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Chair

Mr. Stephen Fuhr

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• (1545)

[English]

The Chair (Mr. Stephen Fuhr (Kelowna—Lake Country, Lib.)): I would like to welcome everybody to the defence committee on Standing Order 106(4), as requested by the opposition parties.

Before I turn the floor over to MP Bezan, he's asked a couple of questions in the House in the last day or two.

I think they merit an answer, James, so I'm going to give you the answer that I think you already know, which is with regard to how this meeting is to be conducted, because it's germane to today's get-together.

You came to me and asked me if we could have this meeting televised, and I said I would check into it, which I did. I was told that although these rooms, the modern rooms—and we have many of them in this building and in the other new building—have the capability to televise, we don't actually have the capacity because we don't have enough crews. That was the answer that I received—because other committees wanted to be televised.

I then asked you if there was something else I could do to accommodate you, and you asked if we could move from our regular room to a bigger room so that we could accommodate more people and the press. I said I would check, and I subsequently moved the meeting to this room. As you notice, this is not our normal room. I did pretty much what I could to accommodate your requests.

I did look back in time and found that there have been three meetings called on Standing Order 106(4) in the history of this defence committee, two in the 42nd Parliament, while I've been the chair, and one that was held in public. There was one that was televised, one that was public, where people can come in, and we just had a whole bunch of press here. The third meeting, under a different Parliament and a Conservative government, was held in camera.

I think I've done my part. We've done our part to be as transparent as we can. This meeting is open to people who want to watch, listen or do whatever they need to do. This is a transparent process. Unfortunately, we didn't get exactly what you wanted, but I did the best I could to give you what I could.

With that, I'm going to give you the floor to move your motion and make your point.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): Thank you, Mr. Chair.

You had a chance yesterday and today to answer that question in the House, and unfortunately you didn't take those opportunities. I'll just say this: although we do have a camera in the room, it's still not the same as being live-televised. I don't believe that there is great interest in some of the other committee meetings that are taking place. I know that opposition parties requested that the heritage committee not be televised in order to free up the resources to televise this committee meeting.

With that said, I will just refer everyone to the May 12 letter that was signed by four members of the committee. It states quite clearly:

The Prime Minister on numerous occasions prejudiced the conduct of [the matter of Vice-Admiral Mark Norman] by inappropriately anticipating that the RCMP's investigation would result in a prosecution. This suggests that he and his cabinet had inappropriate access to information regarding an independent criminal proceeding.

It is also clear that the government tried to politically interfere in a shipbuilding contract. When this came to light he reacted by smearing the reputation of a highly respected naval officer. This has had a deleterious effect on the morale of the Canadian Armed Forces.

Should the Committee agree to study these troubling developments at an emergency meeting next week, we would be prepared to move the following motion:

That, the Committee invite the following witnesses to appear:

Vice-Admiral Mark Norman;

Prime Minister Justin Trudeau;

Minister of National Defence Harjit Sajjan;

Minister of Justice David Lametti;

Minister of Public Safety Ralph Goodale;

Minister of Public Services and Procurement Carla Qualtrough;

Former President of the Treasury Board Scott Brison;

Former Minister of Public Services and Procurement Judy Foote;

Chief of Defence Staff Jonathan Vance;

Former Clerk of the Privy Council Michael Wernick;

Prime Minister's Chief of Staff Katie Telford;

Former Prime Minister's Principal Secretary Gerald Butts;

Member of Parliament for Orléans Andrew Leslie; and

Director of Policy for the Minister of Democratic Institutions James Cudmore that pursuant to Section 10(3) of the Parliament of Canada Act, the witnesses are to be sworn;

that each witness appear individually on a panel, for no less than one hour;

that all witnesses appear no later than May 24, 2019; and

that the committee meetings be televised.

That is why we're meeting today. Now I'll just speak to that motion.

As we know, last week the Crown stayed all charges against Vice-Admiral Norman for breach of trust, citing that there was no reasonable prospect of conviction. Right after that, Minister Sajjan announced that he would cover all the legal costs for Vice-Admiral Norman. Vice-Admiral Norman was serving as vice chief of the defence staff until his suspension in January of 2017, but he wasn't charged by the RCMP until March of 2018, so he was out of his role as vice chief of the defence staff for over 13 months.

Norman's defence team alleged during the court proceedings that the Prime Minister's Office was trying to direct the prosecution. That comes right from Norman's defence team. In February, the RCMP charged a second public official with breach of trust over the alleged leak of cabinet documents surrounding the \$700-million naval shipbuilding contract for a supply ship.

There is growing evidence that Prime Minister Trudeau and the Liberal government politically interfered in this case and tried to destroy Vice-Admiral Mark Norman. They besmirched his reputation and good character. As the prosecution made clear during the press conference last week, the documents that the Prime Minister had and the Liberals were fighting to keep secret from them and from Vice-Admiral Norman were the very documents that caused his charges to be dropped.

This is a very damning indictment on the Government of Canada. This strongly suggests that the Liberal government was deliberately suppressing this evidence in order to maintain a bogus and politically motivated prosecution of Vice-Admiral Mark Norman. This is most certainly political interference, and Canadians deserve answers, as do we parliamentarians.

From withholding key documents that could have exonerated Vice-Admiral Norman to using code names in email exchanges to avoid access to information requests, to having government lawyers coach witnesses, this whole case has been politically motivated since day one.

Now, as opposition members, we'll work to show that the Prime Minister's behaviour is appalling, and it is our responsibility as parliamentarians to hold the government to account.

• (1550)

Whether you sit in the governing party or whether you sit in the opposition benches, we have a responsibility to hold the government to account. When we have a justice system that seems to be under attack, based upon on what we saw on SNC-Lavalin and Jody Wilson-Raybould to what we see with Vice-Admiral Norman, it appears that we have a two-tiered justice system. It looks like there's one for the Prime Minister and his friends and there's another one for everyone else—like Vice-Admiral Norman.

There are a lot of questions that we need answers to. Vice-Admiral Norman said in his statement last week that he has more to say and a story to tell that Canadians will want to hear. Some of the information has been out in the public record, and I want to put it on our record here in Parliament. Why was Vice-Admiral Norman singled out for charges? Was this politically motivated? Was it coming straight from the Prime Minister or his office?

In Hansard the Prime Minister said this week, on May 14, that:

Measures were brought forward against the vice-admiral at the direction of the chief of defence staff. That is known by everyone.

That's one of the reasons why we need to have the chief of the defence staff, General Vance, here to answer to the Prime Minister's accusations.

David Pugliese wrote the following on December 4:

Thanks to the recently filed court records by Norman's lawyer the public now knows that the Privy Council Office conducted its own internal investigation into the alleged leak of information. The Privy Council investigation determined that 73 people knew about the outcome of the meeting of cabinet ministers about the naval supply ship after it concluded.

We will provide that document that has every single name on it.

We have a question: Why wouldn't the Liberal government release the documents that were requested via subpoena from the court? In question period, Minister Lametti claimed that:

...as I have stated a number of times over the course of the last couple of weeks, this government, and my department in particular, [filled] all of [its] obligations with respect to documents requested in the proceedings.

We heard this over and over again in question period. He went on to say:

That system worked well today. Members do not have to just believe me. They can believe the lawyer for Vice-Admiral Norman, who said the rule of law worked.

However, what Marie Henein actually said was this:

You should be very concerned when anyone tries to erode the resilience of the justice system or demonstrates a failure to understand why it is so fundamental to the democratic values we hold so dear. There are times you agree with what happens in a court...[at] times you don't. And that's fine. But what you don't do is you don't put your finger and try to weigh in on the scales of justice. That is not what should [happen]...We have been, and you have all been with us for six months, as we have tried, day in and day out, to try to get that material. It should have been handed over. It should have been handed over to the RCMP. It should have been handed over to the prosecution. It was not. As to the why, I don't know. I leave you to answer that.

That's a direct quote from the press conference last week by Marie Henein.

As well, why did the Liberal government fight to keep these documents secret that could have exonerated Vice-Admiral Mark Norman months ago if not right off at the beginning of this terrible ordeal three years ago? The evidence again was reported by Murray Brewster with the CBC. It says:

It isn't clear whether the Mounties or the Crown knew before laying the breach-of-trust charge that Norman had clear marching orders from the Harper government.

That information [could] have been contained in a pile of Conservative-era cabinet documents that the current Liberal government fought to keep secret.

"The RCMP didn't have it, and didn't look [at] it," said Norman's lawyer Marie Henein last week at a news conference after the Crown stayed the charge against her client.

That was last week, May 13, on CBC.

Now, there have been claims that some of our former cabinet ministers and Prime Minister Harper could have rejected to waive cabinet confidence. Well, Stephen Harper actually tweeted back on December 1, 2018, about a story in the Ottawa Citizen:

This story is false and should be corrected. I have indicated no objection to the release of any document relevant to the Norman case. This is a transparent effort to deflect attention from the current government.

So Prime Minister Harper had given Prime Minister Trudeau full authority to access those cabinet documents that related to the Vice-Admiral Norman case.

• (1555)

There's also a question about what the Liberal government was trying to cover up by using code names to evade access to information requests about Vice-Admiral Norman. This was reported, again by David Pugliese, back on December 20:

The Canadian Forces says it is looking into whether a general alleged to have boasted about purposely hiding records needed in the defence of Vice-Admiral Mark Norman acted in bad faith...One witness called by Norman's lawyers to testify revealed that his superior, a brigadier general, told him Norman's name was deliberately not used in internal files—meaning any search for records about Norman would come up empty.

The witness, a military officer, said he was processing an access-to-information request [back] in 2017 that returned no results. When he sought clarification, the witness testified the general smiled and told him: "Don't worry, this isn't our first rodeo. We made sure we never used his name. Send back the nil return."

That's terrible if they were being directed, within the Department of National Defence, to skirt around our access to information laws and purposely hide documentation that could have exonerated Vice-Admiral Mark Norman and that could have been used to give to the RCMP in their investigation as early as 2017.

There have also been questions around people being coached by legal advisers in the Prime Minister's Office. We also want to know who in the Department of National Defence and the Government of Canada counselled the defence minister's former chief of staff, Zita Astravas, not to search her personal phone for references to Vice-Admiral Norman, and why. This was reported by Lee Berthiaume on January 31:

Astravas testified that after being subpoenaed, she only searched her work phone and email account for records related to Norman, not her personal phone and account. She said that was in line with advice from Defence Department lawyers.

I think a lot of people are asking that...just a few days after retired general and member of Parliament for Orléans, Andrew Leslie, offered to testify in support of his friend Vice-Admiral Mark Norman. Evan Solomon reported the following on May 3:

Former star candidate and now outgoing Liberal MP Andrew Leslie is on the witness list to testify, if called, against the government on behalf of suspended Vice-Admiral Mark Norman in the high-profile case about the alleged [leaks] of cabinet documents, CTV...has [just] learned.

What information did Andrew Leslie have that would add value to our investigation as a committee?

We also want to know what evidence Vice-Admiral Norman's defence team presented to the Crown that immediately caused the public prosecutor to stay the charges because they had no opportunity to convict. Jim Bronskill of the Canadian Press wrote the following:

RCMP investigators say they're not sure why the Mark Norman case collapsed because they haven't seen the new evidence that led to the stay of a breach-of-trust charge against the naval officer.

If the RCMP couldn't get that information, we need to know what that information is. We know that there are now reports by the media that the RCMP is looking for that information. Again, the government is in possession of it. Why wouldn't they share that information with the RCMP? The public prosecutor has it because it

was given to them by the defence team. These are questions we have that can best be answered here at our committee table.

The question is, did the Liberal government use Vice-Admiral Norman as an example of what will happen to anyone who opposes the Prime Minister's political agenda? Just recently, the Macdonald-Laurier Institute wrote a report on the fighter jet fiasco. They referenced the Norman case as follows:

The Norman affair has made it particularly apparent the lengths to which the government will go to stifle leaks.

They also wrote this:

...the Liberal government has successfully employed a number of techniques to conceal its historic levels of procurement mismanagement. These include an unprecedented gag order on military and civilian personnel, the effects of which have been magnified by the upcoming trial of Vice Admiral Mark Norman for breach of trust over leaked cabinet documents relating to the Auxiliary Oiler Replenishment...contract.

That's why we need to hear from Minister Qualtrough, Scott Brison and Judy Foote.

I think when you really look at the question, was there political interference in the court by the bureaucratic arm of the Prime Minister's Office...? Janice Dickson wrote the following on February 11, looking at Justice Perkins-McVey, who actually made some comments on it at the trial on February 11:

• (1600)

The allegation of Privy Council Office intervention prompted the Ontario Court of Justice judge presiding over the...case on Monday to question the independence of the Public Prosecution Service of Canada. "So much for the independence of the PPSC," Justice Heather Perkins-McVey interjected.

Partly redacted notes and an e-mail exchange between defence lawyer Christine Mainville and one of the lead prosecutors, Barbara Mercier, were filed in court. Ms. Mercier wrote in an e-mail that the notes from meetings with officials at the Privy Council are redacted because they deal with "trial strategy."

So the Crown prosecutors were meeting with the Privy Council lawyers and legal advisers to the Prime Minister about trial strategy. That really calls into question the independence of our judicial system, especially with the director of public prosecutions, who is supposed to be completely at arm's length from the government.

Janice Dickson continued:

Ms. Mainville said the Crown's position is "more concerning" than the allegations relating to SNC-Lavalin because the Crown dealt directly with the Privy Council Office.

This is much more damning than what we heard in the SNC-Lavalin affair. That's why we need to dig down to the bottom of this, to ensure the independence of our judicial system.

Murray Brewster went on to report the following on February 15:

The top lawyer at the Privy Council Office apparently asked federal prosecutors if it was possible to "engineer the issues at stake" in the criminal case against Vice-Admiral Mark Norman.

The remarks—made on Sept. 14, 2018 and attributed to PCO lawyer Paul Shuttle—were contained in prosecution notes entered into evidence at a pretrial hearing involving the former vice-chief of the defence staff, who faces one count of breach of trust.

Engineering the issues at stake: Again, that is interference, persuasion and inappropriate contact between the PMO, the PCO, with the director of public prosecutions.

I ask that we as members of the Standing Committee on Defence take this opportunity to pull back the curtains and let the light in so that we can have a fulsome discussion and investigation, under parliamentary privilege for our witnesses, and take the time to dig down to the bottom of this. We know that members of the Canadian Armed Forces and veterans are very, very concerned about how Vice-Admiral Norman has been treated. They're concerned that the gag orders, the intimidation and the example set by charging and prosecuting Vice-Admiral Norman have sent a chill throughout the forces and brought in this culture of intimidation and a culture of fear because of the actions of the government.

For those of us who have large military communities in our riding, we know that those members are very worried about the mistreatment of Vice-Admiral Mark Norman. I would request that each member who has those connections with the military and with our veterans communities...would want to get down to the bottom of this; that we get down to the truth and allow Canadians and us as parliamentarians to ensure that we have a truly independent legal system, that there is separation between the state and our justice department, and that when it comes down to criminal trials and prosecution, we are guaranteed that politics isn't interfering in the independence of our judicial system.

• (1605)

The Chair: Thank you.

I will explain how I'd like to proceed. I'll turn the floor over to MP Garrison, and then I have a number of MPs who would like to speak. To start, I'll go to the party that was the other signatory to Standing Order 106(4). Then I'll take it over to the Liberals. I have a number of people after that.

If you want to speak, let me know. We all know that there's no time limit here, but please be respectful of the fact that a number of people want to speak.

I will yield the floor to MP Garrison.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thanks very much, Mr. Chair.

I signed the letter asking for today's meeting to consider hearings by the defence committee into what will always be known as the Vice-Admiral Norman case, involving the abandoned breach of trust prosecution.

I did so primarily because I was concerned about, and I remain concerned about, damage to Vice-Admiral Norman, who served this country with honour and distinction. I'm concerned about damage to his career, I'm concerned about financial damage that he may have suffered. I am concerned about the impacts on his family of this long, drawn-out process. Most importantly, I am concerned about the damage to his reputation as a naval officer.

I believe that we have sufficient evidence in public to suggest political interference in this failed prosecution, especially in the wake of the SNC-Lavalin affair, which also raised very serious concerns about attempted interference in a prosecution.

There are three specific reasons I felt this committee should hold hearings. The most important of those for me was to give the chance for Vice-Admiral Norman to tell his story in public. The government

has virtually unlimited possibilities for telling its story and getting attention to its version. Even the opposition parties have a lot of space in public to talk about this case. Vice-Admiral Norman doesn't have that opportunity. I think it's very important he be afforded an opportunity to come here—and as he said, he has more to say—to say that on the record in public before this committee.

The second reason was to examine the role of the defence minister. There many aspects of this case that touch on a minister who we provide oversight for in this Parliament. There are the questions about the handling, or not handling, of evidence needed by the defence in this case. There are questions about the treatment of Vice-Admiral Norman during this whole process. Finally, there's the question of redress, which would largely be the responsibility of the minister.

My desire to hear from the minister increased when he made his statement saying he was expressing regret about what had happened. To me, the word “regret” implies some kind of agency. What is it actually that he regrets? Is there something that he did that he regrets or something that he didn't do that he regrets? I would like the minister to have a chance to explain the statement of regret before this committee.

The third reason is that there is a long list here, and I believe there are others who may have pertinent information about this case and that they should also have the chance to come forward and explain their actions, their inactions or what evidence they might have.

If there is, as a result of these hearings, direct evidence of contact between the PCO and/or the PMO with the office of the prosecutor, this raises very serious concerns about the independence of our justice system from political interference. I think it's important that we answer that question to the best of our ability.

The final thing I want to say is that without these hearings, I'm not sure that Vice-Admiral Norman can ever be made whole, that we can ever restore him, even if financially, partially compensated. Really, can he restore his reputation without the chance to come here and tell the committee his side of the story? For those reasons, I would hope that we would proceed to hold the hearings as outlined in the letter.

Thank you.

• (1610)

The Chair: MP Gerretsen.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): Thank you very much, Mr. Chair, and thank you to the opposition for taking the time to explain their points and for bringing forward this motion through Standing Order 106(4).

I'd like to point out that this committee, for the last three and half years, has been a very strong committee, in my opinion. It has worked very well together. It has travelled and done studies together. It has advanced policy and studies that Parliament and the government have been able to reflect on.

I would also say that the vast majority of those reports came forward in a unanimous fashion, where we all sought compromise to find ways to move forward so that we could have unanimous reports and show the strength of the entire committee working together collaboratively.

It has been an honour for me, as we near the end of this session of Parliament, to have had the opportunity to serve on this committee, and in particular with the members of the opposition.

When I first learned of this—and what I have stated to this point was that I am very much interested in understanding why the opposition parties thought it was necessary to bring this forward. I've made a point of trying to stay objective in this and trying to receive as much information and understanding as to why the opposition felt the need to do this.

Mr. Bezan, I don't have prepared written notes. I really wanted to hear what you had to say, so that I could try to formulate an opinion on it. I heard a number of the comments that Mr. Bezan made, and that Mr. Garrison made. I just want to go through a couple of them.

Mr. Bezan started by talking about why the charges were laid and whether or not they were politically motivated. The one thing that we know and that's been extremely clear is that the Public Prosecution Service and the defence for Vice-Admiral Norman have both indicated that there was no political interference. The defence for the vice-admiral said this.

The other issue is this. I know that it's linked, and Mr. Bezan and Mr. Garrison, in previous conversations we've had, have linked the PCO element to this. Where does the Privy Council Office fall into this? I find it unfortunate that members are treating the PCO and talking about the PCO as though it's some kind of political organization. It is a department of the government, and it has a responsibility like all departments to look into matters when matters are brought forward to it. If the PCO thinks that something illegal has happened, it can inform the RCMP so that the RCMP can get involved.

Another issue that was brought up by Mr. Bezan was with respect to the release of documents, and why documents were being kept secret. Some 8,000 documents were released by the government, perhaps not in accordance with the timeline the opposition would have liked, but there's a process for the release of documents. With respect to these documents, all were released by the government and all were released in their full form. The redaction and confirmation of the redaction was handled by the court as it related to what the courts thought was relevant and what needed to be shared with both sides of this case.

The other issue that Mr. Bezan raised was about former prime minister Harper allowing the release of confidential documents. Unfortunately, the former prime minister does not have the authority to release those documents at this point. It's all good to say that he would release them but, to the best of my understanding, it would not be within his authority to do that.

We also heard about using secret names and code words. Mr. Bezan has raised this quite a few times in question period. I know that an individual came forward to state this, however, the chief of the defence staff, when questioned on this, said categorically that it never happened. This is the chief of the defence staff saying this.

There is also questioning as to MP Leslie and his sudden decision to not run again in the next election. MP Leslie made his reasoning extremely clear about why he was choosing to make this decision

and that he fully supported this government and the direction that this government has been taking.

●(1615)

Then, of course, Mr. Bezan raised the question of what evidence led to the stay that occurred, because, as a result, charges are not currently being pursued anymore against the vice-admiral. I think that's a really good question. There are a lot of really good questions. The issue that I have is whether this is the forum in which those questions should be answered.

I'll give you an example of one of those questions that I'd love answered. It appears as though, after interviewing three former Conservative cabinet ministers—one of whom is sitting at this table—the prosecution service decided not to proceed at the current time with the charges. I'm not so much interested in wanting to know what was said. I'm more interested to know this: If information came forward from previous Conservative ministers, why did they wait so long to bring that information forward? Why wasn't that information brought forward at the earliest convenient time in order to exonerate Vice-Admiral Norman? I think that's the question.

I respect the fact that I'm a politician and I do not represent or work for an independent body such as the prosecution service or the RCMP. I also respect the fact that it's somebody else's job to get down to figuring out if illegal activities happened, and if they did, who's responsible.

I really appreciate Mr. Garrison's comments and what he had to offer to this. My only concern is that Mr. Garrison focused on giving Vice-Admiral Norman the opportunity to tell his story. I think that it's entirely possible for him to tell his story, and in fact, he's even implied that he will be telling his story. I don't think it needs to be done before a parliamentary committee in order for him to be able to tell that story.

He also referenced the minister's comment about regrets. I don't know for a fact why the minister said that, but I think that the average person would assume that when somebody says, "I regret to have seen somebody go through that", it's a general statement. I can say that I regret that too. I think everybody in this room regrets the fact that somebody had to go through that, in particular, when it now appears as though they shouldn't have gone through it.

To Mr. Garrison's points about addressing and telling the story, this motion is so much more than just asking Vice-Admiral Norman to come here and tell his story. This is a motion that in my opinion... and perhaps the only thing that I agree with Mr. Bezan on is his comment earlier when he said that this seems politically motivated. Indeed, it does seem politically motivated.

What seems politically motivated is that the Conservatives refuse to accept the fact that there was no political interference in this because it doesn't fit the narrative that they're trying to advance. I don't know why that is. I can speculate on it and I can imagine that it's because the economy is booming. We're seeing the best economic activity this country has seen in generations. We have unemployment at the lowest it's been in generations. We have 300,000 fewer children in poverty than we did in 2015. I see the motivation behind this, because there's really nothing else to go after.

I came here wanting to know and wanting to understand a good reason this motion should be passed and this study should be done. I'm open to continuing to listen to what other members have to say. Unfortunately, all that I'm seeing at this point is that there's a particular motive when all the evidence suggesting that this should happen is not supporting that.

With that, Mr. Chair, I'll yield the floor back to you.

• (1620)

The Chair: Thank you, MP Gerretsen.

I'll give the floor to MP Gallant.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Thank you, Mr. Chair.

Thank you for your efforts to get us the proper room and for what you have done.

I believe it's very important for this committee to investigate what happened to Vice-Admiral Norman over the last four years plus.

On Tuesday, the members of the House of Commons who didn't run out of the chamber unanimously approved the following:

That the House recognize Vice-Admiral [Mark] Norman for his decades of loyal service to Canada, express regret for the personal and professional hardships he endured as a result of his failed prosecution, and apologize to him and his family for what they experienced during their legal conflict with the government.

It's my understanding that you don't apologize to someone unless you think or know you've done something wrong. When the Government of Canada does something wrong, it is our duty as parliamentarians to hold government to account on their wrongdoings.

What I'd like to highlight are some of the actions taken by the government during the dismissal and trial of Vice-Admiral Mark Norman, which I feel an investigation by this committee would shed light on and answer Mr. Gerretsen's questions.

This entire saga began in 2014 when the Royal Canadian Navy's two supply ships had to unexpectedly and immediately be retired. Supply ships are floating gas stations and superstores vital to keeping our Halifax-class frigates fuelled and supplied while on duty.

Vice-Admiral Norman, head of the Royal Canadian Navy at the time, spearheaded the project to convert a cargo ship to a new temporary supply ship until the new ones could be completed. A preliminary agreement was reached in July 2015 and finalized just before the 2015 election in October. Again, why would it take so long for a decision to have been made in July and then not have been approved and finalized until October? That in itself is a question.

It was leaked in November 2015 that the new Liberal cabinet was considering reopening or even cancelling this contract. While the cabinet did not ultimately choose to cancel it, the RCMP was shortly thereafter asked to investigate the source of the leak.

We all know the Prime Minister himself was one of the biggest proponents of an RCMP investigation. This is where the first question emerges that the committee needs to investigate. Why the sudden urge to investigate this particular leak? It's well known that Ottawa leaks, with stories and details leaking from all the

government departments multiple times a day. Why was this leak, above all others, singled out for investigation?

Over the course of the investigation we learned that 74 people were privy to the information regarding the November 2015 cabinet meeting that was leaked. That leads us to the next question. Out of all the people who had access to the information, why was Vice-Admiral Norman singled out?

On January 9, 2017, the Chief of the Defence staff, General Vance, informed Vice-Admiral Norman he was being suspended, and on January 13, 2017, that suspension was made official.

On March 9, 2018, 14 months later, Vice-Admiral Norman was formally charged with one count of breach of trust by the RCMP. This leads to a third major question for the committee members. Why did such a long time pass between the time he was suspended and the time he was charged? Why did it take 14 months after the suspension for any official charges to be laid?

If the RCMP was only ready to file charges in March 2018, what did General Vance know that the RCMP did not know in order to suspend Vice-Admiral Norman 14 months earlier? What did Katie Telford and Gerald Butts tell General Vance on their meeting of January 9 to put him 14 months ahead of the RCMP?

We already know that the Prime Minister had some advance knowledge of the charges coming, as he stated at a town hall on February 1, 2018 that the Norman case would inevitably lead to court processes. That's another question there as well. What did the Prime Minister know to make that statement five weeks before the charges were officially laid?

• (1625)

As 2018 progressed, Vice-Admiral Norman and his legal team prepared for the upcoming trial. During the pretrial phase, he and his team requested documents from the government to help prove his innocence, which my colleague Mr. Bezan has mentioned, but two questions emerged from the ensuing delays and the eventual document dump by the government.

First, if the government was so sure of their case against Vice-Admiral Norman, why were they fighting so hard to keep the documents from court? If they were fighting so hard to prevent those documents from going to court, yet they were so sure that they had a case, why would they fight giving the documents to the court?

Second, once they finally released all the documents, why were so many of them so heavily redacted?

We also learned that the Department of National Defence was using code words or phrases in emails and documents so they could avoid being part of the disclosure by government. This is a serious attempt to avoid accountability and hide the truth. We need to know who authorized the use of the code words and phrases.

This also leads to another more serious question: Have code words and phrases been used on other files as well, and is this just the first we've heard of it?

The minister was unable to answer that question when it was posed to him in the House yesterday during the committee of the whole, but it's a question we must get answers to during our investigations. Using code words and phrases on important or sensitive files could have consequences on any ATIPs, questions on the order paper, court-mandated document disclosures and media inquiries since this government came to office. If this has been standard operating procedure, it's a serious violation of ethics and accountability, and Canadians must be made aware of it.

We fast-forward to May 2019, and the charges against Vice-Admiral Norman are stayed. In its statement regarding this stunning change of events, the PPSC told Canadians that information disclosed by the defence made the case completely unwinnable, which brings us to a few final key questions.

If the defence had full access to these documents, how did the investigation into the leak miss them? Why did the PPSC seemingly drop the case right after our parliamentary colleague General Andrew Leslie agreed to testify on Vice-Admiral Norman's behalf? Yes, he announced that he was going to retire, but it was not announced that he was going to publicly announce that he was going to testify in favour of Vice-Admiral Norman at the trial. Perhaps most importantly, what evidence did Vice-Admiral Norman's defence team find that so thoroughly destroyed the case against them? We still don't know what that was.

An investigation by this committee will allow us to get the answers to those questions and more. Vice-Admiral Norman has said that he has a story to tell, and, as with SNC-Lavalin, a parliamentary committee is the appropriate venue for that story to be told.

One thing that shines through the timeline of events in questions of the Vice-Admiral Norman affair is the prevalence of political interference from the Prime Minister's Office. When it comes to political interference of this government's actions, we have a clear pattern of constant political interference in independent decision-making bodies for the sole purpose of partisan political gain. It's just like the old saying: Once is a chance; twice is a coincidence; three times is a pattern.

Once was political interference into the direction of the SNC-Lavalin trial, trying to pressure the Attorney General of Canada into overruling the director of public prosecutions for partisan purposes.

Twice was political interference in the procurement process of new fighter jets, manipulating the request for proposals to exclude the best option available in order to fulfill the Prime Minister's election promises.

Three times was political interference in the trial of Vice-Admiral Mark Norman by delaying or releasing documents with massive or complete redactions, accusations of coaching witnesses and the Prime Minister's publicly announcing how the trial would progress well before the public prosecutor's office got to those points.

• (1630)

In October, the defence team sent a request for documents to the government. After a nearly six-month delay, the documents were released, or rather, selected parts were released. A 60-page document from the former clerk of the Privy Council to Prime Minister Trudeau regarding Vice-Admiral Norman was delivered to Norman's

defence team in March 2019. It was requested in October and not delivered until March. The problem was that it was almost completely redacted under the claim of solicitor-client privilege. It was also not the only disclosed document with massive redactions for the same reason. Neither the clerk nor the Prime Minister is a solicitor, nor is either a client. How does it apply in these cases?

Both Judge Heather Perkins-McVey and the lead defence attorney, Marie Henein, stated this exact question in March. The committee needs to hear from all those involved to learn how solicitor-client privilege can possibly apply here, besides as an excuse not to release politically damaging information.

Allegations were made throughout the trial process that the Department of Justice lawyers were coaching trial witnesses to direct their testimony. While prepping witnesses is an accepted practice, directing their testimony toward a potentially false path to help the prosecution is illegal. This is a serious allegation, especially when it's laid against Government of Canada employees.

The committee must ensure that the rule of law is being upheld. Challenging the rule of law has already happened before with this government, and we on the committee need to ensure, hopefully, that once is a chance rather than a very disturbing pattern.

Media reports and public statements have made it clear that the Prime Minister was a driving force behind the RCMP investigation and the trial of Vice-Admiral Mark Norman. The Globe and Mail reported that the Prime Minister was the one pushing the RCMP to investigate Vice-Admiral Norman. In 2017, well before the completion of the RCMP investigation, the Prime Minister said publicly that the investigation, as my colleague said, "will likely end up before the courts". In February 2018, well before any charges were laid against Vice-Admiral Norman, the Prime Minister said publicly that the Norman case would "inevitably" lead to court processes.

If there was no political interference in this case, why would enough people know that the Prime Minister was pushing the RCMP investigation for it to leak to The Globe and Mail? If there was no political interference, why did the events stated by the Prime Minister publicly end up being a reality just a few months later?

Those are three separate times in this case that reek of political interference or guidance of the process by the Prime Minister's office. Once is a chance; twice is a coincidence; three times is a pattern.

Canadians deserve the openness, the transparency, that should be afforded by their government. If the government is unwilling to do that, then it's our duty as parliamentarians to investigate what it is trying so hard to hide. If the government has done nothing wrong, why is it not being forthright with information, details or explanations on the case? Innocent people do not try to cover up wrongdoings they haven't committed.

This is also about accountability. If the Government of Canada is not accountable to Parliament, then it's accountable to no one. That's not the kind of country any of us wants to live in. That is why this committee must investigate the Vice-Admiral Mark Norman affair and get to the bottom of what actually transpired. It's in all Canadians' best interests that we do so.

Finally, to answer Mr. Gerretsen's question, Vice-Admiral Norman says that he has a story to tell that Canadians want to hear. This committee, with the protection it would afford Vice-Admiral Norman through parliamentary privilege, would provide a safe place for Vice-Admiral Norman to tell his story.

Thank you, Mr. Chairman.

• (1635)

The Chair: Thank you. I see the clock at 16:35. The meeting was called to go to 16:30. I didn't interrupt, but I see that there are still people who want to continue to debate, so we'll just continue the meeting.

I'm going to yield the floor, in order of operation, to MP Spengemann, MP O'Toole and MP Dzerowicz. If there are still other people who want to speak, we'll get to you. If you want to speak to this, just get my attention and I'll feed you in. You're on there, Martel and Bezan, but I'm going to feed other members in so that the debate's a back-and-forth. You're on the list. You'll get an opportunity to speak.

MP Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Chair, thank you very much. I'm going to be fairly brief but I'll be making four main points.

The first is really a point that is in the context of the current environment that we're in. We're in an election year. It's symptomatic of the fact that we are in an election year that we have seen an increase in partisan attacks from the official opposition and that's the case because they have no substance on policy. Andrew Scheer's party offers Canadians no leadership on important issues like climate change, growing our economy or social justice. I'm going to be fairly precise here. His caucus is instructed to consistently vote against important investments in Canadian families, innovation and entrepreneurship, our seniors and Canadian workers.

Secondly, and this is disturbing because it is a pattern, Andrew Scheer's party deeply mistrusts our public institutions. Those are the very institutions that create solutions, solve problems and serve the public interest.

Let me highlight some of the symptoms of that. These are aimed not only at Canadian judicial officials or institutions but also at the Canadian Forces, even Parliament itself. Also symptomatic, as my colleague Mr. Gerretsen pointed out, is the inability to distinguish the bureaucracy, PCO, from the political level. First of these and foremost is Stephen Harper's very infamous and public attack on the former chief justice of the Supreme Court of Canada, the Right Honourable Beverley McLachlin. She is the first woman to have held this post and she's the highest legal officer, or was at the time, of our country. Today, Andrew Scheer's caucus flatly refuses to accept that the judicial process in the Mark Norman case was by all accounts fully independent.

A more surprising symptom came from last night's session of the committee of the whole, where Leona Alleslev, who is the member for Aurora—Oak Ridges—Richmond Hill and a veteran of the Canadian Forces, insinuated that Canada's armed forces could somehow, and this is her language, go "rogue" if they weren't subjected to strong ministerial control. This is a bizarre statement

and it reflects the very same level of mistrust by Andrew Scheer's party in our public institutions and sadly reflects the centralized secretive ways that were carried over from the former Harper regime.

The women and men who serve in the Canadian Armed Forces are known here and around the world for their professionalism, their commitment and their excellence. I wonder how they feel today after being told that there is a risk that they will go rogue.

Conservative mistrust of Parliament also runs deep. In contrast to today's meeting, when Stephen Harper's defence committee held a Standing Order 106(4) session, it was held in camera and secret. Stephen Harper also hid an unprecedented number of cabinet decisions from public view, with Parliament and the Canadian public kept unaware of the existence of two dozen orders in council.

However, the consequences of this endemic mistrust of public institutions tend to fall back on Andrew Scheer's party and that's certainly true in this case. Let me get to the point of why that is the case in my third point.

The Conservatives really have no evidence of political interference. In fact, it is the opposite. There is clear positive evidence that there was no interference. Murray Brewster, CBC News, on May 13, wrote that Vice-Admiral Norman was directed by Stephen Harper's cabinet to talk to Davie, the shipyard, about the leasing deal. The vast majority of the 12 alleged cabinet leaks that are in question took place under the former Conservative government. The Conservative members across and former ministers of that government know this. As was pointed out earlier, they've known this for some time, for a number of years, and decided not to take action until now.

John Ibbitson wrote last week that there is no evidence that Liberals interfered with Mark Norman's prosecution. In other words, there is no evidence that the government in any way pushed the office of the director of public prosecutions to lay the charge. That is fundamental. It is still misunderstood by the Conservative caucus or deliberately misconstrued.

My final point is that to launch their partisan attacks, Andrew Scheer's party is quite willing to misuse Parliamentary resources including this committee's session today. Let me take a few moments to go through some of the work, Mr. Chair, that you have led and that this committee has done over the course of the last three years.

Back in September 2016, we studied Canada and the defence of North America, NORAD and aerial readiness. In April 2017, we studied the protection of our military personnel. We studied the Canada-U.S. relationship and perspectives on defence, security and trade. We studied, in June of 2017, the readiness of Canada's naval forces.

•(1640)

We went on to look at the extremely important issue of suicide mortality in the Canadian Armed Forces, in February 2017. We studied Canada's support to Ukraine in crisis and in armed conflict, in December 2017. Last year, the committee took a look at Canada and NATO. In December, we looked at Bill C-77, an act to amend the National Defence Act and to make related and consequential amendments to other acts. And then going into this year, Mr. Chair, we just completed an important report on Canada's task force in Mali, our support to MINUSMA, the UN integrated stabilization mission in Mali.

These are the things, Mr. Chair, that matter to Canadians.

I agree with my colleague opposite, Mr. Garrison, that Tuesday's apology in the House to Vice-Admiral Norman was important. I'm calling on colleagues opposite to acknowledge there simply is no evidence by any account, other than their own construction, of any political interference for this committee to examine. We should therefore return to the business before the committee that actually serves the interests of Canadians. That includes our current study of diversity and inclusion in Canada's Armed Forces.

Thank you, Mr. Chair.

The Chair: Thank you, MP Spengemann.

I'm going to yield the floor to MP O'Toole.

Hon. Erin O'Toole (Durham, CPC): Thank you, Mr. Chair.

My remarks are going to touch on a few elements of the Vice-Admiral Mark Norman affair, but I'll begin with some context, and I appreciate the ability for us to go beyond the session. We know that this is really an attempt by Conservative and NDP members of this committee to appeal to at least a few of the Liberal MPs to examine the Mark Norman affair. As I said before the committee began, he has given 38 years of service to Canada. I think we can afford him a few hours of examination into this ordeal.

In Kingston today, the Minister of National Defence, the Honourable Harjit Sajjan, is involved in the awarding of degrees and, tomorrow, the commissioning scripts of about 300 young men and women at the Royal Military College of Canada.

I know Mr. Gerretsen knows about that; he is proud of that school.

What are we telling future leaders within the Canadian Armed Forces if Parliament is prepared to vote against a simple inquiry into the most controversial incident regarding a senior member of the Canadian Armed Forces in my lifetime? I say that as a veteran. What are we saying to the 300 young men and women who, tomorrow, get their commission to serve our country, when we cannot examine the ordeal that Vice-Admiral Norman has gone through?

Mr. Chair, you and I were at a charitable event last night. A couple from B.C. came to me and said that they sat on the plane from British Columbia to Ottawa with someone in the navy. They said that within five minutes the woman they sat with was talking about the Mark Norman affair and how deeply it upset her and her comrades in the Royal Canadian Navy. That is why this parliamentary committee should be seized with the matter.

I won't go into it in much detail, but Mr. Spengemann does a disservice to examination of the Mark Norman affair, because there is so much to examine.

The Privy Council Office, unfortunately, under clerk Wernick, became politicized and Canadians saw that through SNC-Lavalin and the affair. It was the Privy Council Office that commenced this ordeal for Mr. Norman. It appears that, out of 73 who were aware of cabinet leaks from the November 2015 cabinet meeting, his was the one name that was given to the RCMP. That led to a breach of trust charge—not related to a sole-source contract with Davie, but related to the breach of trust from the cabinet meeting of attempts to interfere with or delay that contract.

I want my friends on the other side to realize this. Former prime minister Harper, Premier Kenney and I have all said that we'd be happy to waive all cabinet minutes. I would be happy to testify at length about the reason why a sole-source contract for an auxiliary oiler replenishment vessel was made with the only shipyard available to fulfill that contract at the time.

The breach of trust charge does not stem from that. Clearly, at some point the DPP and the RCMP determined there were sufficient grounds to lay a single charge of breach of trust against Vice-Admiral Norman based on leaks from the November 2015 cabinet meeting, which, for the record, I was not at. I was a former minister by that point.

To suggest that I or other people were sitting on information that would exonerate Mr. Norman does a disservice to Mr. Norman. It also shows an obtuse approach to looking at this issue, and it's an attempt to hide a proper examination of the issues.

This lays it at the feet of the Privy Council, and my colleague Mr. Bezan highlighted that. When a lawyer for the Privy Council, who does advise the Prime Minister... That is their function. It's normally not political, but it has been politicized under this Prime Minister. When Paul Shuttle, a lawyer with the PCO, attempts to talk to the prosecution to “engineer the issues at stake”, that is deeply concerning and reveals, from the beginning, political direction. The code words reveal potential political deception and delay.

•(1645)

Don't take my word for delay on its face. Let's quote counsel to Vice-Admiral Norman, Marie Henein, who many Liberal MPs have enjoyed quoting from time to time in the last week. She said, “We have been, and you have all been with us for six months as we have tried day in and day out to try to get that material. It should have been handed over. It should have been handed over to the RCMP. It should have been handed over to the prosecution. It was not. As to why, I don't know. I leave you to answer that.”

We are the “you”. We are seized to examine these matters. She was speaking to the media, but really, counsel to Vice-Admiral Norman was speaking to us. She was speaking to Mr. Gerretsen and Mr. Fisher.

Why do I talk about those gentlemen? I know they care a great deal about the military communities they represent, having served in both their communities. CFB Shearwater, or 12 Wing Shearwater, is adjacent to Mr. Fisher's riding, but as he knows, many families live in Dartmouth—Cole Harbour. RMC is having a very special weekend, and Base Kingston, I know, is very important to Mr. Gerretsen. They represent those communities, and I want to see that today.

I know the parliamentary secretary, who is here, attended a lovely graduation ceremony and is very proud of the military service in her family. I'd like to see her represent that today, because our modest proposal is not a royal commission of inquiry. We owe Vice-Admiral Norman and military families watching this case a few hours of examination. And I'm sorry if it's an election year.

As I've said, I'd be happy to have my cabinet discussion documents waived over the contract to Davie, which, by the way, was on time, on budget. *Asterix* is serving with our military now, making sure we have a blue-water navy as a G7 country.

I know, Mr. Chair, as a veteran you value our ability to project our force, project our capabilities, on our own, not in reliance on other people, not begging, borrowing and stealing. All parties own some blame for letting the navy get to the position where we were relying on one tanker. When there was a fire on the *Protecteur*, our patchwork to get to the new ships fell apart, and that's why there was a sole-source. It was done well. We should all be applauding Vice-Admiral Norman, not apologizing to him in the House of Commons.

I'll loop back. I'm making an appeal here to Mr. Gerretsen, as MP for Kingston and the Islands; Mr. Fisher, Dartmouth—Cole Harbour; and Ms. Romanado. I'm not sure if she votes here or not. This is more important than the regular stuff we engage in, because this is an opportunity for the committee to make sure that this type of thing never happens again, so that the 300 young men and women getting their commission, serving where we ask them to, know that their government has their six....

We're not going to let another ordeal like this happen again. I know they probably share as many of the concerns and questions as I do. Maybe there was not interference in the delays in the PCO investigation, the code words. I will correct Mr. Gerretsen. The chief of the defence staff did not deny the use of code words. He gave context to the fact that acronyms and things like this are used. In my experience, I don't remember "Kraken" being used in my time in the forces—maybe call signs. Maybe you had a comrade with an unusual name like that, Mr. Chair, but this is the very context. There are questions for the chief of the defence staff. There are questions for Canadian Armed Forces leadership.

That's why my colleague's list is, I think, a reasonable one. Even if we pare it down, which we'd be amenable to, I think we owe it to our men and women in uniform to examine this to the extent we can, and offer, as my colleague Ms. Gallant said, a safe space for Mr. Norman, who has restrictions with respect to political speech while he is in the military and while he is in the process of being reinstated.

• (1650)

You can see I care a great deal. I'll reiterate, he's given 38 years. I'll give context: you may know that his father, General Norman,

served as well. Every day of his life, Mark Norman has either been in a military family serving our country or in uniform serving our country. Thirty-eight years, let's give him a few hours.

The Chair: Thank you, MP O'Toole.

I have MP Dzerowicz, MP Martel and MP Bezan. If somebody else wants to speak, please let me know.

I'll yield the floor to MP Dzerowicz.

Ms. Julie Dzerowicz (Davenport, Lib.): Thank you so much, Mr. Chair. I really appreciate all your efforts today.

I've really appreciated the very thoughtful and excellent presentations by my colleagues before me.

My comments are going to probably add a bit more colour to the comments that my colleagues have made so far.

I'm going to start off by saying one of the things I had heard before we started this committee session was that this committee is very much influenced by the Prime Minister's Office. I just want to say I've had no calls, no talks, no instruction from anybody from the PMO. Everything I'm about to say is absolutely from my head, from what I believe and from the research and evidence I've been able to gather.

I have listened intently to my colleagues on the other side and I very much appreciate them putting their arguments forward. I've not heard anything yet that makes me want to support this motion.

I'd like to go through a few things. I'm reiterating a number of points that have already been mentioned, but adding a few more elements.

I believe there's absolutely no evidence of political interference. It's been validated not only by the public prosecution office, but also by the RCMP.

The public prosecution office put out a press release on May 8 that said:

In March, 2018, Mr. Norman was charged with one count of breach of trust contrary to s. 122 of the Criminal Code for allegedly leaking confidential information regarding the contract for an interim Auxiliary Replenishment ship with the Canadian shipbuilding company Chantier Davie.

In this case, as in every case prosecuted by the PPSC, only two factors were considered: whether there was reasonable prospect of conviction and, if so, whether it was in the public interest to proceed with the charge. It was the conclusion of the PPSC that both criteria were met when the charge was laid. After reviewing further evidence provided to the prosecution, some from applications for records that were not part of the investigation file...and some volunteered by the defence, the PPSC is no longer of the view that a reasonable prospect of conviction exists. In particular, the Crown has concluded that it will not be able to prove beyond a reasonable doubt that Mr. Norman's conduct in this case amounted to a serious and marked departure from the standards expected of a person in his position of trust.

This decision was based on the evidence, the law, and the principles regarding reasonable prospect of conviction, which are set out in the PPSC Deskbook....

No other factors were considered in this decision” said Kathleen Roussel, Director of Public Prosecutions “nor was there any contact or influence from outside the PPSC, including political [interference] in either the initial decision to prosecute Mr. Norman or in the decision to stay the charge today.”

The principle of prosecutorial independence is key to the PPSC’s mandate. PPSC prosecutors are expected to be objective, independent, and dispassionate in the exercise of their duties, and to exercise those duties in a manner free from any improper influence, including political influence.

The Canadian Press put out an article on May 14. The Canadian Press interviewed the RCMP, and the article said:

In an interview Tuesday with The Canadian Press, two RCMP officers involved with the Norman probe emphasized the importance of independence in their work....

The Mounties insist their work on the Norman file was thorough, independent and highly professional.

From both of those groups there is absolute validation that there is no evidence of political interference.

As my colleague in the House, Minister Blair, mentioned yesterday, our responsibility is to ensure that the integrity of the judicial process is maintained. I believe it has been maintained.

The second point that had been mentioned is why Vice-Admiral Norman was singled out, out of, I believe, 73 people who were listed, and that decision to do so was politically motivated.

My colleague, Mr. Virani, in the House yesterday mentioned there were three factors that are really important to reiterate. First, the decision to conduct investigations is made by the RCMP, which is independent; second, the decision to lay charges and take someone to court is made by the Director of Public Prosecutions, who is independent; and third, the decision to withdraw a charge is made by the Director of Public Prosecutions, who is independent.

For me, all those decisions absolutely had no political interference.

• (1655)

There was also some talk about documents and a delay in sending them in or trying to hide some things. Again, my colleague in the House yesterday was very articulate, and he warrants repeating.

He mentioned the process of how these documents are identified and how they get to the actual court system. He said that the way it works is that, on an O'Connor application for third party records, the documents are identified and then, if there are claims of privilege, the issue goes to the court. Then the court goes into the claims of privilege, ascertains whether they are valid or not and makes a decision. That is how one respects the rule of law and the independence of the judiciary.

My understanding is that initially when there was a demand for third party records, 144,000 were identified, then they were further culled to make sure that they were relevant to the case at hand, and that's where the 8,000 number came up. Then the claims of cabinet confidence are made, not made by the members of the political staff but by civil servants. When those claims of privilege are made, a judge then verifies if they are valid or invalid. My understanding is this happens in litigation in this country every day, and nothing was different in this particular case.

The next point I want to talk to is that I, too, believe that this is a bit of a fabricated partisan exercise. I think that it moves us away from talking about some of the key issues of the day. Every week I have a meeting with my team, and on Thursday mornings they tell me what is top of mind for them. The things that matter in my riding of Davenport now are the urgency of our taking more and fast action on climate change. They are worried about making sure that they have the skills they need to continue to be successful on an ongoing basis. They want to ensure that our arts community continues to be successful in downtown Toronto, and they are very concerned about the Ford government's cuts to education, public health, public transportation and libraries. I wanted to mention all of those in terms of what is top of mind for the people in my riding of Davenport.

Then I was very taken by Mr. Gerretsen's comments at the beginning of this session because I, too, had a lot of those questions in my mind. I think where I've landed is that we have a number of independent groups with highly respected professionals. We rely on them to do their jobs to the very best of their ability, and I think that has absolutely happened in this case. I think it's also up to them to review, in every instance, if there's anything that needs to be improved or anything that needs to be done differently as they move forward.

I don't hear anything yet that causes me to feel that I should be supporting this motion before us. I appreciate the opportunity to be able to speak today.

Thank you, Mr. Chair.

• (1700)

The Chair: Thank you, MP Dzerowicz.

MP Martel.

[*Translation*]

Mr. Richard Martel (Chicoutimi—Le Fjord, CPC): Thank you, Mr. Chair.

Before I say what I have to say, I'd like to respond to Mr. Spengemann's comment. I don't think the members of the Standing Committee on National Defence are playing politics. We simply want to get to the truth. Like many Canadians, we are very concerned by what happened in the Vice-Admiral Norman affair. My riding is home to a sizable military community. When, in the exercise of my functions, I was in the area, people would often raise the issue with me, saying how worthwhile it would be to find out what had transpired.

Vice-Admiral Norman has a story to tell Canadians, and we believe the Standing Committee on National Defence is a place where Canadians should hear that story. The vice-admiral could tell us everything that happened with the benefit of parliamentary privilege.

This was a very costly affair for taxpayers. The legal fees were sky-high, not to mention the fact that the country was deprived of Vice-Admiral Norman's invaluable service for more than two years.

Getting to the bottom of what happened is paramount so that it doesn't happen again, and we will use every tool in our parliamentary arsenal to do that. To begin with, we demand that the committee conduct a probe into the government's handling of the investigations and prosecution involving Vice-Admiral Norman. If the committee refuses to do that, it is a sign of disrespect to all Canadians and, specifically, to our brave men and women in uniform. The situation is very troubling and cannot happen again.

During my career as a hockey coach, I repeatedly witnessed the tremendous respect Canadians have for armed forces members and veterans. They are the ones who keep us safe all over the world, who protect our values and who come to our aid when we need them. During my career as a hockey coach, I also had to demonstrate leadership, fostering an environment in which the team could shine and work alongside great leaders. Leadership is taking care of those for whom we are responsible. One question, in particular, troubles me. Where was the leadership in Vice-Admiral Norman's case?

Vice-Admiral Norman and his family should have never gone through what they did. The committee should be able to determine why that happened. When the trial began, the government refused to cover the cost of Vice-Admiral Norman's legal defence, driving him and members of his family into bankruptcy. Luckily, they were able to count on the support of thousands of Canadians, the media and the opposition.

Many questions remain unanswered, questions the committee needs to get to the bottom of. Why did the Liberals not provide Vice-Admiral Norman's defence team with the documents in question? What is the Prime Minister trying to hide? Why, mere days after Andrew Leslie indicated he would be testifying, were the charges dropped? Was it just a coincidence? Why did the RCMP lay charges against Vice-Admiral Norman? What evidence did his defence team hand over to the Crown to get it to drop the charges? What was the evidence involving third party disclosure that led to the decision? Those are the questions we need answers to.

If the committee decides not to seek those answers out, we have every reason to believe that the Liberals—who claim to be a party of transparency—are trying to cover something up. As I see it, the Liberal members are scared of the truth coming out if they refuse to invite Vice-Admiral Norman to appear before the committee.

• (1705)

[English]

The Chair: Thank you, MP Martel.

MP Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you, Mr. Chair.

I would like to thank you for the opportunity to speak. I'm not a regular member of this committee. I have sat on this committee in previous years.

First off, I just want to acknowledge the service of Vice-Admiral Norman to this country. As my colleague across the way mentioned, I am of a military family as well, and I understand full well what that entails. I would like to acknowledge his incredible service to Canada and thank his family for serving right along with him.

That being said, I'm not a voting member of this committee, but I did want to hear what folks had to say today in this committee regarding this request for a study.

We've heard from my colleagues that the public prosecutor, the defence lawyer and the RCMP have all said that there was no political interference. They've said it. The media have also agreed with that. I find it strange that when Vice-Admiral Norman's own counsel is saying there was no political interference we're still trying to come up with some spin that there was.

Out of respect for Vice-Admiral Norman and his family, I think we don't need to be politicizing this case. I appreciate the interventions of my colleagues across the way. I agree that what Vice-Admiral Norman went through is incredibly unfortunate. I was happy to support the unanimous motion in the House this week, but I don't feel, based on what I've heard today, that there was political interference.

The Chair: Thank you.

MP Bezan.

Mr. James Bezan: It's my last intervention. I'll try to keep it tight.

I appreciate some of the comments from colleagues across the way about the great work that we have been able to do here and accomplish as a committee. I think it's a credit to you, Mr. Chair, that we've been able to bring together committee members on a number of serious reports and studies that we've undertaken. We've been able to put our partisanship aside.

I think that opportunity exists right now. If we want to take the politics out of Vice-Admiral Norman's case, I think this is one of the best committees where it could happen. This is where we can actually work together to get down to the truth. It gives us a chance as committee to look forward and to look back.

We have to look back, and there are accusations of political interference. They're still out there. Prime Minister Trudeau on two different occasions—April 6, 2017, and February 1, 2018—said that there were going to be charges laid, even though charges hadn't even happened yet. That really stinks, and we have to get down to the bottom of it. Looking forward, we need to find out how Vice-Admiral Norman is going to be compensated.

Ms. Romanado talked about his family, the ordeal they went through, the hardship that they faced, the near bankruptcy that they were forced into, and how so many military families, veterans and Canadians across this country stepped up and crowdsourced to fund his legal fees. They want answers. It is about family. It is about service. It is about the incredible record that Vice-Admiral Norman has. He deserves to be properly compensated, and for what? All he did was do his job. He made sure the navy got a ship that it desperately needed so that we could have that blue-water fleet. Instead he got dragged through the mud and run over.

We still have questions going forward about his reinstatement. Under the Queen's regulations and orders, after the suspension has been lifted, he gets to return to his old job. That's not happening. We need to find out why not.

This is a chance for us to deal with the contradictions of political interference. It gives us a chance to take the politics out and work collaboratively as parliamentarians to get to the bottom. It gives a chance for Vice-Admiral Norman to tell his story, which Canadians want to hear and need to hear. Otherwise, if we don't pass this, then I hope that our colleagues across the side will know that they will be accused of doing the Prime Minister's bidding. They are going to be accused of doing a cover-up, and everybody is going to be asking the big question, "What are you trying to hide?"

● (1710)

The Chair: I want to bring MP Garrison into the conversation.

The floor is yours.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I'd like to move an amendment to the motion moved by Mr. Bezan that is before the committee. That amendment would be to delete the names of all the prospective witnesses following that of Vice-Admiral Norman.

If I may, I'd like to speak briefly to the amendment.

We've heard from the government side that this is maybe a step too far for them. I'm still very concerned that Vice-Admiral Norman gets a chance to appear before the committee to tell his story under the protection of parliamentary privilege.

The indication we've had is that this motion, as is, is not acceptable, so I'm moving a motion simply to limit the witnesses to one. That would be Vice-Admiral Norman. I remain concerned, because he says that he has more to say, that he be given a forum to do that where he would be protected from prosecution.

The Chair: Okay. We will have debate on the motion as amended.

MP Gallant.

Mrs. Cheryl Gallant: I appreciate Mr. Garrison's peacemaking efforts. He's always the one to come and bring us all together and help us find the middle ground.

If it came to pass, after Vice-Admiral Norman had a chance to tell his story in a safe place, with the parliamentary privilege this provides, that we wished to invite other people to perhaps answer more questions, would he be amenable? Would he like to reword his amendment in such a way that it would allow us to have more witnesses, should that requirement arise?

Mr. Randall Garrison: In response, I would say no, I'm not prepared to change the amendment. The committee's always the master of its own fate. If it felt there was more business to do at that time, it's a question we would take up at that time, but it's a hypothetical question at this point.

The purpose of my amendment is to try to find a way this committee can give Vice-Admiral Norman a chance to appear.

The Chair: MP Gerretsen.

Mr. Mark Gerretsen: Mr. Chair, I was just going to ask if we could suspend for five minutes for us to caucus, as we've done in the past.

The Chair: Approved.

We are suspended.

● (1710)

(Pause)

● (1715)

The Chair: I think where we left off was that you were not willing to amend your amendment. We have the amended motion from MP Garrison on the table, and we're still open for debate.

Mr. Spengemann.

Mr. Sven Spengemann: Chair, thank you very much.

I want to start by thanking Mr. Garrison for introducing the amendment because I think it reflects the sentiment on the part of the committee that Canadians should hear from Vice-Admiral Norman.

I do not, however, believe that this forum is the right one, not necessarily because of jurisdictional issues but because of the optics and the politics. Vice-Admiral Norman is one of our highest-ranking military officers and it's a question about political interference. Optically, we should not insert him into a politically charged forum to make the case that he needs to make. There are other avenues.

That said, I share the sentiment that we need to recognize and we do recognize his service and his family's service, as was pointed out, and everything he's done for our country. Once again, the apology that we made in the House on Tuesday was important.

The Chair: Thank you.

MP Gallant.

Mrs. Cheryl Gallant: I just have two questions. First, what would be a more appropriate environment? Second, if you feel that it would be harmful for him to attend, what if we invited him and he could always choose not to attend?

● (1720)

Mr. Sven Spengemann: I think there are plenty of options for Vice-Admiral Norman to choose. I don't think we should make that choice for him.

Mrs. Cheryl Gallant: Like what? Name one.

The Chair: Mr. Bezan.

Mr. James Bezan: I happen to disagree strongly with Mr. Spengemann.

The parliamentary privilege that we enjoy here gives us powers that allow us, as a collective body in the House and as creatures of the House, as committees, to hear from witnesses, to do studies, to initiate inquiries and to administer oaths to witnesses. We can regulate our own affairs, and our history as a committee has been that we have been able to take the partisanship out of it and deal with the subject matter at hand.

If we really want to find out the truth, then we need to hear from Vice-Admiral Norman. He has said very clearly that he has a story to tell that Canadians will want to hear. Let's give him that opportunity, where he has privilege and the freedom to speak without repercussions, and that will allow us to undertake the proper investigation.

The Chair: MP Gerretsen.

Mr. Mark Gerretsen: To answer Ms. Gallant's question about where the environment is, not everybody watches what happens in this committee. There are a lot of avenues. Anything that did happen in this committee would make its way to the public via the media. That would be the most reasonable place for him to tell his story and that is what he has already hinted that he'll be doing.

My concern with the amendment... I really do appreciate Mr. Garrison for bringing this forward. The one thing I'll say about Mr. Garrison is that in the time he's been on this committee he has genuinely tried to collaborate and find alternatives and vehicles forward and I really appreciate that. My concern is with something that Mr. Martel said but also something that is being said by all members of the committee. Mr. Martel said, and I quote, through the translation, that if Liberals refuse, then they must have something to hide.

You're setting up a scenario where there could be no other option. The option is either you're going to do this or you have something to hide, but there is another option. It's the option of whether or not this is the right place and the right forum for this to occur.

When you make comments to the effect of "if Liberals refuse, they have something to hide", you're making this hyper-political and partisan. The question is whether that belongs in a case that has been heavily looked over by the RCMP and the Public Prosecution Service, when they've clearly indicated that there is no evidence to suggest that political interference occurred.

I'm just really concerned about the hyperpartisan approach that is being taken by the Conservatives, so to bring an individual here for that purpose, in my opinion, would feed nothing more than that appetite.

The Chair: On the amendment, I have MP Garrison next and then MP Gallant.

Mr. Randall Garrison: Thank you, Mr. Chair.

I just want to be very clear that I've made no such statement about the Liberals having something to hide, and my concern, once again, is for Vice-Admiral Norman and that he be able to appear here.

The difference about this place is that it is on the record. It is not in the media where someone else can interpret his remarks and choose to report part and not report another part. It's an official record. It's available for posterity and he would be under the protection of parliamentary privilege so that he does not have to worry about repercussions, in what has been a very difficult situation for him, for anything that he says here.

My interest in moving this motion, once again, is to provide a forum that does not exist in any other form in our country. This is the only place where he can make his comments with the full protection of his right to do so.

The Chair: Thank you.

MP Gallant.

Mrs. Cheryl Gallant: At the risk of putting my colleague Mr. O'Toole on the spot, it's clear that members opposite are not aware of the restrictions and the possibility that some type of harm could come to Vice-Admiral Norman should he go directly to the media, in addition to the rationale Mr. Garrison just told us.

Perhaps Mr. O'Toole, having been a member of the Canadian Armed Forces, could let the committee know the types of things that could happen to Vice-Admiral Norman were he to say things in public, as opposed to under the protection of parliamentary privilege.

• (1725)

The Chair: That can occur, but we can't have members questioning other members.

I'm going to have to move to MP Spengemann, and then to MP Bezan. Then if Mr. O'Toole wants to jump in there, he can do that.

MP Spengemann.

Mr. Sven Spengemann: Mr. Chair, again very briefly, I'll make the point that it really should be Vice-Admiral Norman's choice and option to do as he sees fit. If this committee were to extend an invitation to him, that, in itself, would be a political statement with subtle political pressure to come and testify. If he were to write to us and ask to testify, that would be a different scenario. We are not facing that scenario.

I think we should give him the maximum amount of space to depoliticize himself, to the extent that he sees fit, rather than pulling him into a setting within which he may not be comfortable testifying.

The Chair: MP Bezan.

Mr. James Bezan: First of all, I want to address what Mr. Spengemann just said. If we actually were to receive a request from Vice-Admiral Norman to appear before our committee so he could tell his story, would you be in favour of making sure that opportunity existed?

Mr. Sven Spengemann: We'll cross that hurdle if and when it arises. He hasn't written to us, so we don't face that scenario.

Mr. James Bezan: I want to follow up on Mrs. Gallant's comment that under the Queen's regulations and orders, Vice-Admiral Norman, as the second-highest ranking officer in the Canadian Armed Forces, has to respect his responsibilities under the National Defence Act. Those regulations and orders were in place the entire time he was suspended. He wasn't fired; he was still in service. He's always had to respect that. Whatever he has said publicly has been in line with his responsibilities under the National Defence Act as vice-admiral of the Canadian Armed Forces. I think that's important.

To go back to Mr. Gerretsen's comment, it's not us saying that you guys are doing a cover-up or that you are trying to hide something; it's going to be perceived by the public as such. I would just say that you have the opportunity to shine a light and at least give Vice-Admiral Mark Norman the opportunity to appear and actually state what happened, in a safe place like Parliament Hill.

The Chair: MP O'Toole.

Hon. Erin O'Toole: Thank you, Mr. Chair.

I have a couple of things, and then I'll respond to Ms. Gallant's question.

I'm a bit perplexed by many of my Liberal friends saying that an invitation would be political. This is political. It's about a leak from a cabinet meeting from Scott Brison. It's a breach of trust charge that hung over Vice-Admiral Norman. In fact, he was relieved of his command position as vice-chief of the defence staff well before the actual charge. At its heart, this is political. This is why it's in question period. This is why we would be seized with it.

Mr. Brison is no longer here. Mr. Brison's name was trending on Twitter about a cabinet shuffle if Scott Brison hadn't left. This was actually Scott Brison before. It is political, colleagues, whether you like it or not, and I think, if my friends are convinced that political didn't extend to political interference, then they should have no hesitation to allow some questioning of some of the principals.

Mr. Garrison has at least said that we could allow a form of a protected, appropriate forum for Vice-Admiral Norman to speak at invitation so he can always deny it. I think that's the perfect way to proceed. It is a huge compromise from our large list; we recognize that, but it would be the only forum possible for him to be able to speak. Why? I'll refer to Ms. Gallant's comments that Queen's regulations and orders provide restrictions on political speech for Vice-Admiral Norman, and he is not permitted while serving to make political pronouncements with respect to the government of the day. Any member of the Canadian Armed Forces cannot publicly criticize the government they serve, so he is in a quandary that he can only find relief from at this forum until he retires from the Canadian Armed Forces, and after the last two years, he should be able to be reinstated and make his own decisions about his retirement and how long he'll continue serving.

I appealed, and I wasn't going to speak again. I appealed to specific members because of the unique circumstances and because of the 80,000-plus people, uniformed and civilian, and their families watching this. Rather than the Liberals turning themselves into pretzels to try to find ways not to do this, I think Mr. Garrison's compromise is a perfect ability. If the majority is going to be used to just crush it, just come out and say that. I think that would be more straightforward, as Mr. Bezan said. This is an opportunity for Vice-Admiral Mark Norman to air his concerns about this ordeal, which has been terrible. If they don't want to provide that platform for him, I would prefer you just say that as opposed to impugning motives.

This started with Mr. Brison and a leak and an investigation the Prime Minister ordered, so we did not start this affair. Our responsibility is always to get to the bottom of it. The whip is cracked, and we're going to lose the vote; just do your thing.

• (1730)

The Chair: MP Gerretsen on the amendment.

Mr. Mark Gerretsen: I know, Mr. O'Toole, that you are new to this committee because you are not a regular member, and you're here as a fourth member when there are only three, but of course, any member of Parliament is welcome to come, and we're glad to have you here.

Our committee has not operated like that historically. We have worked through things when we have not had agreement to find compromise, so I apologize if we're dragging on and you have somewhere to be, but I am not here reading notes. I did not come here with a prepared speech. I have not read anything. I'm genuinely

listening, trying to respond and asking questions so that I can further my position on this.

I apologize to you if this isn't moving along fast enough for you, but there is no charade here that we're just suddenly going to be whipped and vote a certain way. At least that's not my perspective.

I do think something that Mr. O'Toole said is extremely germane to this discussion. He said that this is politics. This is what happened. This is why it's been brought up in question period. The PCO did this and that. The PCO is not a political organization; it is a department of the Government of Canada. Its job, when stuff like this comes up, is to be able to respond, and what the PCO did was respond by contacting the RCMP, so I take great exception to the fact that you would suggest that this is all politics.

What we do is politics. We're supposed to create policy. We're in the middle of creating policy on inclusion in the armed forces. That's what we do. That's the policy that we work on. Our job is not to be political and to try to weigh in on the work of independent organizations of the RCMP and the PPS. For that matter, the Privy Council is a department of government.

I apologize if you don't see it the same way, but that's certainly the way that I have always looked at it.

Thank you.

The Chair: Thanks.

I'm going to go to MP Bezan.

The clock is at 17:30. We'll continue the conversation and we'll stay here as long as it takes.

Mr. James Bezan: Hopefully this is my last intervention. I have to respond to what Mr. Gerretsen was saying. He's saying that the Privy Council Office is not a political operation, yet what we learned from the SNC-Lavalin scandal and listening to Michael Wernick when he was sitting at the end of the table at the justice committee was that it was complete political operations and motive and political-speak. That also brings into question what his operations were during the Mark Norman affair. He was still the Clerk of the Privy Council during this entire process. Who actually went to the RCMP to lay the charges? Was it him? We also have the Prime Minister saying it was the chief of the defence staff.

There are a lot of different issues out there that we need to get to the bottom of. I would hope that when you look at the bigger picture of what happened to Mark Norman, the correlation of how it relates to what happened to Jody Wilson-Raybould in the SNC-Lavalin scandal, you will see that there is a need to have this investigation, and, at the very least, support Mr. Garrison's amendment to allow Vice-Admiral Mark Norman to come to a safe place where he.... As Mr. O'Toole just pointed out, he cannot get involved in the politics and the partisanship as a member of the Canadian Armed Forces, but we can provide him an opportunity to have a place where he can actually tell his story, and Canadians can make their own decisions.

• (1735)

The Chair: MP Gallant.

Mrs. Cheryl Gallant: Mr. Chair, it could be that Vice-Admiral Mark Norman has nothing political to say. The obstructions or whatever was hampering the project from going forward could be purely administrative. Right now there's a pall cast over this government, and it will continue to be cast over all of Parliament in the months and years to come unless we get down and finally crack this problem that we have with procurement. It could be that, by accepting an invitation, he could shed some light on what goes on behind the scenes and why it takes so long to, for example, get the EH101 helicopter, to get fighter jets. It seems like a decision is made and then delay, delay, delay.

That is what this committee could gain from the background knowledge on why it takes so long to get our women and men in uniform the tools they need to do the tasks we ask them to do.

The Chair: MP Martel.

[*Translation*]

Mr. Richard Martel: We are all sitting here comfortably; none of us has been subjected to what Mr. Norman has for the past two years. The least we can do is allow him to tell his story, to say what he has to say, considering everything he has done for the country and the government. Let's put ourselves in his shoes. He spent the past two years backed into a tight corner. Just think about how awful that must have been for him. Now, we find out that the charges are being stayed. Setting everything else aside, allowing him to be heard would do him good.

[*English*]

The Chair: Okay, I think the debate has collapsed on the amendment.

Do you want a recorded vote, James?

Mr. James Bezan: Sure, I'd like a recorded vote.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Where we left off on the motion I had a speakers list of MPs Gerretsen and Spengemann. This amendment discussion may have changed that, but that's where we left off.

I'll offer the floor to Mr. Gerretsen.

Mr. Mark Gerretsen: I'll try to be brief, because I know that this meeting has been going on for some time. However, I did want to address some of the other things that I had heard since I last spoke.

As discussed and responded to by other colleagues, Ms. Gallant questioned the motive behind voting in favour of a unanimous consent motion. If the government had not done something wrong, why would you vote in favour of that? We all voted in favour of it because we all recognized that the content of that motion was appropriate and it delivered a proper response from Parliament.

I know there have been some questions about certain members who weren't in the House during that time, but when you put forward a unanimous consent motion, there's no record of who's in the House and it is understood to be deemed adopted by all members of the House, regardless of their presence in the House. That is exactly what happened with that motion.

Another thing that Ms. Gallant touched on was why Norman was singled out amongst all the various people who had access to the information. Another thing that Ms. Gallant brought up was why there was so much time between the suspension and the charge. I think these are great questions, as well, but they're questions that relate to criminal activity and the best body to assess those is the RCMP. The best body to take the evidence from the RCMP and determine how or if to prosecute is the Public Prosecution Service.

I also heard Ms. Gallant talk about court documents and how they were heavily redacted and how there was a six-month delay. Do we know what the standard is for an ATIP of that size? Do we know if six months is too long or too short? Some people might say it is. Some people might say it's not. More importantly, as I pointed out earlier, it was not the government that redacted the documents. I know that it fits a political narrative to say that, but the truth of the matter is that the documents were redacted by the court and were authorized by the court to be redacted and then turned over.

Regarding the whole issue of code words, I took that to be very interesting because I said earlier that there were no code words that were used according to the chief of the defence staff. Then later Mr. O'Toole said that the chief of the defence staff never said that, but according to an article:

[General] Vance denied the use of codewords in an interview with CBC News in December 2018, when he said he was shocked by the suggestion the military was using them to deliberately withhold documents, and said he would be "disgusted" if it were true. That Dec. 21, 2018 article was entered as an exhibit in court.

Ms. Gallant also brought up issues of new evidence and what other evidence is out there. Again, these are great questions to ask but that investigation should be done by the RCMP—the proper body to be investigating these matters—and then turned over to the PPS.

Mr. O'Toole talked about the Privy Council Office in his comments, and he even said that the PCO sent their concerns to the RCMP and then the RCMP investigated. That's the way the process is supposed to occur. You talk about it as though it is something that should not have happened that way. That's the way the process should occur. If the PCO or any governmental department thinks that something illegal may have happened, their job is to turn that information over to the RCMP so that the RCMP can do that investigation.

I'm really glad that Mr. O'Toole brought up my riding and CFB Kingston. I never miss an opportunity to talk about my riding when it's brought up, so I'm really glad when another member does it. I do care very deeply about CFB Kingston and its members. I grew up in my riding. I've been there for almost 43 years. I've seen it evolve from a town, a community that had a military base on the outside, to a military base that has been infused into the community.

● (1740)

When I was the mayor of Kingston, I had the opportunity to travel to Fort Drum with the mayor of Watertown. Then he would come to Kingston and visit CFB Kingston. He was always so jealous of how CFB Kingston was so intertwined with the community. My children can be coached by a CFB Kingston member and you wouldn't know it, because they're so intertwined and they're part of the community. We're fortunate to have that.

My role here is to decide if what is being proposed today is genuinely in the interest of this committee and if the parliamentary resources to be used for it are appropriate, or if this is politically motivated by the opposition.

Unfortunately, and I keep listening and I keep responding to what I'm hearing, I haven't heard a shred of evidence that confirms the former. All I'm really hearing is hearsay and attempts to suggest that there was some kind of intervention, with no concrete proof that it happened. It's all hearsay, and it's all what people think may have happened based on an assumption. That's leading me to believe that there's not much more to this than the politics surrounding the Conservative narrative on this as of late.

Thank you, Mr. Chair.

• (1745)

The Chair: There are three more members to speak: Mr. Spengemann, Mr. Garrison and Mr. O'Toole. Just to keep it going back and forth, I might go out of order.

I'd like to yield the floor to MP Garrison.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

We're back to the main motion. I want to reiterate that the reason I signed the request for this meeting to consider this motion was primarily to give a voice to Vice-Admiral Norman. The motion we're considering is to invite witnesses to appear. We have a long list, and most of those, I would expect, would decline to appear. Even though we probably know the outcome, I would like to see the government members vote for this motion.

There are other people who might wish to take advantage of the opportunity to appear, such as the Minister of Defence. Once again, I know that the Conservatives asked lots of questions about Mark Norman during the estimates. I chose to ask about things more closely related to the estimates, in my mind, so I didn't have a chance to talk to the minister about that. I think he might want to come again and explain his regret statement.

Just to restate, apologies are about responsibility, about taking responsibility for something. If you apologize, you take responsibility. When you say "regret", it implies agency, and maybe he would like to explain that.

The third person on the list who might like to avail himself of the opportunity to appear is, of course, Andrew Leslie, who had intended to testify at the proceedings. With the collapse of those, he is not going to have the opportunity to do that.

Again, mine is about allowing those people who wish to comment on this to have their say under the protection of parliamentary privilege. I would hope that the government members would vote for this, but I doubt that they will.

The Chair: Thank you.

MP O'Toole.

Hon. Erin O'Toole: Mr. Chair, I admire my friend Mr. Gerretsen's passion and he is very direct, but sadly, most of what he was saying is actually wrong. It's important for the record to be reflected and perhaps for him to learn a bit more about some of these things.

He is right that the PCO is part of the government. It is the ministry that advises the Prime Minister. The PCO would act and advise the Prime Minister, but in terms of a determination about one name out of 73 to the RCMP, the Prime Minister would be part of that determination. This is not the Department of Fisheries and Oceans on some island; they're in Langevin Block for a reason. As a privy councillor, I know how that works and how they advise cabinet and the Prime Minister. Really the clerk, in many ways, is the deputy minister to the Prime Minister, if you compare it to other ministries, so I'd invite Mr. Gerretsen to learn a bit more about that.

On the UC motion, I've heard several members of the Liberal caucus say that if there's a unanimous consent motion, it reflects the will of the entire House. No, it reflects the will of the House at that time. It is a unanimous consent, and people who are not there are not part of it. It's the will of the House and the members present at the time. That's part of the Standing Orders.

When it comes to the redactions, I've been involved in litigation as a lawyer and I think it's important to note that the redactions are not picked by the court. The government will provide documents and will claim privilege over certain documents, and after months of prodding, they finally released them to the court to make the determination. The court would just respect or reject a claim of privilege or claim of redactions.

I personally believe the redacted memo from the Clerk of the Privy Council, had it not been redacted, would have a lot of answers in this story, but Mr. Gerretsen was suggesting that the court just reviewed all of them and decided to redact. No. There are claims made by the government when it presented the documents to the court and I think that's important.

On the code word issue as well, the CDS was shocked because he said the use of code words would not have been intended for the purposes. He did not dispute that they were used. In fact, he was challenged in court, and his comments were with respect to the intention behind the use of code words and that acronyms are used in the military. Therefore, we have to be careful not to make conclusions on things that aren't supported by the stories.

In my remarks, I was appealing to certain members of the Liberal committee because I do know they care about their military communities. I said that in my remarks. I know Mr. Gerretsen does and I like the way he described the community and the base being one.

Regarding the Norman family, I first met Mark Norman's father before I met Mark Norman, because General Norman was Commandant of the Royal Military College of Canada. Probably feeling that his dad was so closely connected to RMC, Mark went to Queen's University to stand on his own, which I admire, even though Queen's is technically the second-best university in Kingston.

• (1750)

Mr. Mark Gerretsen: I don't have a comment on that.

Hon. Erin O'Toole: However, I know he cares about all those institutions and this is why I think there are a lot of questions.

I know the easier motion was just defeated, but I really have to appeal again. This is a time when, for us as members, sometimes communities have unique questions asked. When it was on the closure of the fishery, John Crosbie went and addressed them; it was a tough meeting. This is one where a lot of military communities are asking questions and I think this committee could help answer some of them.

The Chair: Thank you.

Debate has collapsed on the main motion. I'll ask the clerk to call the question.

(Motion negatived: nays 5; yeas 4)

The Chair: The meeting is adjourned.

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