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• (1100)

[English]

The Chair (Hon. Jim Carr (Winnipeg South Centre, Lib.)): Good morning, colleagues. I call this meeting to order.

Welcome to meeting number 12 of the House of Commons Standing Committee on Public Safety and National Security. Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely, using the Zoom application.

Members and witnesses participating virtually may speak in the official language of their choice. You have the choice at the bottom of your screen of the floor, English or French. With regard to a speaking list, the committee clerk will advise the chair on whose hands are up, to the best of his ability, and we will do the best we can to maintain consolidated order of speaking for all members, whether they are participating virtually or in person.

Pursuant to Standing Order 108(2) and the motions adopted by the committee on Thursday, February 3, 2022, and Thursday, February 17, 2022, the committee is resuming its study of crowdfunding platforms and extremism financing, and commencing its study of the rise of ideologically motivated violent extremism in Canada.

With us today by video conference, we have Juan Benitez, president, and Kim Wilford, general counsel, from GoFundMe. From Paypal Canada, we have Kevin Pearce, chief compliance officer. From Stripe, we have Katherine M. Carroll, global head of public policy, and Gerald Tsai, head of compliance.

Up to five minutes will be given for opening remarks, after which we will proceed with rounds of questions.

Welcome to you all.

I now invite Mr. Benitez to make an opening statement of up to five minutes. The floor is yours.

Mr. Juan Benitez (President, GoFundMe): Good morning, Mr. Chair and members of the committee. It is our pleasure to join you all today to discuss important matters related to the “freedom convoy” fundraiser and social fundraising in Canada.

My name is Juan Benitez, and I am the president of GoFundMe. I am joined by Kim Wilford, GoFundMe's general counsel.

On behalf of everyone at GoFundMe, we want to acknowledge the impact of the “freedom convoy” on the citizens of Canada, in particular the residents of Ottawa and each of you.

GoFundMe is the world's most recognized and most trusted fundraising platform. Our mission is to help people help each other, with a goal of being the most helpful place in the world. We are humbled that GoFundMe has become a noun that is synonymous with receiving help and assisting communities. That impact is far-reaching, as we have delivered over \$17 billion in assistance to communities in 19 countries since the company began over a decade ago.

In Canada, we are delivering well over \$200 million in community assistance each year, including for significant events, such as the Humboldt Broncos fundraiser in 2018 that raised over \$15 million, as well as the hundreds of campaigns that help friends and family members with their needs and dreams every day.

GoFundMe aspires to be the benchmark for responsible operations in the social fundraising industry. Over 80 of our 400 employees are dedicated to policy creation and enforcement, data privacy, information security, regulatory compliance, sanction screening, and prevention of payment fraud, financial crimes and money laundering. We employ industry experts and consider ourselves to be an innovator in these areas.

Our decisions and policies are guided by our terms of service, which are posted publicly and outline what is permissible and what is prohibited on our platform. Fundraising campaigns relating to misinformation, hate speech, violence and more are prohibited by our terms of service.

Before we provide a timeline of events for the “freedom convoy” fundraiser, I would like to thank Ottawa authorities, notably interim police Chief Bell, Mayor Watson, and their teams for their collaboration and transparency. Their partnership was essential for our teams to understand what was happening so we could make the best possible decisions relative to our policies.

The “freedom convoy” fundraiser was created on January 14. We began actively monitoring it the next day based on significant fundraiser activity. Our initial analysis concluded that the fundraiser was within our terms of service and could remain active. On January 27, we processed a withdrawal of \$1 million to the financial institution of the “freedom convoy” fundraiser organizer.

Following this disbursement, public statements from the fundraiser organizer began to shift in tone, and on February 2, we suspended the fundraiser. This effectively meant that all future donations and withdrawals were paused.

From February 2 through February 4, we heard from local authorities that what had begun as a peaceful movement had shifted into something else. They shared reports of violence and threatening behaviour by individuals associated with this movement. We also commenced a review of where donations were coming from. Our records showed that 88% of donated funds originated in Canada and 86% of donors were from Canada.

On February 4, following concerning dialogue with the fundraiser organizer and her team, as well as continued updates of escalating violence and disruption from local authorities, it became clear that the fundraiser no longer complied with our terms of service. We removed the fundraiser from our platform and provided donors with the option to request a refund or, consistent with the fundraiser organizer's statements, have their donations delivered to credible and established charities chosen by the fundraiser organizer and verified by GoFundMe.

As of February 5, all refunds were initiated by our payment processing partner, including all transaction processing fees and tips, and those funds were returned to donors in the subsequent days.

Please note that there are multiple layers in the regulatory framework surrounding social fundraising via GoFundMe. All donations are processed, held, and paid out by our payment processing partners. GoFundMe does not directly interact with or hold any funds collected from donors, nor are we able to redirect those funds to ourselves.

I previously outlined the investments that we make at GoFundMe for trust, safety and compliance. That is the first layer. The second layer comes from similar functions implemented by our payment processors. Finally, our payment processors also rely on banks, card networks and their associated regulatory requirements.

In summary, we believe that responsible action is core to social fundraising. We proactively invest in the relevant processes, staff and tools to be the industry leader in this area. The "freedom convoy" fundraiser was unique. We support peaceful protests, provided they are within our terms of service.

• (1105)

While there will always be opportunities to learn and improve, we hope the committee acknowledges the responsible actions we took in close consultation with local authorities.

We look forward to continuing our assistance to Canadian communities, and we look forward to the committee's questions.

Thank you.

The Chair: Thank you very much, Mr. Benitez.

I now invite Mr. Pearce to give an opening statement of up to five minutes. The floor is yours, sir.

Mr. Kevin Pearce (Chief Compliance Officer, PayPal Canada): Good morning.

Thank you, Mr. Chair, and committee members.

My name is Kevin Pearce. I am the chief compliance officer for PayPal Canada. In my role, I'm responsible for the implementation and oversight of our various compliance programs, designed to meet our risk and regulatory obligations in Canada.

I thank you for the opportunity to appear here today.

PayPal has remained at the forefront of the digital payment revolution for more than 20 years, growing into a two-sided network that connects consumers and merchants in more than 200 markets around the world. PayPal operates an open, secure and technology-agnostic payments platform that businesses use to transact with their customers online, in stores and on mobile devices. Through a combination of technological innovation and strategic partnerships, PayPal creates better ways for our 426 million active account holders around the globe to manage and move money, and offers choice and flexibility when sending payments or getting paid.

As a trusted and responsible payment service provider, we have developed stringent internal controls, policies and procedures for the purpose of complying with laws in Canada and other jurisdictions in which we operate. PayPal Canada is a registered money services business, both federally with FINTRAC and provincially, within Quebec, with Revenu Québec. As a registered reporting entity under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, we are required to monitor transactions on our platform and to submit suspicious transaction reports to FINTRAC. In addition, we're also required to submit international electronic funds transfer reports to FINTRAC for EFTs sent or received internationally. These are all obligations that we had prior to the declaration of the public order under the Emergencies Act and that we continue to have, even after its revocation.

PayPal Canada is also subject to numerous laws of general application at both the federal and provincial levels. Further, we anticipate having to register with the Bank of Canada as a payment service provider under the newly enacted Retail Payment Activities Act.

PayPal's global compliance organization is comprised of centres of excellence located around the world, which fulfill multiple enterprise risk management functions, including our "know your customer" responsibilities, suspicious transaction monitoring, regulatory filings and privacy. These centres of excellence are managed by and staffed with compliance professionals who have expertise in their respective fields and are exposed to the regulatory regimes across the markets in which we operate.

As it relates to the committee's interest in how crowdfunding was used in the recent protests in Canada, I would like to clarify that PayPal does not process payments for GiveSendGo and we did not process payments for the GoFundMe campaign set up to support this protest.

Nevertheless, we work hard to combat the use of our platform and services to promote hate, violence and other forms of intolerance. We carefully review account activity to ensure our services are used in accordance with the strict guidelines established in our terms and conditions, including our acceptable use policy.

PayPal has a long-standing, well-defined and robust acceptable use policy, which states that "You may not use the PayPal service to violate any law, statute, ordinance or regulation" or "for activities that relate to transactions involving the promotion of hate, violence, racial or other forms of intolerance that is discriminatory".

Over many years, we have developed sophisticated systems and a global governance, risk management and compliance framework to help detect and prevent illegal activity and payment flows on our platform. When we become aware of an individual, a website or an organization using our services in a way that violates our policies or applicable laws, we take action. Our highly trained team of experts addresses each case individually and carefully evaluates the user's website, the associated organizations and their adherence to our terms and conditions. When a customer violates our terms, we may limit access to funds or part ways with the offending customer altogether, as may be appropriate.

PayPal engages with law enforcement proactively and reactively to help deter and prevent potential illegal activities on our platform, and aids in identifying bad actors who have used our platform for illegal purposes. Our ability to identify suspicious payments quickly is a key distinction from cash-based payment systems.

We at PayPal take our responsibilities to our customers and our regulators very seriously, and we're committed to working with governments, law enforcement, intelligence agencies and the financial industry to ensure financial platforms like ours are not used or exploited to promote or fund hate and extremist activities.

Mr. Chair, that concludes my remarks. I welcome questions.

Thank you for the time today.

• (1110)

The Chair: Thank you very much.

Now I would call upon Ms. Carroll from Stripe to give us a five-minute introduction and tell us her role, and we'll then move on to questions.

The floor is yours, Ms. Carroll.

Ms. Katherine M. Carroll (Global Head of Public Policy, Stripe): Thanks very much. Good morning, Chair and members of the committee.

My name is Katherine Carroll. I'm the global head of public policy at Stripe. I'm joined today by Gerald Tsai, Stripe's head of compliance.

We appreciate the important work this committee is doing and the opportunity to participate in this study.

By way of background, Stripe is a technology company that builds economic infrastructure for the Internet. Businesses of every size from small start-ups to public companies use our technology and tools to accept payments and manage their businesses online. Our products are used by businesses in more than 50 countries. We are regulated in jurisdictions around the world based on the products and services we offer in those jurisdictions. Agencies that supervise our regulated operations include the Central Bank of Ireland, the U.K. Financial Conduct Authority, FinCEN and the New York Department of Financial Services, among many others.

Stripe has a strong commitment to compliance with the laws and regulations where we operate. We have invested in building a best-in-class global program to comply with our regulatory obligations including "know your customer" and anti-money laundering regulations, sanctions rules, capital liquidity standards and data privacy rules. We also have advanced systems to analyze transaction flow, detect and prevent fraud, monitor for financial crimes, and protect our users against bad actors.

In addition to complying with our own legal obligations, we work with and operate within parameters set by our financial firms, including regulated financial institutions and card networks that have their own regulatory obligations and rules.

Stripe has operated in Canada since 2012 and opened our offices in Toronto just this week. We have served nearly 430,000 businesses in Canada. During the pandemic, we have worked to enable thousands of Canadian companies, large and small, to adapt and build online businesses.

Our Canadian operations focus on payment processing, enabling merchants to accept online payments. We also offer certain ancillary services and software to businesses, such as fraud detection and calculation of taxes. As is the case in many jurisdictions, payment processing services in Canada have not typically required registration. Payment processing is generally treated differently from, for example, providing money transmission or banking services.

Given the limited scope of our activities, we have therefore historically not been required to register with FINTRAC. Nonetheless, our payment processing activities in Canada are subject to robust global risk management and compliance policies and procedures as well as the requirements of our regulated bank partners.

Two weeks ago, pursuant to the Emergencies Act, we completed the preregistration process with FINTRAC. We have been in active communication with FINTRAC and stand ready to co-operate and comply with any permanent regulatory changes that are adopted whether through new legislation or in connection with implementation of the Retail Payments Activities Act. We've been actively engaged in the government's consultations on how payment processors such as Stripe should be regulated under that act, including as a member of the Bank of Canada's Retail Payments Advisory Committee.

Stripe provides payment processing services to a number of crowdfunding platforms, enabling them to accept payments through the major card networks. As with any activity on Stripe, fundraising campaigns are subject to information collection requirements with respect to the campaign organizer, screening for sanctioned parties, and other risk management and fraud controls. We take seriously our role as payments infrastructure and work alongside bank partners, card networks and platforms to ensure that users have proper controls in place.

Over the last few weeks as events unfolded in Ottawa and elsewhere in Canada, hundreds of our employees have worked closely with our financial institution partners and regulators to monitor activity, share information and comply promptly with court orders and other emergency measures. We continue to adhere to the government's and Canadian courts' determinations of which activities are lawful and when activities or assets should be restricted. We've been careful in this process to uphold our responsibilities and adhere to the law while also minimizing errors that would have cut off Canadians from the financial system.

Thank you again for the opportunity to be a part of this important discussion. We look forward to your questions.

• (1115)

The Chair: Thank you very much, Ms. Carroll.

That completes our round of opening statements. Now we move to members' questions.

To lead us off in the first round, I would like to call on Mr. Lloyd.

Sir, you have six minutes. The floor is yours.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

My first question is going to be for Mr. Benitez from GoFundMe.

The Minister of Public Safety stated in question period on February 8 the following:

Any funds that would go toward undermining public safety, national security or indeed our democracy will be taken with the utmost seriousness by our law enforcement as well as our intelligence community.

He also stated:

We all need to be seized with the landscape as it exists around foreign interference, and any funds that may be used to undermine public safety.

Mr. Benitez, when did the Government of Canada reach out to GoFundMe to ask about the funding that was going to the convoy?

Mr. Juan Benitez: Mr. Chair, I'd like to begin by reiterating that we were very fortunate and very happy to be engaged with local law enforcement and local authorities as we were understanding the facts and circumstance of what was happening on the ground in Ottawa.

This was very influential in our decision-making in assessing how to assess the “freedom convoy” campaign relative to our terms of service. Our communication and engagement was with those local authorities and local law enforcement.

Mr. Dane Lloyd: My question was, when did the Government of Canada reach out to you?

Mr. Juan Benitez: We were not specifically reached out to by the Government of Canada.

Mr. Dane Lloyd: The minister is stating here that this is an issue of the utmost seriousness and that he was seized by this issue, yet the Government of Canada never reached out to your organization.

Is that correct?

• (1120)

Mr. Juan Benitez: Our interaction was with the local law enforcement and local authorities. We did not receive outreach from the federal government.

Mr. Dane Lloyd: Did those local authorities reach out to you or did you proactively reach out to them?

Mr. Juan Benitez: We saw the statements on public media and social media from the local law enforcement and local authorities. Based on that, we began direct outreach to them to ensure that we were fully apprised of the facts and circumstances on the ground and the real-time information that was developing around the “freedom convoy”.

Mr. Dane Lloyd: To summarize what you're saying, no law enforcement, nor the Government of Canada, proactively reached out to you. The Government of Canada never reached out to you with concerns about the “freedom convoy” funding. It was you who reached out proactively to local law enforcement after you identified that there could be some issues.

Is that correct?

Mr. Juan Benitez: Across all of our campaigns and activities on our platform, yes, we have frequent engagements with local and federal law authorities. In this case, what you just summarized was correct for this campaign.

Mr. Dane Lloyd: Can you clarify whether GoFundMe actually handles any of the money or is that handled through your payment processors, like Stripe?

Mr. Juan Benitez: Mr. Chair, as I mentioned in my opening statement, the funds are not held by GoFundMe. Donations to campaigns are processed by our payment processing partners. They are stored in accounts related to our campaigns that are managed by those payment processing partners. They are the ones who are disbursing funds in consultation with us to the recipients of the campaigns.

Mr. Dane Lloyd: Thank you.

Did you ever identify if anyone who donated through GoFundMe was on a terrorist watch list in the United States, Canada or anywhere around the world or if there were any sort of organized crime elements? Have you identified any of those people who raised money for the convoy? Did that happen, as far as you know?

Mr. Juan Benitez: Mr. Chair, we do extensive analysis on the activities that are happening on our platform. In fact, as it is our goal to be the most trusted platform in social fundraising, we actually believe that we operate in such screenings above and beyond what the regulatory climate requires of us. We do extensive screening, including KYC, or know your customer, for recipients who are going to receive funds from GoFundMe via our payment processing partner.

We also do screening of donors on our platform, based on the donation information they provide to us and also information that we can gather about them from our third party tools and consultation with our payment processing partners.

Mr. Dane Lloyd: You didn't identify any problematic people donating to the convoy. If you had identified those people, you would have stopped it.

Is that correct?

Mr. Juan Benitez: That's correct. If we were aware that there was something like that occurring, those folks are not welcome to participate on our platform and those activities would have been prohibited and we would have filtered that out. Any content that we believe is in violation of our terms of service is removed from our platform, whether that's a fundraiser or whether we believe it is an inappropriate donation.

In this campaign, as part of our normal filtration activity, our tools did flag some behaviour that we deemed unacceptable and we did remove some donations.

Mr. Dane Lloyd: We've heard a lot of rhetoric in Parliament about foreign financing, that this was a foreign-funded campaign to undermine Canada's national security. But we've seen numbers from you guys that say 88% of the donors were Canadians. Can you give us a little more colour on that information?

Mr. Juan Benitez: Yes. Thank you for the question.

Mr. Chair, as I mentioned in my opening comments, our records here at GoFundMe show that 88% of donated funds to the "freedom convoy" campaign originated in Canada, and 86% of the donors were from Canada. That information is based on the best information we have available to ourselves based on hard data, and also in consultation with the information we're able to gather in partnership with our payment processing partners. In fact, a large amount of that determination is based on credit card information—

The Chair: You'll have to wrap up, please. You have five seconds.

Mr. Juan Benitez: —and the...

I'll stop there.

Mr. Dane Lloyd: Thank you.

The Chair: Thank you very much.

I would like to move to Mr. Noormohamed.

Sir, you have a six-minute slot. The floor is yours.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Benitez. I very much appreciate your comments.

You've noted on a couple of occasions that your platform does not allow for campaigns that do anything to fund hate and so on and so forth, as per your terms of service. You said, "content that reflects or promotes behavior...to be an abuse of power or in support of hate, violence, harassment, bullying, discrimination, terrorism, or intolerance of any kind relating to race, ethnicity, national origin", etc.

You also noted that the fundraiser was created on January 14 and that on the 27th you processed a withdrawal of \$1 million to the organizers. A lot of information that was in the public domain indicated that the organizers had ties to the yellow vest movement and the anti-Muslim Clarion Project, and had already by this point made substantial comments on the public record that would be cause for alarm, as per your own terms of service.

Knowing that this was already in the public domain, was it that your systems failed such that you allowed that million-dollar withdrawal to be made, was it the systems were not able to catch what happened, or was it that you did not deem that behaviour as being one of the many categories you articulated?

• (1125)

Ms. Kim Wilford (General Counsel, GoFundMe): Thank you for that question. If you don't mind, I'll provide the answer to this.

Mr. Chair, we would say in response that when the fundraiser was created on January 14, it complied with our terms of service. There was nothing in the diligence we did on the campaign organizer that suggested there were any issues. The campaign caught our attention because of the donation velocity. At that point, on the 15th, we reached out to the campaign organizer and started working with her to understand the distribution of those funds. We received a detailed letter of attestation from her that outlined a plan for how she would distribute any funds to truckers involved in the convoy. It also had her stating that registered charities chosen by her and verified by GoFundMe would receive any leftover amounts. We—

Mr. Taleeb Noormohamed: Sorry. You said that you go through a diligence process. Surely your diligence involves doing some background research on the person who is the recipient of something like \$1 million.

Ms. Kim Wilford: Mr. Chair, we did diligence on the campaign organizer when the campaign started. Our discussions with her at that time were constructive. As the situation changed, we reached out and received credible, consistent information from members of law enforcement and members of the mayor's office. We heard that there were issues around violence, harassment and damage.

At that point, we reassessed the campaign. We removed it from our platform on February 4 and refunded all the donors all amounts, plus transaction fees and any tips that we had received.

Mr. Taleeb Noormohamed: I appreciate what you did do at that point. I guess my question for you is this: Had you known that the organizer had been previously linked to organizations or movements that had promoted “hate, violence, harassment, bullying, discrimination...intolerance of any kind related to race, ethnicity, national origin, religious affiliation”, etc., would you have allowed that person to set up a GoFundMe campaign?

Ms. Kim Wilford: If at the time of setting up the campaign, it had anything to do with the promotion of hate, violence, discrimination, harassment, etc., it would have been a violation of our terms of service and we would not have allowed it to continue.

Mr. Taleeb Noormohamed: But that's not what I'm asking you. You said you do a diligence process on the individuals involved. If the individual had been involved in those activities prior to this, would they be allowed to set up a fundraiser on your platform?

Mr. Juan Benitez: Mr. Chair, if I may, I'd like to remind the committee that this group of fundraisers, and this fundraiser as a whole, was—and I believe we can all agree—an unprecedented event, in terms of the scale in which it evolved, the pace at which it evolved, the centralized nature of it and the complexity of the participants who were involved in the fundraiser.

When the fundraiser was created on our platform, as Ms. Wilford said, we were focused on KYC and understanding the fundraiser organizer herself—that individual. Over time, we began doing more extensive analyses on additional parties. It is sometimes not necessarily within our purview everything that anyone has ever commented on in social media and in their lives. Based on the information accessible to us at that time, in that portion of January, the fundraiser was within our terms of service. As a result, we deemed it—based on the information that Ms. Wilford also outlined—sufficient to be able to disburse those funds.

Of course, subsequent to that, things immediately and very rapidly changed. Communication changed. Information on the facts changed. The convoy itself changed. We responded to those changes, and we believe that was the appropriate action.

• (1130)

Mr. Taleeb Noormohamed: What would you do differently now, knowing that your diligence failed to pick up on very clear, questionable, hateful comments, and other types of comments by one of the organizers of the fundraiser? Your platform allowed these individuals to set up these campaigns. If you were to look back now and think about what you might do differently, what would you change in your diligence process to prevent this from occurring in the future?

The Chair: Sorry, you have just 15 seconds.

Ms. Kim Wilford: I would say that we're proud of how we handled this campaign. We believe all the actions we took were responsible and timely, and we made informed decisions, removing the campaign when it violated our terms of service.

The Chair: Thank you very much.

I'll now turn to Ms. Michaud.

Ms. Michaud, you have a six-minute slot.

The floor is yours when you want to grab it.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

Thank you to the witnesses for making the time to answer our questions. The problem is that we don't have answers to a good many questions.

Mr. Benitez, you just said it, yourself: this was an unprecedented fundraiser. It gives rise to a host of questions. Is there a legal void on the regulatory side? I'm referring to the connection between on-line crowdfunding campaigns and the rise of extremism.

That's what I want to get at with my questions. Crowdfunding platforms like GoFundMe don't appear to be subject to the Proceeds of Crime (Money Laundering) and Terrorist Financing Act. That means you don't have to report suspicious transactions to the Financial Transactions and Reports Analysis Centre of Canada, or FINTRAC.

Had you been subject to the act, would it not have been possible to raise a red flag as soon as concerns about the campaign began emerging?

You said you started taking a closer look at the campaign on day two given how much money had been raised in such a short period of time. Do you think it would be a good idea to use existing legislation to better oversee this type of funding?

[English]

Mr. Juan Benitez: I believe that question is directed to GoFundMe, so I will address it. Thank you.

Mr. Chair, we endeavour to have a posture at GoFundMe and processes, procedures and tools that we believe surpass the regulatory requirements we are under. Our decisioning on our platform is guided by the terms of service we have that documents what is permissible and what is not permissible on our platform. Our policies and procedures are designed to enforce these terms of service and are guided by them.

I would also remind the committee of what I mentioned in my opening remarks. We believe that there are multiple layers of framework here, and compliance. There are the investments that GoFundMe makes with our over 80 employees. Over 20% of our workforce is dedicated to policy monitoring, enforcement, financial crimes prevention, sanctions screening, etc. Then, of course, we work in partnership with our payment processing partners and their related obligations. Banks and card networks are ultimately involved in the final transactions. Across these three layers, there is significant participation and oversight by the different parties.

I'll stop there.

[Translation]

Ms. Kristina Michaud: My question is how do we draw the line. At what point do we draw the line to discontinue a fundraiser that is going awry? How do we determine that cause X is worthy, but that cause Y is less so?

Fundraising campaigns and crowdfunding platforms like yours have helped do a lot of good. We've seen a community rally together to help a family who lost their home in a fire, raising a significant amount of money. That's a good thing. At the outset, fundraising for a protest seems like a well-intentioned activity. If a Canadian feels strongly about a cause and chooses to protest, that's a good thing.

At what point do you raise the red flag when a protest that seemed worthy at the start quickly turns into an unlawful occupation linked to extremism? What tools do you have to say that, at this point, it's necessary to put an end to a fundraiser? What basis do you use to make that decision?

• (1135)

[English]

Ms. Kim Wilford: In response, I would say that GoFundMe has a very simple mission of helping people to help each other. We are proud of the fact that people come together on our platform to do good for one another, to help people meet their needs and realize their dreams. The platform helps people come together around the globe in situations like food insecurity, COVID, or even with the

Ukraine tragedy right now. It's about people coming to help one another.

Campaigns come to our attention in a variety of ways. In this case, again, this campaign was within our terms of service when it was formed. It was the donation velocity that brought it to our attention and discussions were held with campaign organizers to ensure that we would have a safe distribution of funds in accordance with the campaign content that kept it on our radar.

Our teams were meeting daily and many times during the day to assess the rapidly changing facts and circumstances of this campaign. It was upon receipt of the real time, credible, and very consistent information that we were getting from members of law enforcement, members of the local government, and talking to individuals on the ground that we understood that the campaign had now crossed the line. It had now started to be something that was a violation of our terms of service.

Again, to be clear, we do not allow campaigns on our platform that promote any form of hate, violence, harassment, discrimination of any kind or any form of intolerance.

[Translation]

Ms. Kristina Michaud: Thank you.

I'm almost out of time, so I'm going to ask a more technical question, for the committee's benefit.

You said that, at a certain point, you had released \$1 million, even though the campaign had likely raised more than that. How does that work? Have all the funds already been made available to the campaign organizer? How is it that you had the power to decide how much you were going to release to organizers?

[English]

Ms. Kim Wilford: We take our responsibility as an open platform very seriously. In this particular case, there was a lot of money raised and we were concerned about her ability to distribute to the number of individuals involved and then to identify registered charities that would be verified by us to be in good standing with the local charitable registries.

We were concerned that she could actually fulfill that promise that she had made in the campaign content. We were working with her, distributing an initial amount, initiating that \$1 million through our payment processing partners on January 27, which she could then distribute to individuals in accordance with the letter of attestation she had signed.

The Chair: Thank you very much.

I now invite Mr. MacGregor to take the floor, for six minutes.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Mr. Chair, and thank you to all of our witnesses for being with us today, and helping to guide our committee through this issue.

My first question is for GoFundMe.

Was GoFundMe aware of the memorandum of understanding that was widely publicized in January?

Our country just went through a democratic election in September, but this memorandum of understanding was designed to form a partnership between leaders of the convoy protest and our unelected Governor General and unelected Senate, completely bypassing the House of Commons.

Was GoFundMe aware of the memorandum of understanding?

Ms. Kim Wilford: GoFundMe was not aware of this memorandum of understanding. We are an open non-partisan platform. All the campaigns on our platform must comply with our very clear terms of service. This campaign, when it was created, and our original diligence with the organizer, didn't reveal that there were any issues.

Mr. Alistair MacGregor: Thank you for confirming that.

In your terms of service, you state that “Fundraising campaigns relating to misinformation, hate speech, violence and more are prohibited by our Terms of Service.” I want to focus on the misinformation part, because it became quite clear from the middle of January onwards that this convoy was rapidly attracting every single conspiracy theory known to this country, like a magnet attracts iron filings. There were all kinds of expletives used about our Prime Minister. Increasingly violent language was being used.

So how was it, with all of the documented evidence of misinformation.... It was reported repeatedly by the media, put on their own social media platforms, on YouTube videos and Facebook livestreams. How did that not constitute misinformation to your company?

• (1140)

Ms. Kim Wilford: Mr. Chair, in response to that, what I would say is that when this campaign was created, it complied with our terms of service. Our original diligence and our initial discussions with the organizer did not reveal any issues. We had constructive dialogue over how the funds were going to be disbursed.

Our teams were constantly reviewing all of the information, but there was a lot of misinformation, and that is why, in order to be very responsible in how we were handling this, we reached out to local law enforcement in response to their statement on January 31, to understand what was actually occurring, and upon receiving information over the next few days that showed it was now violating our terms of service—it had crossed the line and was now something that we could not support on the platform—we removed it on February 4.

Mr. Alistair MacGregor: Thank you for that confirmation.

I want to focus on the conversations you had with the Ottawa Police Service because there is a narrative out there that this was a peaceful protest. I agree that it started off with I think noble inten-

tions. I think a lot of people were there protesting and they wanted to peacefully assemble to make their voices heard. That is a cherished right in our democracy and the foundation of what we all believe in, but I want to dig down on the specifics.

When Ottawa law enforcement was in conversation with you in those early days of February, can you please provide some detail on what exactly they were reporting to your company that gave you concern? I think we need to have these details to understand what it was that led to you making that decision to pull this fundraiser.

Ms. Kim Wilford: Mr. Chair, what I would say in response to that is that I, myself, did not have any direct discussions with members of law enforcement. A number of individuals on our team did engage with them, and we all discussed the information being received. It was stating that there were acts of violence. There was damage and destruction. Harassment was occurring. Upon that information, we made the decision, along with the fact that our own internal discussions with the campaign organizer had changed, to remove this from our platform.

Mr. Alistair MacGregor: So in a sense—and please correct me if I'm wrong—in GoFundMe's opinion, by February 4 this was no longer a peaceful protest and instead was an occupation.

Ms. Kim Wilford: What I would say, Mr. Chair, is that in GoFundMe's view, on February 4 this became a violation of our terms of service, this campaign, and we removed it from our platform.

Mr. Juan Benitez: Mr. Chair, if I may, I'll add to Ms. Wilford's comments.

I appreciate the fact that it's coming up here in the committee that peaceful protest is cherished and that this campaign originally started as something that, by all known circumstances at that time, was a peaceful protest. I think that reinforces how unique and complex and unprecedented this situation was, and how quickly it evolved. We believe that we put in place all of our tools and actions that were appropriate to our terms of service, and we believe that given what we knew at the time all of the decisions were appropriate.

There was this change that occurred, a very poignant change where things went from something that seemed okay and permissible to our terms of service to something that was not okay and no longer permissible, and at the rate of change that was happening and the amount of information that was circulating, was very difficult to coalesce. So again, we feel confident in our policies and procedures and making the decision that we did to support originally and then closely monitor the situation, collaborate with local authorities, and then ultimately notice something change and then revoke the campaign based on violation of our terms of service.

The Chair: Thank you very much, colleagues. We're at the end of the first round.

Doing a quick calculation of the time, if I cut a minute from everybody in the second round, we'll finish pretty well at the top of the hour. Is that acceptable? Good.

Let's begin with Mr. Van Popta. You have four minutes.

Mr. Tako Van Popta (Langley—Aldergrove, CPC): Thank you, Chair.

Thank you to all the witnesses for being with us here today, and for sharing your knowledge and experience with us as this committee works its way through some pretty tough questions.

My first question is for GoFundMe.

Mr. Benitez, you said in your opening statement—and it's been repeated a few times since then—that your organization supports peaceful protests, provided they are within your terms of service. I notice that you said peaceful protests, not necessarily lawful protests. I wonder if you could make a distinction there.

For example, let's say there was a GoFundMe campaign to support people protesting the harvesting of old growth forest in my home province of British Columbia, even if that were against a court-ordered injunction. There could be a protest against pipeline development, even though it's against the laws of trespass. In this case, it was a peaceful protest that did not comply with the city of Ottawa parking bylaws.

What's the distinction between lawful and peaceful?

• (1145)

Mr. Juan Benitez: The circumstances surrounding the campaigns on our platform are often very specific. Our organizers create campaigns on GoFundMe and they've created hundreds and thousands of them; in fact, millions of them have been created since our inception over a decade ago.

The circumstances can be very specific around what the organizer says, what they're communicating to the donors on our platform and what the specific use of funds may be, etc.

Unlawful activity is prohibited by our terms of service. When we become aware that activity on the platform is in violation of law or of our terms of service, we will remove it from our platform.

That consultation with local law enforcement and authorities is what helped us understand that real-time, on the ground information, which lead us to the determination of violation of the terms of service here for the "freedom convoy" campaign as well.

Mr. Tako Van Popta: Here's a follow-up question. Wasn't the "freedom convoy" in contravention of local laws right from the very beginning? Was that not part of your due diligence process in determining whether or not to accept this as a project?

Ms. Kim Wilford: Our review of the fundraiser did not suggest that it was in violation of any local law. We looked at the campaign content to look at how the funds were going to be used. At that time, it passed all of our checks, and our discussions with the organizer also supported that it was going to be acceptable within our terms of service.

Mr. Tako Van Popta: Good. Thank you.

This is another question for GoFundMe.

If and when we amend our laws, so that crowdfunding platforms need to report to FINTRAC, how will your practices change? What's that going to do to your business model? Will there be any significant changes?

Ms. Kim Wilford: What I would say in response to that is we would welcome the opportunity to work with the government to

figure out the exact issues and concerns and how we can help address them, while still supporting the beautiful world that occurs on GoFundMe every minute of every day, with people coming together from all parts of the world to help one another meet their needs and realize their dreams.

We will consistently and continuously not only meet our obligations under the laws that apply to us, but always work to operate a bit above that. To the extent it is determined that we should be regulated by FINTRAC, we will gladly assist and co-operate. Our services will continue and so will our internal policies and teams, evolving and meeting what's required.

The Chair: Thank you very much.

I'll now turn the microphone over to Ms. Damoff, who will have four minutes. The floor is yours.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair.

I'm going to ask my first question of the representatives from Stripe.

Before I do, I thank GoFundMe for all of the information you have provided with us thus far, but I only have four minutes.

To the folks from Stripe, PayPal cut ties with the crowdfunding site GiveSendGo after it was found that funds that were raised on GiveSendGo were used on the attack on the U.S. Capitol in January 2021. Stripe is now GiveSendGo's payment processor.

What have crowdfunding companies learned from January 6, and what gives you the reassurance to continue as a partner for GiveSendGo?

We know that GoFundMe found that the occupation in our country did not meet their requirements, but GiveSendGo continued to raise funds for them and you are their payment processor.

Ms. Katherine M. Carroll: Thanks for the question. I can address that.

As a financial infrastructure company, we enable companies and other organizations to connect to the online economy. As such, we take a very cautious approach to any decisions to terminate that access.

In the first instance, we generally look to governments in the jurisdictions where we operate to make determinations about what activity should be permissible and when that activity should be restricted.

We work with a broad range of organizations of many different political views across the spectrum, and we believe generally that our—

• (1150)

Ms. Pam Damoff: Sorry, with respect, we're not talking about political affiliation here, though. We're talking about a crowdfunding site that was raising funds for an insurrection in the United States, and then was used after another crowdfunding site determined that they didn't meet their terms of service. It accepted those funds.

What kinds of policies do you have in place? PayPal cut their ties with GiveSendGo, and yet you're still allowing payments to be processed there.

Ms. Katherine M. Carroll: I understand. Thanks for the follow up.

GiveSendGo, like most private funding platforms, supports a broad range of campaigns. As I said, we take a very cautious approach to terminating a party's access to financial infrastructure. We do, at times, for GiveSendGo and for other platforms, terminate individual campaigns on those platforms that we determine don't comply with our terms of service, including our long-standing policy against supporting businesses that promote violence—

Ms. Pam Damoff: I have only a minute left, so I'm going to cut you off because I'd like to ask PayPal. It's interesting that other platforms found that the occupation in Canada violated their terms of service, and yet Stripe did not.

I'm just wondering, PayPal, you cut your ties with GiveSendGo. Could you perhaps provide us with a bit of information as to why you did that?

Mr. Kevin Pearce: Mr. Chair, I have to admit that my being here in Canada, the actions taken or the discussions were in the U.S., so I'm not aware of the particulars of the relationship. But I can say in general that we regularly assess activity on our platforms against our “acceptable use” policy, and we carefully review account holders for any violations.

As I say, I'm not aware of the particulars, but I can say, as you've noted, that our relationship with GiveSendGo did cease after the events in Washington in January 2021.

Ms. Pam Damoff: Okay.

Thank you, Mr. Chair.

The Chair: Thank you. The committee owes you 12 and a half seconds, Ms. Damoff.

We move to Ms. Michaud. You are going to have to be so efficient. You have a million questions, and a minute and a half. Go ahead.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair. I'll try to keep it brief.

My question is for Mr. Benitez, from GoFundMe.

In your opening statement, Mr. Benitez, you said you did a review of where the donations to the freedom convoy were coming from. What worried us, at the beginning and throughout the convoy, was foreign interference and the fact that donations were being made anonymously and we didn't know where they were coming from. As I understand it, you have data on your donors, as well as the ability to determine where the funds are coming from. You said that 88% of the donations were from Canadians.

Do you know where the other 12% came from? Do you have indicators to help you categorize users, or donors, in order to raise a red flag when similar user profiles begin donating to similar, potentially problematic campaigns?

I would've liked to ask the PayPal representative the same question, given the platform's experience with donations that helped fund the January 6 attack on the Capitol. Those same donors may have contributed to the freedom convoy, since they tend to be drawn to campaigns of that nature.

In less than 30 seconds, I'd like the GoFundMe representative to answer the question.

[*English*]

The Chair: You'll have to be very quick, please. You have 20 seconds.

Mr. Juan Benitez: I also want to take this opportunity to appreciate the fact that some of the committee members have acknowledged what good happens on the GoFundMe platform. We are very proud and humbled by that and appreciate our opportunity to help communities in need.

In this case—

The Chair: That's a happy note on which to end your time.

Voices: Oh, oh!

The Chair: Thank you very much. Sometimes the world works as it's supposed to.

Mr. MacGregor, you have a minute and a half. Good luck.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

I'll turn to Ms. Carroll and Stripe.

Just help me walk through the timeline here, because GoFundMe announced that it was suspending the campaign on February 4, and that was after a well-publicized report from the Ottawa Police Service. On February 6, the City of Ottawa declared a local state of emergency, and by February 10, GiveSendGo had raised \$8.4 million. That's four days after a local state of emergency, when there were widespread police reports that things were going south in Ottawa, and it took a court order from the Government of Ontario to essentially freeze those millions of dollars.

I think we all have a question here. How did Stripe allow this to go so far? Were you not aware of what was happening with these funds? Why did your internal mechanisms fail to address this?

● (1155)

Ms. Katherine M. Carroll: We were monitoring the situation in Ottawa and across Canada very carefully, working together with our platform customers, which included both GoFundMe and GiveSendGo. We were working very closely with GoFundMe, for example, on the course of action they articulated and their decision to pause those accounts and to execute on those refunds.

We were also watching, of course, all of the declarations by local authorities and—

The Chair: You have 10 seconds, please.

Ms. Katherine M. Carroll: —the news about what was going on in Ottawa to see whether it rose to a level of promotion of violence for the campaigns. Our determination at that time was that it had not crossed that boundary.

The Chair: Thank you.

Ms. Katherine M. Carroll: We did, of course—

The Chair: Thank you very much.

We're down to our last two interventions. Do we have agreement that we can do three minutes each for these last two? Will that work?

Some hon. members: Agreed.

The Chair: Yes, Mr. Chiang, is three minutes okay with you?

Okay, let's go.

Mr. Shipley, the floor is yours.

Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Chair.

My questions will be mainly for Mr. Benitez.

Mr. Benitez, your statement raised some concerns for me over some of the issues that had taken place. I have your notes right here, and you mentioned that from February 2 through February 4, "We heard from local authorities." Could you tell me exactly who you mean by local authorities in this paragraph, this statement?

Ms. Kim Wilford: Mr. Chair, in response, what we would say is that they were Mayor Watson and interim Police Chief Bell.

Mr. Doug Shipley: Thank you.

I was here for those three weeks, as were most of my colleagues, albeit some could have been connecting remotely. That said, the reason I bring it up is that it's disconcerting to see in the very next sentence it mentions that "they"—again I'll use the word "they", but we know now who "they" are—"shared reports of violence and threatening behaviour".

Earlier, Ms. Wilford, you mentioned that there was "damage and destruction" happening. I'd like to know more about those reports. I ask this, Mr. Chair, because I'd like to know why.... We have asked the Ottawa police to attend and the OPP. Neither one of those groups has attended yet. Seeing this testimony today, I would like to point out that while of this was going on, we and our employees were all given briefings about attending work and walking to work, and nowhere did I see in any of the reports shared with us that there was violence, threatening behaviour and damage and destruction happening. Quite frankly, I encouraged—not encouraged, but I allowed my staff to still show up for work every day. I walked to work every day, as did most of my colleagues. We were given briefings on how to walk to work and how to walk into work.

This is a little disconcerting, so perhaps I could hear a little bit more on these shared reports.

I'd also like to perhaps hear, as a point of order from the chair or the clerk, as to why they have not attended yet and if they will be attending.

Ms. Kim Wilford: Mr. Chair, in response, what I would say is that I was not specifically part of the conversations with local law enforcement. I did speak to the mayor myself. We did hear reports of harassment, violence and damage occurring. Based on this credible information, we made informed decisions that this campaign no

longer complied with our terms of service and we removed it from the platform.

Mr. Doug Shipley: Again, I'm not questioning what you're hearing. I wasn't in favour of the blockades. I believe they needed to move. Obviously, they were causing concern to residents and businesses down here, and I was always of the belief that they needed to move on. However, hearing about the violence specifically—and that word is very serious—and again when I was encouraging my staff....

Perhaps, on a point of order, we could hear from the clerk as to when we will be hearing from the Ottawa police and why they haven't shown up yet when specifically our motion asked them to be here.

• (1200)

The Chair: Mr. Shipley, I can answer that.

They were invited and they came back to us and said that because of the intensity of their operations at the moment, they could not appear now. That was the answer given to us.

Clerk, is that correct? Yes.

This is the last slot we have now. Mr. Chiang, you have three minutes. The floor is yours.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair, and thank you to the witnesses for appearing today and for all of the work you do.

My question is directed to Stripe. Given the weapons present at the crossing in Alberta and given the state of emergency we had happening here locally in Ottawa, what tools do you use to assess whether a transaction is suspicious and might be linked to violent extremism? How come you're not aware, with all the media reports going around about these occurrences in Canada, that you would still process these transactions?

Ms. Katherine M. Carroll: Maybe my colleague can speak to some of the compliance controls, but I would just note at the outset that, of course, once the Emergencies Act was invoked and restrictions were put in place by the government and when the court in Ontario imposed certain restrictions on activities, we were complying with those restrictions at the time.

Gerry, maybe you can speak to some of the other specific compliance controls.

Mr. Gerald Tsai (Head of Compliance, Stripe): Thank you for the question.

We do have a comprehensive compliance program, including a review of the fundraising platforms and the fundraisers. We collect information about them and monitor transactions coming into those programs and take a look for anti-money laundering type of behaviour, terrorism behaviour, as well as monitoring for sanctions.

In this situation, as my colleague has mentioned, we were also very carefully monitoring news reports about the situation. Stripe chose to suspend the accounts or comply with the order to suspend the accounts when the Ontario Superior Court issued its restraint order.

Mr. Paul Chiang: Thank you so much for that.

What about crowdfunding platform clients? What risk assessment tools do you use in determining whether to provide services to a crowdfunding platform in light of what's going on?

Mr. Gerald Tsai: If the question is about the fundraisers themselves that are on the crowdfunding platform, we do carefully look at the fundraisers. We collect information about them and compare that to a variety of government lists and lists we get from our banking and other partners to identify parties that have been sanctioned, parties that have been placed there for fraud and other purposes.

In this case, we did not identify anyone that was on those lists at the time the fundraisers were set up.

The Chair: Thank you very much.

That concludes this round and this first panel. I thank those who came to be witnesses. This is not particularly comfortable. In many cases, it's unprecedented. This is certainly not something you do every day.

On behalf of members of the committee, thank you for spending the last hour with us. It was very useful.

Colleagues, we will have a very short suspension to do a sound check for the next panel. I will see you in five minutes.

• (1200) _____ (Pause) _____

• (1205)

The Chair: I would like to call the meeting back to order.

With us for this second hour, by video conference, representing GiveSendGo, we have Jacob Wells, co-founder; and Heather Wilson, co-founder.

I now invite Mr. Wells to make an opening statement of up to five minutes.

Sir, the floor is yours.

Mr. Jacob Wells (Co-Founder, GiveSendGo): Great. Thank you so much, Mr. Chair, members of Parliament, for inviting us to be here today. It is our privilege to speak to you.

My opening statement is going to be brief. GiveSendGo was started by my sister Heather and me eight years ago. Our mission statement is to share the hope of Jesus through crowdfunding, which is our platform—a crowdfunding platform. We do that by allowing people to donate to campaigns from all around the world in conjunction with our payment solutions that we use to onboard people.

GiveSendGo continues to see great things happening around the world. Obviously, there are political campaigns, things that have tension around them, and we navigate them as best we can. But in light of that, our platform continues to be a beacon of hope and light for people all around the world as they give to endeavours that make a difference in our world each and every day.

Thank you very much.

The Chair: Thank you very much.

Now we will go to our opening round of questions, and the first questioner will be Mr. Lloyd.

Sir, you will have six minutes whenever you're ready.

Mr. Dane Lloyd: Thank you, Mr. Chair, and thank you to the witnesses for coming before us today.

I want to confirm something. A news report said that with your campaign specifically to support the convoy protesters, the 60% of the donations originated from Canada and 37% from the United States.

Is that correct?

Mr. Jacob Wells: Yes, that is an appropriate breakdown of the funds.

Mr. Dane Lloyd: In terms of the actual money raised, is that 60:37 per cent ratio fairly consistent, or what, percentage-wise, was the origin of the funding?

• (1210)

Mr. Jacob Wells: Yes, that's going to be very consistent. Most of the donations were under \$100, and it's pretty consistent across the board.

Mr. Dane Lloyd: Is it consistent in terms of around 60% of the total money being raised coming from Canada and 37% from the United States? I'm just confirming that the amounts are roughly consistent.

Mr. Jacob Wells: Yes, I believe it to be. I don't have the exact numbers in front of me, but I believe that to be the case, yes.

Mr. Dane Lloyd: Okay.

Forgive me, but I'd never heard of your organization before this convoy protest. Before this protest happened, what percentage of your business would you say was conducted in Canada? What percentage of your fundraisers were Canadian-based fundraisers?

Mr. Jacob Wells: I would say that probably around six per cent of our campaigns originate out of Canada.

Mr. Dane Lloyd: Can you give us an example of some of the campaigns that you've financed in Canada in the past?

Mr. Jacob Wells: Off the top of my head, probably not.

We have thousands of campaigns that come through GiveSendGo all the time. Most of them are related to missions trips, people going with churches to help with emergencies in communities—medical bills, adoptions, things like that. Likely all of those types of things have happened before in Canada through our platform.

Mr. Dane Lloyd: Would it be fair to say that the convoy protest was an unprecedented moment for your organization?

Mr. Jacob Wells: It was very unprecedented, 100% yes.

Mr. Dane Lloyd: So as an organization, you've never really funded anything political of this size before, anything related to protests against the government, in Canada?

Mr. Jacob Wells: No, definitely not. In Canada, and even here in the U.S., we don't.... One, GiveSendGo doesn't fund things. People start campaigns themselves and they get funding from their supporters, but that really doesn't happen anyways, anywhere.

Mr. Dane Lloyd: Yes, it seems consistent with GoFundMe. You don't actually handle the money yourselves; it's handled through the payment processors. Is that correct?

Mr. Jacob Wells: Correct. That is correct.

Mr. Dane Lloyd: There's been a lot of talk about your organization's involvement in the events of January 6 in the United States. Can you give us a little bit of a summary of your organization's involvement in that?

Mr. Jacob Wells: Sure. It was very little. There's a lot of misconception, a lot of misinformation, even from the last session that I heard. GiveSendGo had very little, if any, involvement in January 6.

We have allowed campaign owners to create campaigns and to proceed in legal activities, and one of those is their right to assembly and right to protest government. There were a handful, maybe 10 to 15 campaigns, prior to January 6, for people fundraising to go to the event. It was for hotel expenses and flights, those types of things. Usually the campaign was under a thousand dollars, so again—

Mr. Dane Lloyd: What would have been the total amount of money from all those campaigns for events related to January 6?

Mr. Jacob Wells: I would probably guesstimate \$10,000 to \$15,000.

Mr. Dane Lloyd: People are trying to state that somehow your organization was masterminding the financing of the events of January 6. With \$10,000 to \$15,000 for hotels and flight expenses, the evidence doesn't seem to back that up.

Mr. Jacob Wells: We have no evidence to support that. People obviously like to make claims to support their viewpoints.

Mr. Dane Lloyd: Of course.

How much time do I have left, Mr. Chair.

The Chair: You have a minute and 19 seconds.

Mr. Dane Lloyd: Because of the event and your involvement in Canada obviously, and the Government of Canada, I believe, did you shut down your page proactively or was it the government that shut down your page? How did that happen with your fundraiser?

Mr. Jacob Wells: Which campaign are you referencing?

Mr. Dane Lloyd: The one in Ottawa. The convoy protest. The “adopt a trucker” campaign.

Mr. Jacob Wells: The page has actually not been shut down. It's ongoing.

Mr. Dane Lloyd: The Government of Canada didn't shut down your page. Was it because they weren't able to or...?

Mr. Jacob Wells: We were never contacted by the government or law enforcement agencies there. We heard reports of the government doing various things, but they never reached out to us that we were aware of.

Mr. Dane Lloyd: The government never reached out to you to express their concerns with the fundraiser on your page? That seems consistent with GoFundMe.

Mr. Jacob Wells: Obviously, like you mentioned, the amount of traffic and volume was unprecedented. We are sizeably smaller than GoFundMe. There was an inundation of emails and a variety of things, so our team was handling it as best as they could. Things may have slipped through the cracks, but we were unaware of anything.

• (1215)

The Chair: Thank you.

I'd now like to turn the microphone over to Mr. Noormohamed.

Sir, you have six minutes and the floor is yours whenever you want it.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

Thank you, Mr. Wells.

You're a veteran and we thank you for your service. You went on record on Fox News saying that you know what sacrifice is. Do you believe that calling for the overthrow of a democratically elected government or funding movements that speak to that is part of the freedom that you fought for?

Mr. Jacob Wells: No, I don't believe that.

Mr. Taleeb Noormohamed: The convoy and protesters spoke publicly of the desire to commit violence against the government and to overthrow the government.

Would your platform, having seen all of these things in the public domain, not have caught this as part of your prohibited activities and terms of use?

Mr. Jacob Wells: In our course of research around the campaigns, that was not something that we were aware of. Obviously, there are always fringe elements to any organization. I believe the media in general just tries to polarize the fringe things because it's great for the media. It doesn't necessarily constitute the general—

Mr. Taleeb Noormohamed: No. Sorry. You say that you believe that the media polarizes. Do you believe that it was polarization when the city of Ottawa was shut down and a variety of laws, statutes, regulations and ordinances of the City of Ottawa, as well as federal laws, were violated—which, again, fall counter to your terms of use?

This, by the way, would have only required you to turn on the television.

Mr. Jacob Wells: You can say that. I don't necessarily agree with that.

Mr. Taleeb Noormohamed: Do you believe that what happened in Ottawa was lawful protest ?

Mr. Jacob Wells: From what I've seen, I believe it was lawful up to the point where orders were enacted to make it unlawful.

Mr. Taleeb Noormohamed: You believe that violating sound ordinances or traffic violations and blocking off entire streets outside the capital is perfectly reasonable even though it's considered unlawful?

Mr. Jacob Wells: I don't necessarily know that those things happened.

Mr. Taleeb Noormohamed: You don't know that those things happened.

Did you turn on the television and see anything about this campaign, sir, when you became part of the media narrative, even on Fox News?

Mr. Jacob Wells: I do need to make a distinction. The blockade over the bridges had nothing to do with the campaigns on GiveSendGo. There weren't campaigns on GiveSendGo for those blockades.

What happened in Ottawa, from what I was getting reports of on the ground, was that truckers did move into the city and that lanes of traffic were open and available for emergency vehicles and other vehicles to travel through. It was the police that—

Mr. Taleeb Noormohamed: Were you aware that horns were blaring through the night in violation of a variety of ordinances?

Mr. Jacob Wells: I did hear reports of horns blaring, that an injunction was made against that, and they stopped.

Mr. Taleeb Noormohamed: You knew the law was being broken in a variety of different ways in Ottawa. Your platform says that GiveSendGo is not a place for hatred, abuse, disrespect, profanity, meanness, harassment or spam. You knew there were reports, documented on video, of supporters of this convoy spewing hate, threatening violence, inciting people to rebel against the government and against the citizens of Ottawa.

Would your platform not have reasonably shut that down?

Mr. Jacob Wells: I'll reiterate that GiveSendGo does not condone violence of any form. We believe there's more power in the unity of peaceful protest. As in any polarized situation, we recognize there will be a few individuals and groups who might intentionally try to incite violence and hijack a movement.

Mr. Taleeb Noormohamed: How many are okay, then? How many bad apples are okay in a bunch?

Mr. Jacob Wells: We already have processes in place with law enforcement to take care of bad actors who are actually committing acts of violence.

Mr. Taleeb Noormohamed: How did you do that in this case? When you read hateful speech and when there were people who were speaking about overthrowing the government, inciting violence, did you shut those funds down? Did you prevent them from accessing the funds?

Mr. Jacob Wells: Again, the Canadian government did not reach out to us—

Mr. Taleeb Noormohamed: I'm asking about your terms of use, sir, the terms of use on your site.

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): On a point of order, Mr. Chair, that line of questioning is very important, and we're all very passionate about this, but I think it's getting a bit abu-

sive. I would just ask the member to take a breath, ask his questions, but this is getting a bit too much. It's bordering on abusive at this point. I'd just ask him to take a breath.

• (1220)

The Chair: Okay, you can resume your questioning.

Mr. Taleeb Noormohamed: The breath has been taken. Now let me ask you again.

Your site explicitly says about prohibited activities and campaigns the following

You may not use the GiveSendGo service for activities that violate any law, statute, ordinance or regulation related to...(c) items that encourage, promote, facilitate or instruct others to engage in illegal activity, (d) items that promote hate, violence, racial intolerance, or the financial exploitation of a crime.

That's a pretty broad set of parameters. Is this on the basis of statute that is created by law, or at the discretion of GiveSendGo?

Mr. Jacob Wells: There's discretion around campaigns. As people have previously mentioned, this was an ongoing situation that was evolving quite rapidly. There is discretion within GiveSendGo to understand and make determinations upon whether those things are actually happening, in conjunction with local law enforcement or federal officials, none of which took the time to actually reach out to us and make us aware of those things.

Mr. Taleeb Noormohamed: Having now seen what you have seen, knowing what you now know, would you allow this type of funder to take place again?

Mr. Jacob Wells: It's something we take on a case-by-case basis. We have to navigate each one of these individually. The campaign itself was by a distinct group of individuals.

The Chair: Thank you very much.

I now invite Ms. Michaud to take the floor, for six minutes.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

Thank you for being here, Mr. Wells. We appreciate it.

I'm going to strive for a different tone, but a number of things you said worry me. I got the impression that, in the United States, where you are, the freedom convoy wasn't at all covered or perceived in the way that we here in Ottawa saw and experienced it.

I want to hear what you have to say about that. The way you spoke made it seem as though the movement was completely acceptable, as though you had no reason to raise a red flag and put a stop to the fundraising campaign.

I want to hear how you perceived that whole movement.

[English]

Mr. Jacob Wells: Americans, obviously, are different from Canadians in some respects. The perception we had over here, at least that I had, was that there was a protest going on against the overreaches of what some people believed the Canadian government to be involved in.

We believe that protest is fundamental to democracy and it needs to be upheld. Our own vice-president of the United States, two years ago, when navigating the protests happening throughout the U.S., and even around the world, said that peaceful protests and peaceful protesters need to be defended. We recognize that freedom is fundamental to all good things, but there are also ramifications to freedom. There's a tension and a balance. We try to navigate it as best we can.

What we were saying and feeling, coming out from what we were observing, was that this was a largely peaceful protest, with an attempt to marginalize it by a fringe percentage of the group that was trying to tarnish the whole thing. That's typically not how we operate, taking fringe elements to then broad stroke large movements.

[Translation]

Ms. Kristina Michaud: I agree with you that protests are lawful and fundamental to democracy. However, when a protest becomes unlawful and turns into an occupation, as the freedom convoy did, certain questions have to be asked. I'm not familiar with the laws in the United States, but in Canada, blocking a public roadway is illegal. When a protest has ties to the far right, it's worrisome. Certain questions have to be asked.

You said that you weren't contacted by the Government of Canada or Canadian law enforcement and that you weren't told to put a stop to the fundraiser. At a certain point, GoFundMe decided to do just that on its own initiative. I would say the majority of Canadians think that was the right decision, albeit a bit late.

If neither the Government of Canada nor Canadian police forces contacted you, did you hear from the Ontario Superior Court of Justice? I would think you heard about the injunction ordering that the convoy's funds be frozen.

• (1225)

[English]

Mr. Jacob Wells: I think there were news reports coming out that made mention of some of those Ontario court rulings. I can say that I did hear about it through the news.

[Translation]

Ms. Kristina Michaud: That wasn't a strong enough sign for you to think that it may be appropriate to stop the campaign, which was clearly funding a movement that was becoming disproportionately large—

[English]

Mr. Jacob Wells: Again, I do think some of the terminology around this needs to be accurate, and obviously broad-stroking movements such as “occupations” and militaristic things, which

were definitely not the case in these situations, just tend to polarize situations even more.

This, as we've mentioned, was an ongoing situation that was rapidly evolving, and we try to do the best with the foundation. I mentioned this before that our foundation is that the freedoms we have in western society came at a very high price and we won't trample on those lightly. Those freedoms came from the blood of men and women who died to give us freedom.

For us to just trample on people's freedoms because it's uncomfortable to some people, that's something we are very hesitant to do. We look at that because it's respectful of the sacrifices that have been made by men and women who have given up their safety for the sake of us to live in freedom.

We want to see that continue to happen. We want people to have freedom. We believe it as a core ethic for all good things. That's how we posture ourselves as a platform of hope and freedom for people.

[Translation]

Ms. Kristina Michaud: I'm curious as to how you can determine what constitutes freedom for a group of Canadians who are calling for that freedom, without really knowing what they are asking for or what the federal measures are that they are protesting against. You make it sound as though you were acting in good faith, as though you didn't really know what was going on and as though it was appropriate to keep it all going. You criticized GoFundMe for deciding to end—

[English]

The Chair: I'm sorry, Ms. Michaud.

[Translation]

Ms. Kristina Michaud: I'll try to pick up this conversation later. Thank you.

[English]

The Chair: We now move to the last speaker of this first round of questioning, Mr. MacGregor. You have six minutes, and the floor is yours, sir.

Mr. Alistair MacGregor: Thank you very much, Mr. Chair.

Thank you, Mr. Wells, for appearing before our committee. As I'm sure you can imagine, this is still a very sensitive topic for our country, and I think in the weeks and months ahead we as an entire country will be trying to peel away the layers to figure out how we got to this place. I do appreciate the fact that you did come before our committee.

From GiveSendGo's perspective, do you feel it is important to abide by and respect Canadian law?

Mr. Jacob Wells: Yes [Technical difficulty—Editor].

Mr. Alistair MacGregor: Can I pause my time, Mr. Chair?

The Chair: Yes, we'll pause your time while we sort out this technical problem.

Ms. Wilson, I hope that your connection is not frozen and the you are in a position to answer these questions on behalf of the company. Are you ready to engage with us now?

• (1230)

Ms. Heather Wilson (Co-Founder, GiveSendGo): Yes.

The Chair: Thank you. Go ahead, please.

Ms. Heather Wilson: I think the question was on whether or not we feel like we need to abide by Canadian law. Jacob started to answer it before his connection froze.

The answer is, yes, we do feel like laws are important for people. But we also—

Mr. Alistair MacGregor: I just wanted that confirmation, because it's important for me to get to my next point.

On Thursday, February 10, when the Conservative government of the province of Ontario applied to court to have the funds frozen that were raised on your platform, GiveSendGo posted a statement on Twitter that said, “Know this! Canada has absolutely ZERO jurisdiction over how we manage our funds here at GiveSendGo.” It continues to say, “All funds for EVERY campaign on GiveSendGo flow directly to the recipients of those campaigns, not least of which is The Freedom Convoy campaign.”

So if you respect applicable Canadian law, and a court came through and froze those funds—we have all of this documented evidence of what the police were reporting and the fact that the City of Ottawa had applied a local state of emergency—how does your statement on Twitter fit with what you've just told this committee right now?

Ms. Heather Wilson: I guess it comes back to the fact that as much as you want to say that the Canadian government made all these statements, if you were concerned about GiveSendGo and what we were allowing, I do not know why they did not reach out to us to ask us to take a look at this. We were all on hearsay, by what we were hearing from media on both sides, and it was not important enough for your government to reach out to GiveSendGo and tell us, “Hey, this is what's going on; this is where we're walking.”

We were going by what we were hearing on both sides of the aisle and we were walking it out the best we could with, again, as Jacob said, standing on the line of freedom, allowing people.... You know, I really believe that if Trudeau had just come out and spoken with the truckers when they got there, a lot of this would have been avoided.

Mr. Alistair MacGregor: Sure, that's certainly an opinion that's out there. I mean, a lot of people would probably wonder which truckers we should have spoken to, because there was a variety of opinions within the convoy movement.

As you know, with the declaration of emergency that was made—and there will probably now be plans to bring crowdfunding sites more permanently under FINTRAC's jurisdiction—I'm just wondering, going forward, because I think our country needs a time of healing going forward, how you think GiveSendGo will learn from this experience. What do you think you will do differently, based on what you've learned?

Ms. Heather Wilson: That is a great question. It's what Jacob and I talk about all the time. We're siblings. We are walking this out. We've learned that we need to give grace to everybody involved. We have very strong opinions on things, but we need to give grace to the people who disagree with us. We need to give grace to ourselves to just understand that we're not going to get it right every time. We're going to continue walking this out and learning what God has put in front of us.

Our whole goal in this is to share hope with people. People who come on our platform are looking for something. They usually are raising funds. Very rarely is it political. They're looking to raise funds for something that's important to them. In that, we want to share something that goes beyond funds, and that is the hope we have found in Jesus. That is what we're going to continue to do.

As Jacob said earlier, we're going to take each step and case-by-case scenario. Just as we do our KYC and just as we review every single campaign and recipient who comes on our site, we are going to continue to be diligent in walking this out. We're not always going to get it 100% right, just like nobody in this room is going to get it 100% right all the time.

That's why these discussions are awesome. We can get together and we can talk about how we move forward to make sure people feel heard and they feel like their government hears them—

Mr. Alistair MacGregor: Thank you. I want to get one more question in, and I have only a minute left.

Regarding the jurisdiction piece going forward, you made the statement on Twitter that Canada has “absolutely ZERO jurisdiction”. I would beg to differ, because you do use payment processors who are subject to our laws. I would just make the statement here that if you want to continue to operate in Canada, I think you do have to acknowledge that the Canadian government does have jurisdiction.

Specifically going forward, there was evidence of police reports and local states of emergency. It took the Government of Ontario to apply to the court to stop this. How can you learn from those specific things that happened? Do you need to be more cognizant of police reports and of what's going on in courts, etc.? I would like your comments on that specifically.

• (1235)

Ms. Heather Wilson: Sure. I think actually that the government needs to be more proactive in reaching out to the offenders or whoever they believe the offenders are.

We were doing our business, allowing people to raise funds on GiveSendGo. Your government took issue with that, but it would not come to us and tell us it took issue with it, and so if anybody should be looking at this, I think it should be a two-party act, so that if anybody has an issue.... The Bible speaks to this and says that when you have an issue with somebody, you go and talk to them about it and you resolve it.

The Chair: Thank you very much. We appreciate that.

Now we move into the second round, to be opened by Ms. Dancho.

Ms. Dancho, you have five minutes, and the floor is yours.

Ms. Raquel Dancho: Thank you very much, Mr. Chair.

I very much appreciate the testimony of the witnesses for the last hour and a half. It's been very informative with excellent questions from all sides.

Mr. Chair, I am going to pause my time and move a motion.

I move the following motion:

That, pursuant to standing order 108(2), the committee immediately begin a study on Canada's emergency preparedness for the range of threats posed by Russia, including threats to Canada's public safety and national security, to Canada's critical infrastructure (both physical and cyber), as well as the threat that Russia could resort to the use of espionage, sabotage, and weapons of mass destruction; that this study include at least eight meetings; that the committee invite the Ministers of Public Safety, Emergency Preparedness and National Defence to appear, and other witnesses as requested by the committee; and that the committee report its findings to the House.

Mr. Chair, after very fulsome and collaborative discussions with all parties—and I very much appreciate that we've had those—if I may speak for my party, we agree that this is an urgent matter. That's why we've decided to bring it forward today, given the context of what's happening in Ukraine.

We have had some discussions, and Ms. Damoff, I believe, will be next, and I very much hope we can reach a quick agreement and get back to the committee witnesses.

The Chair: Ms. Damoff, I see your hand.

Ms. Pam Damoff: Yes, Chair, thank you.

I want to thank Ms. Dancho for bringing the motion forward. I also wish that Canadians could see the cross-party collaboration that happens at committee. Too often we base our perception of politics on what we see in the House of Commons, and we don't see that parties do actually work together.

I am going to propose a couple of amendments, which, I believe, we all agree should be accepted. The first one would be that we add Russian misinformation and disinformation, in the motion, so specifically that following the words “both physical and cyber,” we add the words “the prevalence and impact of Russian misinformation and disinformation”, and at the very end of the motion we add the words “and that, pursuant to Standing Order 109, the Government table a comprehensive response to the report.”

I think we all want to hear the government's response. The amendments would be those two additions.

I would just add—and I'm not going to change the motion—that there was a conversation and in good faith we recognize that especially with what is happening in Ukraine at the present time, it may be difficult to get the Minister of National Defence here in person. Every effort will be made, but recognizing that, we could have top officials from the department, including the chief of the defence staff, if we are unable to coordinate the three ministers.

I am moving the amendment to include those two additions and changes to the motion.

The Chair: Are there comments?

Is there debate on the amendment? Let's go that way.

Ms. Michaud.

[*Translation*]

Ms. Kristina Michaud: Mr. Chair, I want to comment on what Ms. Damoff just said.

It's true that there was a lot of cross-party discussion and co-operation to reach a consensus. I, too, want to acknowledge that.

I also want to say that, because of the amendments brought forward by the Liberal Party, the Bloc Québécois will be supporting the motion.

[*English*]

The Chair: Mr. MacGregor.

Mr. Alistair MacGregor: Thank you, Chair.

I'd also like to express how well I think the negotiations went. I appreciate Ms. Dancho's bringing forward this motion. We've had discussions with Ms. Michaud and Ms. Damoff, and I'm glad that we could collaborate.

One thing I've found, Mr. Chair, is that this committee needs to be very nimble on its feet given its mandate, and certainly what's happened with the Russian invasion of Ukraine. Of course, with Canada's very vocal support of the Ukrainian people in their brave fight against total Russian aggression, we are opening ourselves up as a potential target of Russian activities. As a committee, we need to make sure that we are providing oversight and investigative tools to find out whether we are doing our best at countering these threats.

I appreciate the discussion that's been going on. I'm very happy with the direction we're going with this motion and the amendment.

Thank you.

• (1240)

The Chair: Thank you.

I saw two hands up, from Ms. Damoff and Ms. Dancho.

Go ahead, Ms. Damoff.

Ms. Pam Damoff: Very quickly, Mr. Chair, I forgot to mention that we also had discussions in that we would be continuing with the IMVE study that we have already passed a motion for. We'll do both of these studies simultaneously, and the subcommittee will meet as soon as possible to get a fulsome work plan done for the committee moving forward.

Thank you.

The Chair: Go ahead, Ms. Dancho.

Ms. Raquel Dancho: Again, I have two things.

I would like to thank committee members for their compromise in the negotiations on this very critical issue. It's very reassuring, I believe, for Canadians to know that the Standing Committee on Public Safety and National Security will be undertaking this study immediately.

I also appreciate Ms. Damoff's suggestion that, as she mentioned, if the Minister of Defence cannot come, that the chief of the defence staff come. I think that is a critical piece to reassure Canadians that everything is in hand, and I look forward very much to hearing some top officials explain to the committee and Canadians our emergency preparedness plans and procedures that are critical at this time, as very well outlined by Mr. MacGregor.

Thank you for that.

I think we can probably vote on the amendment now.

The Chair: I'll first ask if any members of the committee have further comments before we do.

Mr. McKinnon, did you have your hand up?

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Yes. Thank you.

I certainly appreciate the collaborative spirit here and welcome it. I will certainly support the motion and the amendments.

I have a question about process. I wasn't clear on whether the changes Ms. Damoff had proposed were in a single amendment or if there was a series of amendments to come.

Perhaps Ms. Damoff could clarify that.

The Chair: My understanding is that there are two amendments, but, Ms. Damoff, you can answer that for Mr. McKinnon.

Ms. Pam Damoff: I'm not proposing any additional ones beyond what I spoke about. I'm hoping that we could vote for both of the changes in one fell swoop.

Mr. Ron McKinnon: As a matter of process, we can deal with only one amendment at a time, so either it's one amendment—a motion to amend—and it all changes at once, or we need to take them, in my view, one at a time.

Ms. Pam Damoff: Yes. That was my intention: to have all those changes made in one amendment.

Mr. Ron McKinnon: Thank you. I appreciate that.

The Chair: If we can combine those two thoughts in one amendment, then we can proceed that way.

To facilitate that, I'll ask Ms. Damoff to repeat for members of the committee the amendment that she is proposing.

Ms. Pam Damoff: Thank you, Mr. Chair.

It is, after the word “cyber” adding the words “to the prevalence and impact of Russian misinformation and disinformation”, and, at the very end of the motion, adding the words “and that pursuant to Standing Order 109, the government table a comprehensive response to the report”.

The Chair: The clerk tells me that, as Mr. McKinnon has suggested, we have to deal with these amendments individually.

Let's start with the first amendment.

Ms. Pam Damoff: The first amendment is adding “to the prevalence and impact of Russian misinformation and disinformation”.

Maybe we could vote by a show of hands?

The Chair: Let's vote on that amendment.

Mr. Clerk, do we have unanimous consent?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Excellent. We have unanimous consent.

Let's now move, Ms. Damoff, to the second amendment.

Ms. Pam Damoff: The second amendment is “and that pursuant to Standing Order 109, the government table a comprehensive response to the report”.

Maybe we can see if we get unanimous consent for that as well, Chair.

The Chair: I would ask for unanimous consent. I see thumbs and hands. Any contrary...?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Both amendments have passed by unanimous consent, which means that we go back to the original motion as amended.

Clerk, do we want to do a roll call on that, unless there are further amendments or there is further commentary?

I have Ms. Dancho.

• (1245)

Ms. Raquel Dancho: I just wanted to mention that I do think the significance of this motion is quite high, so I would ask for a recorded vote.

The Chair: Yes, we will have a recorded vote.

Clerk, call the roll, please.

(Motion as amended agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: Thank you very much, colleagues. The motion passes as amended, and it's another really clear and important example of how this kind of cooperation and collaboration can lead us to a spot where everybody is comfortable. I hope that it is a template not only for this committee but for others as well.

Let's go right back to the questioning of our witnesses, please.

I have next on my list, Mr. Zuberi, who will have five minutes that we're going to have to recalibrate. I'll do that given how much time we might have left.

Ms. Raquel Dancho: I have a point of order, Mr. Chair.

Because I moved the motion, I don't believe that took my time, but do you want to correct me if I'm wrong? I am correct?

Oh, it did take my time. My apologies. My mistake.

The Clerk of the Committee (Mr. Wassim Bouanani): I need to take your time for that.

The Chair: I'm sure that you can find a way to express yourself through colleagues before it's all over.

Mr. Zuberi, you have the floor. You have five minutes.

Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.): I'd like to thank the witnesses from GiveSendGo for being here and for taking the time.

Just to preface my comments, I found it interesting that you didn't have any substantive opening remarks similar to the other witness who came here from GoFundMe and from PayPal and from Stripe. Each had five minutes, and you did also. We weren't able to benefit from prepared remarks from you. I found that really interesting.

That said, I would like to get to an article that was published by The Guardian on April 10 about the data breach. It said that your organization has been involved in supporting fundraising efforts for the Proud Boys. Are you aware that the Proud Boys is a listed terror organization in Canada?

I'm not sure if the witnesses heard the question. Chair, my time is still running, and there are no responses.

Ms. Wilson, you're welcome to comment. Are you aware that Proud Boys is a terror group in Canada?

Ms. Heather Wilson: We are at this time. We are.

Mr. Sameer Zuberi: At this time. So when were you aware that Proud Boys is a terrorist organization?

Ms. Heather Wilson: Actually, when did you label them as a terrorist organization? I'm not sure.

Mr. Sameer Zuberi: In 2019. So it's been quite a while. We appreciate that you now are aware that Proud Boys is a terror group in Canada. My understanding is that your organization helped support \$375,000 in crowdfunding for at least 11 members of the Proud Boys. Is that accurate?

Ms. Heather Wilson: That sounds about right, that we did have some members of the Proud Boys raise funds on GiveSendGo.

Mr. Sameer Zuberi: Thank you for confirming that.

In terms of what happened with respect to the convoy here in Canada, as a result of the Government of Ontario's actions, \$8 million was frozen that you were facilitating. You were certainly aware of that, weren't you?

Ms. Heather Wilson: We had heard that there was an emergency act put in place to freeze convoy funds.

Mr. Sameer Zuberi: How did you hear about that?

• (1250)

Ms. Heather Wilson: On the media.

Mr. Sameer Zuberi: Media. Great.

So you heard about it through the media. Were you monitoring what was happening with respect to the convoy and the lawlessness around it?

Ms. Heather Wilson: You can call it "lawlessness"...okay. Yes, we saw what was unfolding on both sides of the narrative.

Mr. Sameer Zuberi: Were you aware that states of emergency were called around the convoy, in particular on February 6 when Ottawa called a state of emergency, the City of Ottawa.

Ms. Heather Wilson: We did see that on the news.

Mr. Sameer Zuberi: Were you aware that the Emergencies Act was brought into effect on February 15? Are you aware of that?

Ms. Heather Wilson: We did see that on the media.

Mr. Sameer Zuberi: But at what point did you stop supporting crowdfunding for the convoy?

Ms. Heather Wilson: We never supported it. We allowed the Canadians and people around the world who wanted to support it to support it. We never supported the convoy. We allowed them a platform to have a voice to do what they felt was important, which was to go to the capital and have a word about mandates that were going on.

Mr. Sameer Zuberi: Thank you.

Ms. Heather Wilson: And if somebody had wanted to do a [*Inaudible—Editor*] protest, we would have allowed it as well.

Mr. Sameer Zuberi: Thank you. I appreciate that comment.

On the record we know the City of Ottawa on February 6 declared a state of emergency. The Government of Canada as of February 15 introduced the Emergencies Act where it has effect, and you ignored it. Do you believe that you should be respecting the laws of Canada as you do operations that touch upon this country?

Mr. Jacob Wells: I can answer that.

Yes, we completely respect those laws in relation to the citizens they affect, who are Canadians.

Mr. Sameer Zuberi: Thank you for acknowledging that those laws must be respected.

We heard from GoFundMe that 20% of their workforce deals with compliance. What percentage of your workforce deals with compliance to ensure, as you said, that our laws must be respected?

Mr. Jacob Wells: We have a significant piece of our organization.

Mr. Sameer Zuberi: What exactly percentage, please?

If you are the head of the organization and you cannot say it, that's shocking.

Mr. Jacob Wells: Well, I can say—

Mr. Sameer Zuberi: Please give us that number.

Mr. Jacob Wells: —if you weren't going to cut me off.

Approximately the same percentage that GoFundMe has, we use for KYC and verification of campaigns and the legitimacy of campaigns and the organizers.

The Chair: Close up in five seconds, please.

Mr. Sameer Zuberi: We heard approximately 20%. Thank you very much.

The Chair: Thank you very much. This segment is done.

Let's now move to Ms. Michaud.

We're running out of time here. We're going to have to go a few minutes over. I'm just going to get some advice from the clerk about how many minutes we can go over.

In the meantime, Ms. Michaud, I will give you the floor for two and a half minutes.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

Mr. Wells, picking up our earlier discussion, I want to find out more about your terms of service. If I understand correctly, they prohibit fundraising activities or campaigns that raise funds for illegal activities, to cause harm to people or property.

Is that correct?

[*English*]

Mr. Jacob Wells: That is correct.

[*Translation*]

Ms. Kristina Michaud: All right. I gather that the media coverage you saw of what was happening here, in Ottawa, may have been different.

Did you realize that the occupation on Parliament Hill was illegal?

[*English*]

The Chair: Do we have an answer from one of the witnesses, please?

Ms. Heather Wilson: Again, we were seeing both sides of the narrative. I want to keep bringing this back to the following, because if this is really a discussion not to be against or for anyone of us but just how to move forward and improve, then I want to keep bringing this back to what you guys in Canada—"you guys", I'm so not legal—should be doing to make sure that when something happens, you are communicating.

You did not communicate with us at all about what was going on. We had to hear about it second and third-hand as we were trying to walk out what we should be doing as best practices. We're trying to walk this out, and the Government of Canada is making all these moves and not even contacting us or trying to get any information from us. We're supposed to hear about it second and third-hand.

If we're going to move forward, if this is what this discussion is about today, which is what we were led to believe, how to move forward to make sure these things don't happen again, then we need to be also talking about what governments should do when they think something is happening. You could have reached out to us.

• (1255)

[*Translation*]

Ms. Kristina Michaud: Sorry to cut you off, Ms. Wilson, but I have just a few seconds left.

On February 10, the Government of Ontario obtained a restraint order from the Ontario Superior Court of Justice to freeze access to the convoy's funds. You were advised of that information on February 10.

At that point, what did you do?

[*English*]

Ms. Heather Wilson: We didn't get any information from your government. We heard about it on social media. I can find out about aliens on social media as well. We heard about it on social media, and then we had to try to navigate what was going on. We knew the funds were in a U.S. bank account.

[*Translation*]

Ms. Kristina Michaud: According to the information we have, you received the court order.

[*English*]

The Chair: Thank you very much. That slot is over.

Colleagues, the clerk has informed me that we can go a few minutes after 1 p.m., which means that we will go the full round.

That means, Mr. MacGregor, you get your full two and a half minutes. Take them.

Mr. Alistair MacGregor: Thank you for the generosity, Mr. Chair.

Ms. Wilson, I think what this committee is trying to get at is that GoFundMe was able to have the resources in place and the intelligence operations within its own ranks to proactively shut this down. That seems to have been lacking with GiveSendGo. That's what we're trying to drill down on.

You said that nobody told you this was going on, but it was apparent to the entire world what was going on. It was quite evident, with trucks being parked on a major thoroughfare. I didn't have to search hard to see what going on. That's what we're trying to get down.

I want to get a comment from you. When the Government of Ontario did move to freeze the funds on February the 10, they used a statement from an Ottawa Police Service officer who supported the affidavit. It was Constable Christopher Rhone. He said that GiveSendGo was knowingly facilitating the commission of indictable offences. He said "GiveSendGo does not appear to be an impartial provider of fundraising services to the Freedom Convoy 2022 protest" adding that GiveSendGo has been "expressly critical" of GoFundMe's decision to terminate its relationship with the campaign and "actively sought out the Freedom Convoy 2022 campaign to join its online fundraising platform".

It seems from that statement, knowing all of the problems that existed and knowing GoFundMe's reasons for disassociating itself, your company then went actively to fill in the void.

Do you have a comment on that?

Ms. Heather Wilson: Thank you for that question.

I think it's great. You've made a couple of points. You said that GoFundMe didn't do what's right, but you have been defending GoFundMe. It shows that you have a stake in the game as well. You had GoFundMe do exactly what you wanted.

You say "impartial". What is impartial? Impartial is someone taking down something because you want them to. Is that impartial? Or is impartial letting something stay whether you agree with it or not? We've had people say that we're not neutral. What's not neutral? We would have allowed an anti-protest fundraiser on our site as well.

Being neutral is not saying that...we don't want to be like GoFundMe. If you look, we've seen a lot of campaigns come to GiveSendGo because they were removed from GoFundMe because of political beliefs. We are simply here to share the hope of Jesus with people through crowdfunding. We don't care what your political beliefs are. We don't—

The Chair: Thank you very much. That was very clear. We appreciate your candour.

Colleagues, we have two more slots left. We'll go five minutes for each.

First up is Mr. Van Popta.

Mr. Tako Van Popta: Thank you to the witnesses for being here with us and sharing your experiences and knowledge.

I have a quick question for either of our two witnesses.

I want to drill down into the cyber-attack on your website and the information about donors that people thought was anonymous being made public. Perhaps you could tell us a bit about that.

How did that happen and what are you going to do to make sure that never happens again?

Mr. Jacob Wells: That's a great question. Thank you for that.

GiveSendGo takes the privacy of our users very highly. It was an unfortunate event. Obviously, in taking a neutral stance as we have on campaigns on our platform, we have a big target on our backs for those who are politically motivated.

In light of [*Technical difficulty—Editor*] were exposed by high-level hackers. Prior to that, we had been engaging outside security audits of our platform to ensure the safety of our platform.

Security has been something that we've been very vigorous about. It was a high-level attack in an attempt to take the platform out, which seemed very ideologically motivated. On the flip side of now having been the receiver of that illegal event, we've brought in additional resources to continue to improve our platform to make sure that type of illegal behaviour never happens again on our platform.

• (1300)

Mr. Tako Van Popta: Thank you.

I understand there's a court order freezing the funds. I understand that roughly \$10 million has been raised through GiveSendGo for this project. Where is that money today and will it be refunded?

Mr. Jacob Wells: We're having ongoing discussions.

The funds are being held legally here in the U.S. in a bank account. We are examining what the options are, going forward. Every legal method is being looked at by legal teams. We want to do what is legal, what is right to ensure funds [*Technical difficulty—Editor*] with their intention go to the recipient. If that's not possible, they would be refunded back to the givers.

Mr. Tako Van Popta: Is there a court order preventing you from delivering the funds to the intended party, the "freedom convoy"?

Mr. Jacob Wells: Yes. There are legal injunctions in place against it, which is why it hasn't happened.

We haven't made attempts to skirt the law. Regarding the injunction's recipients of the two campaigns in question, their accounts were shut down legally in conjunction with the court order.

GiveSendGo has done everything that's been legally required of us so far in this process, and we will continue to do so.

Mr. Tako Van Popta: Why wouldn't you just refund all the contributions, the way that GoFundMe did?

Mr. Jacob Wells: That's a great question, and it's a really appropriate question. It's on the table.

This has been an ongoing situation that's rapidly changing. The response of the government has rapidly changed. There are a lot of moving parts and a lot of variables. It's not an easy situation. We don't take it lightly and we understand that everybody here has... It's been somewhat of an issue and a stress in trying to figure it out and navigate it well.

[*Technical difficulty—Editor*] will be making decisions over the next several days about how we want to proceed, in conjunction with legal counsel and what's happening in the legal cases surrounding these issues.

Mr. Tako Van Popta: I have one quick question. There's talk here in Canada that funding platforms such as yours are going to become subject to our FINTRAC rules. You might not know what that is, but there is the American counterpart—I'm not sure what the name of it is.

How will your business model change if you become subject to FINTRAC's anti-money laundering rules?

The Chair: You have 10 seconds to answer.

Mr. Jacob Wells: It's a great question. We're going to do everything that we're required to do by law in order to keep our platform viable and to continue the service that we have for Canadians and other people around the world.

The Chair: Thank you very much.

Mr. McKinnon, I see your hand is up. Do you have a point of order, or is that an old hand?

Mr. Ron McKinnon: I'm sorry. That's a residual hand. I'll take it down.

The Chair: We keep seeing that hand from you, Mr. McKinnon. It's getting older and older.

The last slot of this morning belongs to Ms. Damoff. Take it away. You have five minutes.

Ms. Pam Damoff: Thank you very much, Mr. Chair.

I'm going to give the benefit of the doubt to our witnesses that they're not familiar with Canadian jurisdiction and our different levels of government, but until the Emergencies Act was put in place, the federal government did not have jurisdiction. It was under provincial jurisdiction, and the Ottawa Police Service was the agency of jurisdiction.

We know the Ontario courts froze your accounts. Did you have contact from the Ontario solicitor general's office?

Maybe someone whose connection is not frozen can answer. Can we freeze my time if he's frozen?

• (1305)

Ms. Heather Wilson: I can answer. No, we did not have any contact with anybody.

Ms. Pam Damoff: The Ontario government did not reach out to you, either, when they froze your funds. How did you find out from the Ontario court that your funds were frozen?

Ms. Heather Wilson: We found out from social media and mainstream news.

The funds are in a U.S. bank, so they're not necessarily frozen. They cannot get to the recipient on the ground in Canada at this moment, but—

Ms. Pam Damoff: You were pretty clear that you thought the federal government and the Prime Minister should have been reaching out to you, but with all due respect, until the Emergencies Act was put in place, we had no jurisdiction to contact you. Once the Emergencies Act was put in place and we had jurisdiction, the crowdfunding funds that you were holding were already frozen, so there was no reason for the federal government to be reaching out to you.

I have another question for you, though, following up—well, that's the just facts. It's just the facts. You may not agree with them, but the fact is we were not the government of jurisdiction until the Emergencies Act was enacted on February 14. I'm really quite—

Ms. Heather Wilson: So you did nothing. You don't take any responsibility in this is what you're saying.

Ms. Pam Damoff: I'm sorry. We enacted the Emergencies Act, Ma'am, for the first time since that legislation was introduced, so

we certainly did have a role. We took the occupation extremely seriously, as a threat to Canadians. It was a public safety threat and that's why we invoked the Emergencies Act, so we absolutely took it seriously.

I have extreme concerns, though, about the comments you were making to my colleague about the Proud Boys. We listed them as a terrorist entity in 2019. The United States has not done that. You continue to fundraise for them. You continue to fundraise for groups that promote Islamophobia, anti-Semitism, Nazi sympathizers and white supremacists.

I just wonder how you can justify giving people like that a platform to raise funds.

Mr. Jacob Wells: That's a great question.

If we started mandating litmus tests for how good people ought to be in order to use public services, we would be in a very, very difficult situation very quickly. The problem is—

Ms. Pam Damoff: Would you allow a fundraiser on your platform from the Ku Klux Klan, sir?

Mr. Jacob Wells: If the fundraising activity was legal and it was legally authorized to happen, we would allow people to fundraise for things that are legal—

Ms. Pam Damoff: So the Proud Boys will still be able to fundraise on your platform and you would not have a problem fundraising for the Ku Klux Klan is what you're saying.

Mr. Jacob Wells: Just to be clear, if individuals or organizations that are legally authorized to receive payments and go through the KYC checks and the AML checks that everyone is required to do, and have been done through our platform, if they pass all of those measures and what they're fundraising for is legal, then yes, we will allow them to fundraise.

In the same moment, we will share our hope with them, which is—

Ms. Pam Damoff: Are there anti-hate provisions in your terms of service?

The groups that we're talking about are hate groups. Groups that promote Islamophobia, groups like the Proud Boys, groups like the Ku Klux Klan have no place in our society.

I'm sorry, all this mumbo-jumbo about legal.... Do you not have anti-hate provisions in your terms of service?

Mr. Jacob Wells: You can read our terms of service. They're very clear. They're right there on our website. We have plenty of terms in there that guide how we operate as a business, as an organization.

We believe, completely to the core of our being, that the danger of the suppression of speech is much more dangerous than the speech itself, and this has been attested through—

Ms. Pam Damoff: Sorry, my time is up, but I'm just going to say that my brand of Christianity is very different from yours if it includes hate.

• (1310)

The Chair: Thank you very much, everybody. This has been an intense, dynamic couple of hours.

To the witnesses, thank you for making yourselves available and participating in sometimes an uncomfortable conversation, but a

very important one. On behalf of my colleagues in committee and all parliamentarians, I thank you for your appearance today.

Colleagues, thank you for your insightful questioning and for cooperation on the motion.

I would now entertain the idea that we adjourn the meeting. Do I have agreement?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

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