the  
8 cross-examinations. It's Maître Sirois for the RCDA that  
9 will begin.

10 --- MR. SCOTT SHORTLIFFE, Resumed:

11 --- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:

12 **MR. GUILLAUME SIROIS:** Good afternoon.

13 Guillaume Sirois for the RCDA.

14 In your testimony, you provided the example  
15 of a broadcast about a tornado in Ottawa on a bright sunny  
16 day as a potential example of false information that could be  
17 sanctioned by the CRTC. Do you remember that?

18 **MR. SCOTT SHORTLIFFE:** Yes, I do.

19 **MR. GUILLAUME SIROIS:** I would like to  
20 present you some known narratives that are more directly  
21 relevant to the focus of this Commission of Inquiry. I would  
22 appreciate your opinion on these narratives and whether they  
23 are false statements or not, or how we can determine whether  
24 they are.

25 One of the examples that have been floating  
26 by Russia is that financial aid sent to Ukraine is being  
27 pocketed by corrupt officials within the Ukrainian  
28 government.



1 understood from your testimony earlier today that the CRTC  
2 can undertake some investigations on its own initiatives  
3 before a complaint is brought before the CRTC. Is this an  
4 offence of where the CRTC could investigate on its own?

5 **MR. SCOTT SHORTLIFFE:** I would say that  
6 anyone who wants to bring information to the attention of the  
7 CRTC should and that the CRTC, as an adjudicative body, will  
8 then make decisions on what it will investigate. And I would  
9 encourage people to bring forward the material that they wish  
10 the CRTC to look at.

11 **MR. GUILLAUME SIROIS:** Okay. I have a few  
12 other narratives from the Kremlin, but I understand it's  
13 perhaps pointless at this point.

14 I would like to ask the court reporter to  
15 pull CRT51, please. This is the decision about RT and RT  
16 France. I suppose you're aware of that decision.

17 **MR. SCOTT SHORTLIFFE:** Yes.

18 **MR. GUILLAUME SIROIS:** It was presented  
19 earlier to you today.

20 Can you -- for the record, can you please  
21 explain in one or two sentences what this decision is about?

22 **MR. SCOTT SHORTLIFFE:** So following the  
23 reference from the government to look at the distribution of  
24 RT and RT France, the Commission had a public process,  
25 assembled information and took a decision that RT and RT  
26 France should be removed from the list authorized for  
27 distribution in Canada, which means that Canadian cable and  
28 satellite and internet protocol television can no longer

1 offer RT in Canada.

2 **MR. GUILLAUME SIROIS:** Thank you.

3 I would like to go to paragraph 48, please.

4 I'm not sure what's the page number. I'm sorry.

5 Yes, 48.

6 So here we learn that, as far as the  
7 Commission is aware:

8 "...all of the BDUs that distributed  
9 RT or RT France have ceased  
10 distribution of the services.

11 Accordingly, the removal of the  
12 services from the List would not  
13 change the current distribution  
14 reality."

15 I'm wondering why the CRTC acted after the  
16 BDUs and not before?

17 **MR. SCOTT SHORTLIFFE:** Again, I have to be  
18 very cautious here. CRTC decisions speak for themselves and  
19 I can't breach any considerations or discussions behind the  
20 scenes.

21 What I can say is this is a public instance  
22 where following the invasion of Ukraine, I believe most BDUs  
23 voluntarily dropped RT or RT France. That does not mean that  
24 the Commission decision had no weight. It means that they  
25 could not re-add it. They couldn't wait a month and say,  
26 "Oh, this has calmed down and now we're going to put them  
27 back on the list." If at any hypothetical point in the  
28 future they wanted to distribute RT again, they would have to

1 apply to the Commission to do so and then it would have the  
2 history that the Commission had intentionally removed them  
3 from the list.

4 So this is something that happened. BDUs  
5 made a voluntary decision to no longer offer them. That's  
6 entirely within their purview. There's no one on the list  
7 who you have to broadcast. That does not mean that the  
8 decision of the Commission and the reference from the  
9 Government had no force.

10 **MR. GUILLAUME SIROIS:** It was still necessary  
11 to issue that decision ---

12 **MR. SCOTT SHORTLIFFE:** Yes.

13 **MR. GUILLAUME SIROIS:** --- in the context?  
14 Okay. And was it easier to ban RT considering that it was  
15 not being distributed anyway?

16 **MR. SCOTT SHORTLIFFE:** Again, I can't get  
17 into what the internal deliberations of the Commission were,  
18 so I can't give a characterization on whether it was easier  
19 or not. What I can say is the Commission's clear decision  
20 following the process was that RT and RT France could not be  
21 distributed on the system in Canada.

22 **MR. GUILLAUME SIROIS:** And not -- I don't  
23 want to invite you to comment on the thought process behind  
24 that decision, but generally, if a service is already blocked  
25 by -- or dropped by BDUs, is it easier to ban that service  
26 afterwards, considering that it's not airing anymore?

27 **MR. SCOTT SHORTLIFFE:** I would say that it is  
28 difficult to characterize whether it's easier or not because

1 the ultimate result is still a decision having legal force  
2 saying you can't show it. If it is on the list, even if no  
3 one is showing it in Canada, it could be shown. They don't  
4 need to alert us ahead of time. They could just say, "Okay.  
5 Today it's on the list. I'm going to offer it tomorrow  
6 morning at 9:00 a.m." When things are removed from the list,  
7 that actually has the force of our regulation behind it  
8 saying, "You cannot offer it. it is no longer discretionary  
9 to."

10 **MR. GUILLAUME SIROIS:** Okay. Thank you. I  
11 would like to go to paragraph 21 now. It's higher up in the  
12 document.

13 There's a suggestion from the ECGL, which is  
14 the Ethnic Channels Group, they suggest that the framework to  
15 decide whether or not to ban certain channels should be the  
16 Special Economic Measures Regulations, which means that if an  
17 entity, such as RT, is already sanctioned by these measures,  
18 these regulations, it should not be allowed to distribute its  
19 services in Canada. Is this a framework that the CRTC could  
20 apply?

21 **MR. SCOTT SHORTLIFFE:** So part of CRTC's  
22 decisions, because they are public processes, is we encourage  
23 public participation. In our decisions, we try to indicate  
24 what the positions of parties were. This is a paragraph  
25 doing that. If you get to the actual reasons behind the  
26 decision, we're -- we were not adopting that measure.

27 What we have said though is that we do need  
28 to revisit our entire framework for how things are either

1 added or removed from the list and at such a time we will be  
2 addressing the question of what should be in that framework  
3 and addressing it in more detail.

4 **MR. GUILLAUME SIROIS:** Could that include  
5 giving more thought about which entities are sanctioned under  
6 the Special Economic Measures Regulations?

7 **MR. SCOTT SHORTLIFFE:** I have to be cautious  
8 because we haven't launched that process, other than to say  
9 that when we do launch it, we would like as much public input  
10 as possible. I would encourage you to make the points you're  
11 making here during that part of the public process.

12 **MR. GUILLAUME SIROIS:** Okay. Thank you, I  
13 appreciate the invitation. We'll certainly jump on it.

14 At paragraph 22, the same organization  
15 explained -- or submitted the process was perhaps not broad  
16 enough to prevent distribution of Russian-state-controlled  
17 information and news content within Canada because it applied  
18 only to BDUs and the regulated environment. We have some  
19 examples of how it can -- content can be distributed in  
20 unregulated environments, and also that it does not cover  
21 online services.

22 I'm wondering if you have any thoughts of  
23 whether or not the action taken here is broad enough?

24 **MR. SCOTT SHORTLIFFE:** I would say that the  
25 action that was taken by the Commission was under the ambit  
26 of the powers of the Commission. The Commission does not  
27 have authority over the open internet. I mean, I could say  
28 as an official I'm certainly aware that you can still access



1 RT websites over the open internet, but we don't have  
2 authority over that. We don't have authority over the open  
3 internet or for people accessing content over the internet.  
4 That is not authority that Parliament has given us and is not  
5 authority that we can therefore take on.

6 **MR. GUILLAUME SIROIS:** Okay. And what about  
7 their unregulated environment? Is this something that the  
8 CRTC is aware of and that -- are there any measures taken to  
9 address this environment?

10 **MR. SCOTT SHORTLIFFE:** I'd say that again, I  
11 mean, we obviously are concerned about the regulated  
12 environment, because that is the environment we regulate.  
13 Questions about the unregulated environment, including  
14 piracy, raise questions that also relate to law enforcement,  
15 so I have to be cautious in our answer. We're certainly very  
16 much concerned with the regulated environment and what is  
17 under our ambit. Knowing what happens in the unregulated  
18 environment can be useful context for us, but in the end, our  
19 decisions have to apply to the environment that we regulate.

20 **MR. GUILLAUME SIROIS:** Okay. Thank you. I  
21 appreciate your answer. At the end of that paragraph, we see  
22 that there's some submissions about other Russian services,  
23 such as Channel One Russia. I want to go down further in the  
24 document at paragraph 28, where we also -- the CEEC, which is  
25 the Canadian ---

26 **MR. SCOTT SHORTLIFFE:** M'hm.

27 **MR. GUILLAUME SIROIS:** --- Eastern European  
28 Council, talks also about the Channel One and also RTR

1 Planeta channels. I'll read the quote just to give a bit  
2 more context. Yeah. I'll start in the middle of the  
3 paragraph:

4 "According to the CEEC, 'channels  
5 like RT [...], RTR Planeta and Russia  
6 [Channel] 1 are used by the Putin  
7 regime to promote toxic narratives,  
8 propaganda, lies and conspiracy  
9 theories, to spread hate against its  
10 critics and enemies, and undermine  
11 western democracies eroding the  
12 cohesion within them. They are not  
13 news channels: they are instruments  
14 of Vladimir Putin's information  
15 warfare and influence operations  
16 through which he seeks to manipulate  
17 the understanding of geopolitical and  
18 domestic political issues and impair  
19 decision making about them.'"

20 I'm wondering if the CRTC took any actions  
21 against Channel One Russia and RTR Planeta after these  
22 submissions and the decision that was issued after that?

23 **MR. SCOTT SHORTLIFFE:** Not to my memory.

24 **MR. GUILLAUME SIROIS:** And Channel One Russia  
25 and RTR Planeta are still on the authorized list; right?

26 **MR. SCOTT SHORTLIFFE:** I would have to review  
27 the authorized list, which I don't have in front of me right  
28 now, but I don't recall them being removed.

1                   **MR. GUILLAUME SIROIS:** Oh, well we can go to  
2 it, but I can tell you that it is. That's CRT25. Would it  
3 be helpful to pull the list to show you?

4                   **MR. SCOTT SHORTLIFFE:** No, I will accept your  
5 word for it.

6                   **MR. GUILLAUME SIROIS:** Okay.

7                   **MR. SCOTT SHORTLIFFE:** As I said, there's 300  
8 ---

9                   **MR. GUILLAUME SIROIS:** No problem.

10                  **MR. SCOTT SHORTLIFFE:** --- entities on the  
11 list, so I don't remember them all. I apologize for that.

12                  **MR. GUILLAUME SIROIS:** No problem. I  
13 understand. But what I'm wondering, if -- whether these --  
14 these submissions -- if these submissions were not enough to  
15 take actions against RTR Planeta or Channel One, which seem  
16 to be promoting the same kind of content that RT is, I'm  
17 wondering what it takes to take actions against other  
18 channels from the Russian Government?

19                  **MR. GUILLAUME SIROIS:** I can't answer that  
20 because that would be getting into the deliberations of the  
21 Commission itself and what evidence they take into  
22 consideration and what decisions they make. I will say that  
23 in this specific case, we had a Cabinet reference that looked  
24 specifically at RT and RT French and there was a decision  
25 issued by that.

26                  Part of why this is in the decision is we do  
27 build a public record. These are comments we received on the  
28 public record. When we review our overall framework in the

1 future, we can refer to material on the public record, such  
2 as the material that is contained in here.

3 In terms of why the Commission did or did not  
4 make other decisions specific to channels is something that I  
5 cannot get into.

6 **MR. GUILLAUME SIROIS:** Okay. I'm just  
7 wondering, because you stated that CRTC can undertake some  
8 investigation on its own initiatives.

9 **MR. SCOTT SHORTLIFFE:** M'hm.

10 **MR. GUILLAUME SIROIS:** And I'm wondering, it  
11 takes a formal complaint for you to investigate these issues,  
12 even when they've been clearly outlined in submissions in a  
13 previous proceeding?

14 **MR. SCOTT SHORTLIFFE:** The CRTC can undertake  
15 investigations if it receives a formal complaint or under its  
16 own initiative. That is as a general statement. With the  
17 size and complexity of the broadcasting industry, which the  
18 CRTC regulates, it makes choices about what and when it  
19 investigates and how. Again, I can't get into particular  
20 deliberations of the Commission because it's a quasi-judicial  
21 Tribunal.

22 **MR. GUILLAUME SIROIS:** Okay. Thank you.

23 So I understand -- we can go to paragraph 71.  
24 I want to talk a little bit more. I understand you don't  
25 have the powers or authority to regulate the online content,  
26 but I found a comment interesting. I don't want you to get  
27 into the thought process of that decision, but I want to ask  
28 the question more broadly, is the fact that certain content

1 also available online, paragraph 71 talks about the  
2 availability of this content online. The fact that this  
3 content is available online as well, does it help in deciding  
4 that some content should be banned from broadcasting on  
5 Canada TVs?

6 **MR. SCOTT SHORTLIFFE:** What I will say is --  
7 and it's always the intent of the Commission to speak through  
8 its decisions and say the decisions speak for themselves.  
9 However, I am going to go a bit farther than that in respect  
10 to your question.

11 The Commission thought it was worth noting  
12 because whenever we are presented with a question of removing  
13 content from the regulated broadcasting system, there is a  
14 question about, are we stifling voices, are we stifling  
15 voices that the government of the day doesn't agree with?  
16 And could that then become a practice by which we become de  
17 facto censors, which is an important question for Canadian  
18 democracy.

19 In this case, the Commission thought it was  
20 worth noting, saying for anyone who would raise that concern,  
21 who would say that by removing RT and RT French, you are  
22 acting as censors because the Canadian government does not  
23 agree with the editorial content of these. We presented our  
24 other reasons and then the Commission specifically chose to  
25 note that they are still available on the internet. How much  
26 weight the Commission gave to that is not something I can  
27 talk about. I can say that the Commission did wish to note  
28 that. And that is in the context that the Commission is very

1 cautious that it does not wish to act as a censor.

2 **MR. GUILLAUME SIROIS:** What I'm having  
3 trouble to understand is that we've seen some examples of the  
4 kind of messaging that is being promoted by RT, Channel 1,  
5 and others. Such as the fact that they are trying remove  
6 Nazis from the Ukrainian government. I'm wondering, if you  
7 conclude -- if the CRTC concludes that this content is  
8 harmful towards Ukrainians in Canada, such as the decision  
9 did, I'm wondering why it's a positive that it's -- the exact  
10 same content is also available online on deciding to -- when  
11 issuing this kind of decision.

12 **MR. SCOTT SHORTLIFFE:** Again, I don't want to  
13 get too much into this specific decision. I will say that  
14 the Commission, as a matter of practice, has said that it  
15 does not wish to discourage points of view or put itself in  
16 the place where it is determining what the -- what a correct  
17 opinion is, and it noted this in this case.

18 While the Commission has noted this, it did  
19 not say in paragraph 71 that in the absence of this it would  
20 have made a different decision. It simply noted that for  
21 anyone who raised questions about access to this content,  
22 there is still another way of doing it. It did not comment  
23 either way on whether the decision would have gone another  
24 way if the internet did not offer this material.

25 **MR. GUILLAUME SIROIS:** So do I understand  
26 correctly that these messages, even though they are harmful  
27 to Canadians, they can foster freedom of expression for  
28 Canadians? Is that how we can understand that?

1                   **MR. SCOTT SHORTLIFFE:** No. What I'm saying  
2 is the Commission does not have authority over the internet.  
3 The Commission has authority over regulated broadcasters.  
4 And the Commission tries to regulate respecting both freedom  
5 of expression and journalistic independence.

6                   In this case, it was looking at the regulated  
7 parts of the system. It issued the decision it issued. It  
8 had a note for people who would have raised concerns about  
9 freedom of expression going another way. It did not rule on  
10 that. It is neither endorsing nor condemning this content on  
11 the internet, because we do you have an ambit over the  
12 internet.

13                   **MR. GUILLAUME SIROIS:** Thank you. And we can  
14 close the document. I have perhaps one last question.

15                   It still relates to freedom of expression.  
16 I'm wondering more broadly, like when you're regulating  
17 content, does -- is foreign interference, foreign  
18 disinformation a good way to help Canadians exert their  
19 freedom of expression and democratic rights? Is it something  
20 that's positive for Canadians to see this kind of -- and be  
21 influenced by this kind of content?

22                   **MR. SCOTT SHORTLIFFE:** I'd say the  
23 government's point of view through -- or pardon me, not the  
24 government. The CRTC's point of view over time has been  
25 Canadians should be exposed to many different points of view.  
26 Canadians can then decide which points of view they wish to  
27 accept information from.

28                   I think that the materials that are being

1 raised in this public inquiry are extremely serious. And as  
2 I indicted earlier, I think will be of great interest to the  
3 Commission going forward. But I will also say that the  
4 Commission's ambit over decades has been we want to encourage  
5 different points of view, including points of view that many  
6 people on the Commission would personally strongly disagree  
7 with, in the hope that individuals in a democracy can sort  
8 them out. As opposed to repressive regimes who do not allow  
9 different points of view into their countries.

10 Whether or not we have that right balance  
11 will be certainly something we'll be looking into when we  
12 look into how we add or remove -- add and remove parties to  
13 the list in the future.

14 **MR. GUILLAUME SIROIS:** So it's a balancing  
15 exercise, it's not a -- there's no absolutes here?

16 **MR. SCOTT SHORTLIFFE:** I'm saying that we  
17 have a public responsibility that involves a balancing act.  
18 I don't want to say there's no absolutes, because that in  
19 itself is an absolute statement. I think what I want to say  
20 is that the Commission needs to be very careful. We see that  
21 in repressive countries governments determine what their  
22 citizens can hear and that -- and I believe it's come up in  
23 these cases -- in this inquiry, there are foreign countries  
24 who will not allow their citizens to hear points of view that  
25 are critical of their government, or of their government's  
26 policy.

27 The point of view of the Commission over time  
28 has been we will let in as many different voices as possible,



1 trusting that Canadians can sort out what is true or not for  
2 themselves. I think what has been raised at this inquiry,  
3 which is are there influences that are, for lack of a better  
4 terms, corrupt, is certainly something that the Commission  
5 needs to consider in its decision making going forward. But  
6 that does not change that the Commission's orientation is  
7 towards plurality.

8 The last thing I would say on that is -- it  
9 those are my last comments before the break, I think there is  
10 an important role for Canadian news here and for making sure  
11 that Canadians have access to Canadian news sources and not  
12 just foreign news sources. And that is something that we are  
13 actively working to try to improve for the future.

14 **MR. GUILLAUME SIROIS:** Thank you. Those are  
15 all my questions.

16 **COMMISSIONER HOGUE:** Thank you.

17 Mr. Chantler for the Concern Group.

18 **--- CROSS-EXAMINATION BY MR. NEIL CHANTLER:**

19 **MR. NEIL CHANTLER:** Good afternoon, Mr.  
20 Shortliffe. My name is Neil Chantler and I'm counsel for the  
21 Chinese Canadian Concern Group.

22 We heard from representatives from foreign  
23 language media outfits earlier today in a panel format. And  
24 among other compelling and frankly terrifying narratives that  
25 they shared with us, was their view that Chinese language  
26 radio and television broadcasters are effectively under the  
27 control of the CCP. My colleague, Ms. Rodriguez took you to  
28 CSIS intelligence summaries that suggested that the PRC aims

1 to control Canadian broadcast media content and platforms.

2 Now, the CRTC has the responsibility of  
3 regulating Canada's broadcast media landscape, and I've heard  
4 you today very candidly share with us your evidence, and  
5 you've taken the position that the CRTC's role in combatting  
6 foreign interference is "fairly small", were the words that  
7 you used.

8 I'm struggling with that conclusion and  
9 perhaps you can elaborate a bit on that view. If you accept  
10 that foreign countries should not be controlling our  
11 broadcast radio and television, who is better positioned than  
12 the CRTC to defend the country against this growing threat?

13 **MR. SCOTT SHORTLIFFE:** If I can answer that  
14 in a couple of different parts? First of all, thank you for  
15 the question.

16 I think when I said that it is fairly small,  
17 I believe, and I and I have not watched all the testimony in  
18 front of this public inquiry. I have seen a lot of concerns  
19 about direct interference in electoral campaigns in specific  
20 ridings. I think that is an issue of great concern. I've  
21 seen issues that raise questions of legality. We're not a  
22 law enforcement body.

23 In terms of what is available on broadcast  
24 platforms and to the extent of the importance of that, I  
25 believe we do have a role to play. I don't think we are  
26 necessarily the front line for dealing with foreign  
27 intelligence issues, foreign interference in the broadest  
28 sense because we're neither a national security or a law

1 enforcement body, but that does not mean that we don't have a  
2 role to play.

3           You referenced the testimony this morning. I  
4 will admit that I was only able to watch a few minutes of it.  
5 I regret that. It seemed like fascinating testimony and I  
6 will be watching the rest of it as soon as I have a chance.  
7 But I think that the issues that were raised are going to be  
8 issues that are of great interest to the Commissioners who,  
9 in the end, are the decision-makers rather than staff such as  
10 myself.

11           So while I think that we have a limited role  
12 in that, I don't want to say that we have an unimportant  
13 role.

14           **MR. NEIL CHANTLER:** All right. You were  
15 taken to a section of the *CRTC Television Broadcasting*  
16 *Regulations*, which -- section 5(1).

17           **MR. SCOTT SHORTLIFFE:** Yeah.

18           **MR. NEIL CHANTLER:** You're probably familiar  
19 with it. It's a fairly significant section.

20           It requires that a licensee shall not  
21 broadcast any false or misleading news. You recall that. I  
22 don't ---

23           **MR. SCOTT SHORTLIFFE:** Yeah.

24           **MR. NEIL CHANTLER:** --- need to pull that up.  
25 You've acknowledged today that the CRTC is  
26 very reluctant to become a censor. You've mentioned that a  
27 couple of times.

28           But I point to you, is that not exactly what

1 the legislation is asking you to be? The legislation is  
2 asking you to regulate false or misleading news, and that  
3 requires you to take a dive into the content of material and  
4 determine what is suitable or not.

5 **MR. SCOTT SHORTLIFFE:** Respectfully, I'd also  
6 say that the legislation and -- as Ms. Rodriguez explained  
7 this morning, the *Broadcasting Act* has many objectives in it.

8 At the very beginning, it says that nothing  
9 that we should be construed to interfere with freedom of  
10 expression or journalistic independence.

11 Now, I think there is a public policy debate  
12 in terms of whether the Commission has that balance correct,  
13 but I think that the history of the Commission is that while  
14 we have responsibilities regarding false and misleading use  
15 and abusive comment, we are also very much aware that  
16 Parliament has instructed us that we should take no action  
17 that will damage freedom of expression in Canada, which can  
18 include unpopular expression and unpopular viewpoints.

19 To the rest of your question, whether or not  
20 it is the right balance, that is a matter of opinion.

21 **MR. NEIL CHANTLER:** I appreciate that answer  
22 very much.

23 You'd accept that we don't have unbridled  
24 freedom of expression in this country. We already place  
25 limits on freedom of expression with respect to hate speech.  
26 And perhaps putting limits on freedom of expression with  
27 respect to foreign interference is an appropriate boundary as  
28 well. Would you agree with that?

1                   **MR. SCOTT SHORTLIFFE:** I'd say that the  
2 boundaries Parliament wants to put on us is a question for  
3 Parliament.

4                   I will say that when you look at the section,  
5 the first thing it says is nothing illegal, and that refers  
6 to hate speech, it refers to terrible things such as child  
7 pornography.

8                   The CRTC will be and I hope is responsive to  
9 the will of Parliament. Should Parliament in its wisdom in  
10 the future give us a changed ambit in that regard, obviously  
11 we will be responsive to it.

12                   **MR. NEIL CHANTLER:** It's circling back to my  
13 earlier question, though. It's already baked into the  
14 legislation that you are to monitor for false and misleading  
15 news. You have these other priorities as well, but this is  
16 one of your priorities. Correct?

17                   **MR. SCOTT SHORTLIFFE:** I would say that if  
18 you break down the objectives of the broadcasting policy in  
19 section 3.1, and we have an internal debate at the  
20 Commission, it is between 60 to 80 objectives. And  
21 therefore, the Commission is always in an internal debate of  
22 which objectives are paramount over others.

23                   I would say that absolutely broadcasting  
24 false and misleading news is something that we have concern  
25 about. It's one of the reasons why we're trying to increase  
26 funding to journalism. And I would also say that we need to  
27 balance that against Parliament's direction to us to not  
28 curtail freedom of expression or journalistic independence.

1                   And when you look at some of the specific  
2 cases that are being cited, I have great concern when you see  
3 something and you say that it is directed by a foreign  
4 government and that they're using economic forces to impose  
5 this point of view. If that point of view were reached by a  
6 commentator in Canada and it is just their point of view,  
7 then that is completely legal and within the ambit of the  
8 broadcasting system.

9                   The point is not that we're trying to shape  
10 what people see or hear, but we are trying to regulate within  
11 the ambit of the many objectives of the Act and build a  
12 system that will allow Canadians to get diverse points of  
13 view and that will strengthen news production in Canada.

14                   **MR. NEIL CHANTLER:** And recognizing that  
15 determining false information is very difficult and you don't  
16 have an investigative mandate, the example was given to you  
17 of the *Safeguard Defenders* complaint and whether you had to  
18 determine whether information had been determined by torture,  
19 and that's impossible for your -- for your office to do. But  
20 what is the standard of proof that you consider when  
21 considering questions of fact?

22                   Your office has this mandate to do this. Do  
23 you -- how do you -- what do you consider to be the standard?

24                   **MR. SCOTT SHORTLIFFE:** I think it's different  
25 in every case because every case is specific. What we as  
26 staff try to do is assemble whatever information we can. If  
27 it is a broadcaster in Canada, to use our information-  
28 gathering powers so that we can present options to

1 Commissioners so that they can make an informed choice.

2 In the case of *Safeguard Defenders*, the  
3 reason why I wanted to address earlier, it, to me, points out  
4 exactly why we need to relook at our framework because when  
5 you have two conflicting points of view, you need to make a  
6 decision on the basis of imperfect information.

7 We've not closed that complaint. We've not  
8 adjudicated it. We have not said, "Well, therefore, we can't  
9 do anything about it". What we've said is there's a serious  
10 issue here.

11 But whatever precedent we set for it, we must  
12 be ready the next day when someone comes in and says, "Based  
13 on that, I believe that something I saw on BBC News  
14 contravenes that rule". In no way, by the way, am I  
15 comparing CCTV-1 to BBC News in terms of editorial  
16 independence. But our rules can't be made for a single  
17 recipient, generally. They need to be made bearing in mind  
18 that we'll apply them across the system, and it's difficult  
19 for us. It is difficult to reach that balance where we  
20 support freedom of expression, but we can also enforce rules  
21 and, frankly, it is still a work in progress.

22 **MR. NEIL CHANTLER:** On the subject of  
23 complaints, you were quite candid when you said that you  
24 could be doing a better job, your office, in how you manage  
25 complaints.

26 Do you agree the CRTC has an obligation to  
27 ensure Canadians are aware of the complaint process and that  
28 it's accessible to Canadians?

1                   **MR. SCOTT SHORTLIFFE:** Yes, I do agree with  
2 that. And I'd go farther and say that I think we all in the  
3 CRTC feel that we can and should do better, and we're working  
4 on plans to do better on that.

5                   **MR. NEIL CHANTLER:** And do you accept  
6 complaints in any of the more commonly spoken languages?

7                   **MR. SCOTT SHORTLIFFE:** We have received  
8 complaints in different languages. There's -- sometimes  
9 there are delays because we need to ask for translation, but  
10 yes, we will accept complaints in different languages.

11                   **MR. NEIL CHANTLER:** Madam Commissioner, if I  
12 may have an indulgence of about a minute to cover one final  
13 issue.

14                   **COMMISSIONER HOGUE:** Yes, go ahead.

15                   **MR. NEIL CHANTLER:** Could the court reporter  
16 please pull up CCC23?

17                   **--- EXHIBIT No. CCC0000023:**

18   Designation of Additional Chinese  
19   Media Entities as Foreign Missions

20                   **MR. NEIL CHANTLER:** Now, sir, I'm not sure if  
21 you will have had a chance to review this. It may have been  
22 in the package of material you received before your  
23 testimony. But this is a press release, a press statement  
24 from the United States Department of State. And what it  
25 draws our attention to -- if the court reporter could scroll  
26 down, please.

27   It's a little difficult to read, but leave it  
28 on the heading for a moment there.



1           Is the fact that in June 2020, the U.S.  
2     Department of State designated a number of Chinese media  
3     outlets operating in the United States to be foreign missions  
4     under the *Foreign Missions Act*. Now, we don't have such an  
5     Act, but this designation allows government more oversight  
6     and control over these entities that I understand are media  
7     entities acting in the United States, and it recognizes that  
8     these media outlets were effectively agents of the Chinese  
9     government.

10           My question for you, sir, is simply, do you  
11    see some value in Canada, in us taking similar steps with  
12    respect to media entities that are declared to be or found to  
13    be presently under Chinese control, the Government of China's  
14    control?

15           **MR. SCOTT SHORTLIFFE:** I'm going to give you  
16    what I'm sure you will find a not entirely satisfactory, but  
17    I believe honest, answer.

18           The Commission typically doesn't advise the  
19    government what rules it should impose. This is something  
20    that, if it were in place in Canada, would probably be under  
21    the authority of Global Affairs Canada, so we would not  
22    express an opinion on whether there should be such rules.

23           Having said that, when we were considering  
24    licences in Canada, the more information we can get, we  
25    always say, the better. So without saying that we would  
26    encourage this specific actor any specific action to be taken  
27    by a different part of the Canadian Government, I could say  
28    that we certainly see value in receiving more information

1 about media in Canada, and specifically media that may be  
2 arguably under control of foreign entities.

3 **MR. NEIL CHANTLER:** Thank you. I intended to  
4 go through that in a bit more detail, but I will -- I note  
5 the time. Those are my questions. Thank you.

6 **MR. SCOTT SHORTLIFFE:** Thank you.

7 **COMMISSIONER HOGUE:** Thank you.

8 Ms. Teich for the Human Rights Coalition.

9 And I must apologize, because I realized that  
10 I mispronounced your name since the beginning, so ---

11 **MS. SARAH TEICH:** That's all right. You and  
12 everyone else. Thank you.

13 **COMMISSIONER HOGUE:** Okay.

14 **--- CROSS-EXAMINATION BY MS. SARAH TEICH:**

15 **MS. SARAH TEICH:** Good afternoon. We've  
16 already covered at some length the CRTC's removal of RT,  
17 previously known as Russia Today, and RT France. So I'm  
18 going to jump over the question I had about that.

19 And if we can please pull up HRC125? Thank  
20 you.

21 **--- EXHIBIT No. HRC0000125:**

22 Revised list of non-Canadian  
23 programming services and stations  
24 authorized for distribution

25 **MS. SARAH TEICH:** This is the list of non-  
26 Canadian programming services and stations authorized for  
27 distribution in Canada.

28 And if we can please scroll down to the

1 listings under letter C?

2 And I just want to draw your attention to the  
3 last station listed under C.

4 So if we can please scroll down a little bit  
5 farther?

6 And that is Cubavisión Internacional. And  
7 just to clarify, this means that Cubavisión Internacional is  
8 authorized for distribution in Canada? Is that right?

9 **MR. SCOTT SHORTLIFFE:** That's correct. Yes.

10 **MS. SARAH TEICH:** Can we please now pull up  
11 HRC129? Thank you.

12 **--- EXHIBIT No. HRC0000129:**

13 Entrevista Especial De Russia Today

14 **MS. SARAH TEICH:** This is a clip from *Mesa*  
15 *Redonda*, one of Cubavisión's regular programs. And I'd like  
16 to play the first couple of minutes and get your thoughts on  
17 it.

18 So if I can please have the Court Operator  
19 play from the beginning of this clip up until the two minute  
20 and 35 second mark?

21 **[VIDEO PLAYBACK]**

22 **MS. SARAH TEICH:** Thank you.

23 What are your thoughts on what we just  
24 watched?

25 **MR. SCOTT SHORTLIFFE:** May I ask you in what  
26 context?

27 **MS. SARAH TEICH:** Well would you agree that  
28 the authorization of this sort of programming, which as we

1 saw, literally plays RT programming, presents a loophole in  
2 the removal of RT?

3 **MR. SCOTT SHORTLIFFE:** I'd say that, again,  
4 you've shown me a video clip which I don't have a lot of  
5 context around. Were a complaint to be brought to us about  
6 this program -- sorry, this authorized for distribution  
7 channel, we would have to look at it, we would have to look  
8 at it in the context of the framework we're presenting.

9 Presenting me with an individual clip of an  
10 individual broadcast does not give me a lot of information  
11 and I could not issue a ruling on it. I'm not a decision  
12 maker for the CRTC. I'm a member of staff who gives advice  
13 to the decision maker. So I understand and respect why you  
14 want to bring it to our attention. I will admit I am not a  
15 regular viewer of Cubavisión Internacional, so it is not  
16 something that I'm aware of. Whether or not it would  
17 constitute a loophole under our rules is not something that I  
18 can directly address.

19 **MS. SARAH TEICH:** Okay. Thank you. No  
20 further questions.

21 **MR. SCOTT SHORTLIFFE:** Thank you.

22 **COMMISSIONER HOGUE:** Thank you.

23 Counsel for Jenny Kwan. Ah, here she is.

24 **MS. MANI KAKKAR:** Good afternoon,  
25 Commissioner.

26 **COMMISSIONER HOGUE:** Good afternoon.

27 **--- CROSS-EXAMINATION BY MS. MANI KAKKAR:**

28 **MS. MANI KAKKAR:** Good afternoon to the

1 panelist as well, Mr. Shortliffe. I hope that everyone can  
2 hear me. Mr. Shortliffe in particular, are you able to hear  
3 me?

4 **MR. SCOTT SHORTLIFFE:** Yes, I am. Thank you.

5 **MS. MANI KAKKAR:** Thank you. This afternoon  
6 I have some questions for you around three central themes.  
7 The first is whether CRTC rules and regulations capture  
8 certain forms of what I'm going to refer to as FI or foreign  
9 interference activity, as Ms. Rodriguez brought you to in her  
10 questions to you, as well as information we received from  
11 panelists, who I understand you didn't have an opportunity to  
12 hear in full today, but I will provide you with sort of the  
13 key information so you're able to, for this exercise, answer  
14 those questions. So that's the first theme.

15 The second is a theme around how the CRTC  
16 scrutinizes ownership and can detect changes to a licensee's  
17 situation more broadly.

18 And then the final theme I'd like to address  
19 today is confidentiality in the complaints processes.

20 **MR. SCOTT SHORTLIFFE:** M'hm.

21 **MS. MANI KAKKAR:** So starting with the first  
22 one, Ms. Rodriguez brought you to a particular situation  
23 where she mentioned that the panelist had described Chinese  
24 language radio stations as being owned by individuals and  
25 that the PRC is able to exert influence on their business  
26 interests in the PRC, the business interests of the  
27 individuals that own the radio stations.

28 I wanted to ask whether this sort of

1 influence can be detected or falls afoul of the rules and  
2 regulations of the CRTC?

3 **MR. SCOTT SHORTLIFFE:** What I would say is  
4 that it's of great interest to the CRTC because of our  
5 regulation saying that you not only have to be -- that you  
6 have to be controlled in fact by Canadians.

7 What I understood from the material being  
8 brought forward today is raising questions saying are you in  
9 fact controlled by Canadians are you in fact being controlled  
10 by the PRC, without, you know, ruling either way on that,  
11 because I'm not a position to do so, I would say that would  
12 be in the interest -- of great interest to the Commission and  
13 something that we would probably wish to pursue further and  
14 gather more information about.

15 **MS. MANI KAKKAR:** And if you were able to  
16 pursue it further and gather that information, in your view,  
17 do you or the Commission have the tools to be able to  
18 scrutinize that and to take steps?

19 **MR. SCOTT SHORTLIFFE:** I think that we  
20 certainly have the ability to take steps. In terms of  
21 scrutiny, it would depend on what information is being  
22 brought forward in what manner. The default of the  
23 Commission is that we operate in the public, we operate on  
24 the basis of the public record, that people submit material  
25 under their own name so there could be a response to that.

26 One of the things that I understood from the  
27 limited amount I heard this morning, and I do apologize,  
28 because it is very limited, but I did understand that people

1 are raising questions of retribution. I have to say this is  
2 something that I don't believe the Commission has needed to  
3 grapple with in the past. It raises, therefore, a series of  
4 questions where we have conflicting values. The first one is  
5 we want our testimony to be public and on the record, but  
6 that we had material raised today that opened questions about  
7 would individuals doing that be subject to retribution? I  
8 cannot speak to how the decision would adjudicate that, but I  
9 do think it is a different question for the Commission than  
10 one it regularly faces when it is issuing licences.

11 **MS. MANI KAKKAR:** I appreciate your answer.

12 I think the two other situations that I  
13 wanted to discuss with you in the same way, I'll describe,  
14 and I'd appreciate your thoughts on them. One that was  
15 described by panellists this morning was a situation in which  
16 an editorial board was influenced by their publisher and  
17 provided pushback to a journalist on how they were reporting  
18 certain PRC events and the narrative.

19 The other that came up was that specific  
20 journalists were either incentivized by foreign governments,  
21 whether it was trips or invitations to exclusive events, or  
22 disincentivized by additional scrutiny on perhaps visa  
23 applications to visit those foreign countries where they may  
24 have family, that is Canadian nationals now require a visa,  
25 if they reported in a certain way.

26 So whether it's the editorial board that's  
27 influenced or journalists directly through these kinds of  
28 economic incentives or disincentives, would these be captured

1 by the CRT's current rules and regulations?

2 **MR. SCOTT SHORTLIFFE:** Again, I'd have to say  
3 it'd be something that would be of interest to the CRTC. We  
4 would have to look at what evidence there is, because a bare  
5 allegation would be difficult for us to take action on,  
6 unless there was supporting evidence.

7 I will say that we support free and  
8 independent journalism in Canada, which includes journalistic  
9 code of ethics. A journalistic code of ethics certainly is  
10 against taking inducements from anyone that you are covering  
11 in a story; that would be very troubling to us.

12 We would have to look at it on a case-by-case  
13 basis. And I apologize; I'm not trying to seem evasive here.  
14 But I would say that these allegations would be of interest  
15 to us.

16 The extent to which we could pursue them,  
17 would -- under our own authority is something we would have  
18 to explore, and I'm unaware of what we would be able to do if  
19 the allegations touch on actions that are happening outside  
20 of Canadian borders; it is something that we would have to  
21 explore as a Commission.

22 **MS. MANI KAKKAR:** I appreciate your answer.  
23 And you don't need to apologize, I understand that this is a  
24 high level exercise in some ways, so details would matter.  
25 But would you agree with me that it's fair to say that the  
26 CRTC scrutinizes entities' ownerships but does not scrutinize  
27 some of these harms that we've talked about that arise out of  
28 foreign interference influence to journalists and editors,



1 and maybe it should consider expanding the current roles to  
2 capture this kind of activity because there are similar harms  
3 that are trying to be prevented?

4 **MR. SCOTT SHORTLIFFE:** What I would say --  
5 and, again, I'm being cautious; speaking as staff and not as  
6 the Commission members.

7 **MS. MANI KAKKAR:** Right.

8 **MR. SCOTT SHORTLIFFE:** I would say that  
9 there's evidence being brought forward in this proceeding  
10 that I think is of great interest to the Commission and is  
11 probably raising issues that we are going to wish to follow-  
12 up on as a Commission. And then I have to be, I'm afraid,  
13 very vague about what they specifically may be.

14 But I will say that the evidence that we're  
15 hearing presented at this Commission raises questions about  
16 not knowing what we don't know. And I think that there may  
17 be issues around foreign interference where the Commission  
18 has not pursued them because we're not aware of them, either  
19 for national security reasons or because we did not have  
20 people bringing forth complaints or evidence to us, or that  
21 if we adjudicated them we considered there wasn't enough  
22 evidence.

23 But I think that there are issues being  
24 raised here that, again, without presupposing what our  
25 answers might be, which may be that they don't rise to a  
26 level of evidence we can action on, that are certainly of  
27 interest to us, and I will say that is certainly something  
28 that the Commission will be contemplating coming out of these

1 proceedings.

2 **MS. MANI KAKKAR:** I appreciate that. And  
3 your part about knowledge in your answer actually makes me  
4 want to switch my -- the order of the questions that I'm  
5 going to ask. So I'll actually ask you about confidentiality  
6 in the complaints first because you talked about not knowing  
7 what you don't know.

8 One way in which the CRTC can get information  
9 is through the complaints process by individual complaints.  
10 And I appreciate you mentioned that confidentiality is not  
11 possible if you can't make an anonymous complaint.

12 There's also the tension, though, that those  
13 that are affected by FI are worried about retaliation or  
14 retribution from those state actors and may find comfort in  
15 confidentiality or anonymity, and that may promote the CRTC's  
16 ability to get more information.

17 Do you have thoughts on the confidentiality  
18 requirement?

19 **MR. SCOTT SHORTLIFFE:** Yes, and I thank you  
20 for the question because I think it is something the  
21 Commission needs to grapple with.

22 When we've looked at issues of  
23 confidentiality in the past, often we're dealing with  
24 commercial confidentiality so not the -- not who a party is  
25 but saying that we have material we wish to submit that is  
26 subject to commercial confidence because it could change our  
27 market position or something like this, and we have a record  
28 of protecting that, and a very good record of protecting

1 that.

2 I think there have been cases where  
3 individuals have come forward with a complaint and we have  
4 asked them, "Do you wish us to pursue this publicly?" And  
5 they've said, "No, no, no. I just want to be able to tell  
6 you." But they haven't typically been about election  
7 interference, it's just, you know, "I want to vent about  
8 somebody, and I don't want you to use my name."

9 I think what you're posing to us is a  
10 question of someone who has a fear of retaliation. We would  
11 have to have to balance that with saying that if we are going  
12 forward and saying to someone, "There is an allegation  
13 against you. In order for you to reply in a way that we can  
14 use, do you need to know where this allegation's coming from  
15 and the individual?" I think that is a question that we need  
16 to deal with as the Commission. I can't give you a firm  
17 answer today, other than to say that I think it is a fair  
18 question to pose us.

19 **MS. MANI KAKKAR:** I appreciate that, and I  
20 see that my time is up.

21 Commissioner, may I please ask for an  
22 indulgence to ask my last two questions?

23 **COMMISSIONER HOGUE:** Yes, if they are short.

24 **MS. MANI KAKKAR:** I will keep them short.

25 Mr. Shortliffe, I just wanted to ask; the  
26 CRTC scrutinizes ownership. If there's a corporate owner of  
27 a private company, how far can you dig? Can you figure out  
28 who the shareholders of that corporate owner are? Are they

1 foreign or Canadian nationals if it's a Canadian corp, or is  
2 there a degree of fog, or, like, a lack of visibility?

3 **MR. SCOTT SHORTLIFFE:** We can keep digging  
4 till we're satisfied.

5 **MS. MANI KAKKAR:** Okay.

6 **MR. SCOTT SHORTLIFFE:** And if we're  
7 unsatisfied, then that could play into us refusing a  
8 transaction.

9 **MS. MANI KAKKAR:** That's helpful.

10 And the last thing I wanted to ask was you  
11 had mentioned that licensees have to notify you of a change  
12 of ownership. But let's say, because you look at control  
13 more broadly, they -- after getting their licence, they get a  
14 loan from a foreign bank or related to a foreign actor, do  
15 they have to disclose that kind of information to you so that  
16 you can reevaluate control?

17 **MR. SCOTT SHORTLIFFE:** I've got to be very  
18 cautious here because I'm not in charge of the ownership  
19 group right now. My understanding is I don't believe so  
20 because, you know, if you look -- I'll take a Canadian  
21 corporation. I mean, they have deals with banks all the time  
22 and they're not telling us what they are because those are  
23 investment decisions.

24 What I would say is that if someone brought  
25 something to our attention that was specific and a matter of  
26 concern, we always have the ability to investigate under  
27 our ---

28 **MS. MANI KAKKAR:** Thank you so much for your

1 testimony. And thank you, Commissioner, for the indulgence.

2 **COMMISSIONER HOGUE:** Thank you. Attorney  
3 General, do you have any questions?

4 **--- CROSS-EXAMINATION BY MS. MARIA BARRETT-MORRIS:**

5 **MS. MARIA BARRETT-MORRIS:** Hi, Maria Barrett-  
6 Morris for the Attorney General of Canada.

7 I just have two topics I'd like to address  
8 with you. The first one, I think I heard near the end of  
9 Commission counsel's questioning that CRTC is devoting funds  
10 to independent news as a way of countering disinformation.  
11 Did I hear that correctly?

12 **MR. SCOTT SHORTLIFFE:** Yes.

13 **MS. MARIA BARRETT-MORRIS:** Okay. Can you  
14 explain how independent news counters misinformation and  
15 disinformation?

16 **MR. SCOTT SHORTLIFFE:** Yes. I mean, the CRTC  
17 believes, as a matter of policy, that independent news voices  
18 are vital for democratic institutions in Canada. The more  
19 that a, for example, I'll take that we're creating a fund for  
20 radio news. The more that a radio station are able to hire  
21 fulltime journalists or employ more fulltime journalists, the  
22 more they are able to cover stories, the more they're able to  
23 go into issues of community concern. And, specific, we're  
24 trying to devote funds to areas that are local areas, not  
25 just national news because for Canadians to be informed of  
26 what's happening in their communities, they need to have  
27 local news.

28 These are funds that we are in the process of

1 setting up. They are -- I keep on saying public processes;  
2 we currently have public processes open where we're actually  
3 setting up these funds. But we think that it is an important  
4 part of strengthening Canadian democracy to have more local  
5 news funds available, especially as local news has been  
6 particularly affected ever since the COVID-19 pandemic, and  
7 there are fewer voices available than there used to be.

8 **MS. MARIA BARRETT-MORRIS:** Is this related to  
9 your role with respect to the *Online News Act*?

10 **MR. SCOTT SHORTLIFFE:** It is, and it isn't.  
11 In this case, we are actually using the *Online Screening Act*,  
12 C-11, which is now part of the *Broadcasting Act*, to direct  
13 funds that we will be better coming into the system from  
14 foreign streaming services. We've said they needed about  
15 five percent of their gross revenues in Canada to a variety  
16 of areas, which includes news and in both audio and  
17 audiovisual streaming.

18 Our responsibilities for the *Online News Act*  
19 are a bit separate, but analogous. There we have a much more  
20 limited policy role, really. Government established the  
21 policy framework and how it's going to work and that there's  
22 an avenue for Google to ask for an exemption that will then  
23 bring \$100 million into the system.

24 Our role's more to administer that, to ensure  
25 that it works. We have less of a policy role, whereas the  
26 money I was referring to earlier is where we've made a  
27 proactive policy decision to try to direct more funding  
28 towards news in the Canadian media ecosystem.

1                   **MS. MARIA BARRETT-MORRIS:** Thank you.

2                   Do you view CRTC's role with respect to the  
3                   *Online News Act* as also contributing to countering  
4                   misinformation and disinformation?

5                   **MR. SCOTT SHORTLIFFE:** Absolutely.

6                   **MS. MARIA BARRETT-MORRIS:** And how is that?

7                   **MR. SCOTT SHORTLIFFE:** Under the *Online News*  
8                   *Act* -- and again, the policy framework was set up by the  
9                   government, so I can't take -- the Commission can't take too  
10                  much credit for it. But the intention is that it will  
11                  provide, if the Google exemption is ultimately approved, a  
12                  minimum of \$100 million into the system. That will  
13                  strengthen qualified journalistic organizations across  
14                  Canada.

15                  It will be administered by a separate body  
16                  selected by Google. This is currently in front of us to make  
17                  a decision. They have an exemption request for us. But the  
18                  intent of the *Online News Act* is certainly to strengthen  
19                  journalism across Canada in many different outlets,  
20                  particularly in print outlets, which is a new group for the  
21                  CRTC to work with.

22                  And we see our role as being very important  
23                  to assure that the news system in Canada is strengthened  
24                  through that.

25                  There's also a public reporting part of it.  
26                  We need to commission an independent auditor report every  
27                  year to see where that money has gone. That will also enable  
28                  us to ensure that the money is being used to strengthen news

1 in Canada.

2 **MS. MARIA BARRETT-MORRIS:** Thank you.

3 And your role under the *Online News Act* is  
4 also to oversee the bargaining framework that ensures fair  
5 compensation of news businesses whose content is broadcast on  
6 internet platforms?

7 **MR. SCOTT SHORTLIFFE:** It is, although  
8 government regulation then offered two paths. The first is  
9 that we would oversee the bargaining framework. It would be  
10 bargain by bargain. That is still very much a possibility.  
11 The second is that we would issue an exemption in return to a  
12 monetary contribution in this case by Google.

13 That's before the Commission which way we  
14 would go, but either way, we would either be overseeing  
15 bargaining or we'd be approving one bargain deal. Either  
16 way, it's meant to assure the entry of money into the news  
17 system in Canada.

18 **MS. MARIA BARRETT-MORRIS:** Thank you. That's  
19 really helpful.

20 The second topic that I'd like to address  
21 with you is also near the end of questions you received from  
22 Commission counsel, you mentioned CRTC's engagement with  
23 Public Safety to explore if and how information on foreign  
24 interference can appropriately be shared with the CRTC. Do  
25 you remember that?

26 **MR. SCOTT SHORTLIFFE:** Yes.

27 **MS. MARIA BARRETT-MORRIS:** And it sounds like  
28 CRTC and Public Safety is engaging and you're considering



1 potentially a protocol for information sharing. Is that  
2 fair?

3 **MR. SCOTT SHORTLIFFE:** What I should say is  
4 we -- this is still very nascent. We've only had  
5 introductory meetings.

6 I think what came out of those meetings was a  
7 willingness on both sides to explore what information could  
8 be shared and how. I think we signalled from the perspective  
9 of the Commission a great interest, also noting that many of  
10 our Commissioners who are the decision-makers don't have  
11 security clearances and that we have to act on the basis of  
12 public records within that framework saying that we would be  
13 very interested in what information could be shared  
14 appropriately.

15 What I took from my colleagues at Public  
16 Safety is they were very interested in exploring it also from  
17 their end and that we left the meeting with the general  
18 agreement that this is something we should explore more  
19 together.

20 **MS. MARIA BARRETT-MORRIS:** And when you say  
21 "appropriately", you mentioned that one factor that you're  
22 considering is the public nature of CRTC's processes. That  
23 factors into whether or not it's appropriate to share  
24 information?

25 **MR. SCOTT SHORTLIFFE:** I would say it does.  
26 And it doesn't mean that they can't share information, but  
27 for example -- and I am going to take a very theoretical  
28 here. I have a secret clearance. They could share

1 information with me. If I could not brief the decision-  
2 makers on that information, that would obviously be an issue  
3 for the decision-makers pursuing that information, so there  
4 are questions around that. But within that ambit, I think  
5 there is much more that we could discuss.

6 **MS. MARIA BARRETT-MORRIS:** And another piece,  
7 I imagine, you indicated is the CRTC's independence.

8 **MR. SCOTT SHORTLIFFE:** Yes.

9 **MS. MARIA BARRETT-MORRIS:** So you'd want to  
10 ensure that, by virtue of that information sharing, your  
11 independence is not fettered.

12 **MR. SCOTT SHORTLIFFE:** Absolutely.

13 **MS. MARIA BARRETT-MORRIS:** So CRTC -- Public  
14 Safety have not yet made a decision on whether or not  
15 information can be shared to CRTC. Is that fair?

16 **MR. SCOTT SHORTLIFFE:** That is fair, yes.

17 **MS. MARIA BARRETT-MORRIS:** How were those  
18 engagements with Public Safety initiated?

19 **MR. SCOTT SHORTLIFFE:** To my knowledge, they  
20 were initiated at the Deputy Head level. It was then passed  
21 down to my secretary general, myself and a meeting was set up  
22 sort of at the ADM level.

23 I must say I don't know -- I don't have full  
24 information on how it was generated. What I could say is  
25 that our Chairperson, who is also our Deputy Head, told me  
26 that she would like us to pursue this, arranged meetings for  
27 us, and we proceeded on that basis.

28 **MS. MARIA BARRETT-MORRIS:** Are you aware

1       whether it was CRTC or Public Safety who reached out to the  
2       other first to engage?

3                   **MR. SCOTT SHORTLIFFE:** I am not aware, no.

4                   **MS. MARIA BARRETT-MORRIS:** Okay. Thank you  
5       so much.

6                   **MR. SCOTT SHORTLIFFE:** Thank you.

7                   **COMMISSIONER HOGUE:** Thank you.

8                   Counsel for the CRTC, do you have any  
9       questions?

10                  **MR. JAMES WILSON:** No questions.

11                  **COMMISSIONER HOGUE:** Thank you.

12                  Ms. Rodriguez, re-examination?

13                  **MS. NATALIA RODRIGUEZ:** Not today. Thank  
14       you.

15                  **COMMISSIONER HOGUE:** So we will thank you,  
16       Mr. Shortliffe. It's over for you, so you're free to go.  
17       Thank you very much for your time.

18                  **MR. SCOTT SHORTLIFFE:** Thank you.

19                  **COMMISSIONER HOGUE:** And we'll resume  
20       tomorrow morning at 9:30.

21                  **THE REGISTRAR:** Order, please.

22                  The sitting of the Foreign Interference  
23       Commission is adjourned until tomorrow, the 2nd of October,  
24       at 9:30 a.m.

25       --- Upon adjourning at 4:35 p.m.

26

27

28

C E R T I F I C A T I O N

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I, Sandrine Marineau-Lupien, a certified court reporter,  
hereby certify the foregoing pages to be an accurate  
transcription of my notes/records to the best of my skill and  
ability, and I so swear.



Sandrine Marineau-Lupien