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Chair: The Honourable Bardish Chagger



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• (1005)

[English]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning, everyone. I call the meeting to order.

Welcome to meeting number 80 of the Standing Committee on Procedure and House Affairs. The committee is meeting today to study the question of privilege related to the member for Wellington—Halton Hills and other members.

I would like to remind all members and witnesses that care must be taken with regard to the earpieces for interpretation. Please be mindful to not place your earpiece near the microphone, as this can result in a feedback loop that may cause an acoustic shock, which could in turn cause injury to the interpreters. Sometimes when we're speaking we don't notice that we're doing it, so be mindful.

All comments will be addressed through the chair. I have asked members and our guests today to keep an eye on each other when the exchange is happening because you'll see a little bit of a nod to say "I want the floor back." That would just help with me not having to interrupt because I would like to maximize the time that we have.

We have with us today the Right Honourable David Johnston, independent special rapporteur on foreign interference. To declare any conflicts of interest, he was the president at the University of Waterloo when I not only attended, but graduated, so we do know each other from the region of Waterloo.

Mr. Johnston, you will have up to 10 minutes for your opening comments.

Before I do that, there are some rumblings or thoughts that there might be votes taking place today. As there might be votes, I would just like agreement that if a vote takes place during opening comments or the first round of questions, we would use the voting app and continue working. Are we okay with that? I will pause just to make sure everyone can get their pictures in, and once everyone's set and in place, we will continue. That would maximize our time together.

Because we have three hours together, I am also going to change up the way we do questions. We will start off with 10-minute rounds instead of six minutes, and then we will continue with the normal five, five, two and a half, two and a half, five and five minutes. We will take a pause halfway through the meeting just to have a quick break as needed.

With that, Mr. Johnston, the floor is yours.

[Translation]

Welcome to the Standing Committee on Procedure and House Affairs.

You will have 10 minutes.

[English]

The Right Hon. David Johnston (Independent Special Rapporteur on Foreign Interference, As an Individual): Thank you, Madam Chair, and thank you to the members of the committee for having me today to speak on this important issue and the work I am conducting.

On March 15 of this year, I was appointed by the government as the independent special rapporteur on foreign interference, with a broad mandate to assess the extent of foreign interference and make recommendations on how to better protect our democracy.

My first report found that foreign governments, including the People's Republic of China, are working in hostile and clandestine ways to undermine our democracy. I came to that conclusion after an intensive review of top secret intelligence and interviews with senior intelligence, security and elected officials.

Methods of foreign interference are rapidly becoming more sophisticated. I have identified significant shortcomings in the government's ability to detect, deter and combat this threat.

This must be remedied urgently.

[Translation]

That is why how to best fight foreign interference will be the focus of the next phase of my work, which will be a public process.

Beginning next month, I will hold public hearings where Canadians will hear publicly from government representatives, security and intelligence officials, subject matter experts—and critically—those diaspora communities who are most impacted by the hostile efforts of foreign governments.

For this work, I will be supported by three special advisors with expertise in national security intelligence, law, and diaspora community matters.

Together, we will develop recommendations on the urgent changes necessary to protect Canada's democratic institutions and, crucially, Canadians' faith in them.

• (1010)

[English]

Before I conclude, I think it is important that I acknowledge the motion passed last week in the House of Commons. I have deep respect for the House of Commons, and for its right to express an opinion on my work.

I have heard clearly the disagreement with my recommendation not to call a public inquiry, as well as allegations about my integrity and my independence. These allegations are, put simply, false, and the decision to repeat them does not make them true.

The issue of foreign interference deserves serious and robust debate. I will continue to invite disagreement on my recommendations, but I will not be deterred from completing my work.

I would respectfully remind this committee, and all Canadians, that I am not simply asking you to take me at my word. Experts and parliamentarians with the necessary security clearance will be able to review not only my work but also the detailed intelligence on which it is based.

Should NSICOP, NSIRA and opposition leaders disagree with my conclusions, I have asked them to say so publicly, which they are very much permitted to do.

[Translation]

To conclude, I would remind Canadians and the members of this committee that my mandate is only one part of an array of work and initiatives that can be undertaken to address this threat.

[English]

Therefore, I encourage the contributions of others, including this committee, to help ensure Canada is well equipped to detect, deter, and combat foreign interference.

Thank you, and I welcome questions.

The Chair: Thank you, Mr. Johnston, for those opening comments.

I will share that the bells are ringing. The screen is on for everyone's information. I do believe we can get through our first two rounds, so I will start with 10 minutes for you, Mr. Brock, followed by 10 minutes for Mr. Turnbull.

Mr. Brock, go ahead.

Mr. Larry Brock (Brantford—Brant, CPC): Thank you, Madam Chair. I'll be splitting my time with my colleague, Mr. Barrett.

Good morning, Mr. Johnston, and thank you for your attendance today.

Mr. Johnston, in 2010, Justin Trudeau, as a private citizen, before entering into politics, told CBC Radio that you were a great dinner companion. He specifically said, "We had great conversations around dinner tables around all sorts of things." This was said around the same time you were being appointed as our Governor General.

Were you aware of that statement, sir?

The Right Hon. David Johnston: Madam Chair, I was not aware of that statement in connection with Mr. Trudeau. My meeting with him occurred when he was 10 or 11 years old, skiing with my children four or five times—

Mr. Larry Brock: Thank you, Mr. Johnston. We'll get into those areas. My time is very limited—

The Right Hon. David Johnston: I have had no meeting with him since that time—

Mr. Larry Brock: I have another question for you.

As Prime Minister, Justin Trudeau described you as a lifelong "family friend", a friendship cemented over many summers as neighbouring cottagers in the Laurentians. You never corrected the Prime Minister in his characterization of your relationship with him. Isn't that correct?

The Right Hon. David Johnston: Madam Chair, the connection I had with Mr. Trudeau—

Mr. Larry Brock: Mr. Johnston, I apologize for interrupting you, but the question is, did you—

The Chair: I'm going to pause. I didn't think it would be this early into the meeting. Mr. Brock, you and I have had this exchange before, so you know very well that comments are through the chair.

I can assure you that the Prime Minister and I have not gone to the cottage together, so let's just pause and take a second. That's why I wanted to provide a bit more time. I will provide leniency to ensure we get to where you need to get to.

Mr. Larry Brock: Thank you, Madam Chair.

The question to Mr. Johnston was, did you characterize, or did you change the statement that Justin Trudeau, as Prime Minister, made about you being a lifelong "family friend", a friendship cemented over many summers as neighbouring cottagers in the Laurentians? Did you confirm or deny that, sir?

The Right Hon. David Johnston: Madam Chair, I was not familiar with the statement that has just been made. I was friends with the father of Mr. Trudeau, through his life in politics. We tried to engage him with the Université de Montréal to be a professor on his return.

My last particular meeting with the current Prime Minister—

Mr. Larry Brock: Thank you, Mr. Johnston. I'm going to be getting into areas where you can expand upon things that you've done with the Prime Minister.

I need to move on, because my time is limited.

In 2016, six years into your role as Governor General, you gave an interview to CTV. You were asked about your views of having the Trudeau family living on the grounds of Rideau Hall. Without pause or hesitation, you said, "It's wonderful because their children play in the garden where our grandchildren play and it's pretty exciting to have the next generation together bringing the place alive".

Was that statement accurate?

• (1015)

The Right Hon. David Johnston: Madam Chair, I don't remember that particular statement, but it is true that the Trudeau family lived in the Rideau Cottage—

Mr. Larry Brock: Thank you, Mr. Johnston.

You further state, in the same interview, that the Trudeaus were “very good tenants”.

Mr. Ryan Turnbull (Whitby, Lib.): I have a point of order, Madam Chair.

The Chair: On a point of order, go ahead, Mr. Turnbull.

Mr. Ryan Turnbull: We've seen, now repeated, Mr. Brock cutting off the witness, who is not being given the chance to respond.

I would appreciate it if we could at least let Mr. Johnston respond to the question he's being asked. I think that's decorum and normal practice.

Mr. Larry Brock: Madam Chair, if I may respond, my time is very limited. The question was centred on whether or not the statement was accurate. It did not require the witness to elaborate.

The Chair: I'm going to respond really quickly.

I feel that PROC has high ratings. We've been here for a long time. I think you now know how I operate as chair, as well.

I do believe these points of order and me interrupting, which I don't want to do, actually take away from the time, which we're talking about being so precious. Allowing the witness to finish a sentence I do not think would take too much time. I think it's appropriate to let the witness answer.

Mr. Brock, I agree that the time is yours, but let's just be mindful and I think we can get through this. I know you can, Mr. Brock, so I'm going to pass you back the floor.

Mr. Larry Brock: Thank you, Madam Chair.

You further stated that your wife Sharon and you became good friends with the Trudeaus, that your relationship with Pierre Trudeau went back to “children's days” when the families would get together to ski at Mont Tremblant. You stated that the three Trudeau boys were the same age as your five daughters, and that you became a “ski party” at Mont Tremblant.

You stated that your children had “enormous respect” for Pierre Elliott Trudeau. He was “a wonderful father and very good with children”, who at this point were teenagers, and he would lead them into discussions such as about democracies in the world.

In 2017, sir, you interviewed with Paul Wells. You talked about knowing Justin Trudeau since he was six years old, as both families shared adjacent cottages in the Laurentians.

In 2017, sir, the Prime Minister paid tribute to you, calling you “a family friend” and “a friend of [his] father”. He ended his comments by saying to both you and your wife, “Thank you, my friends.” You privately or publicly did not object to the assessment of your friendship with Justin Trudeau.

Let's fast-forward to your press conference of May 23. You are on record stating the following basic facts of your so-called friend-

ship with Justin Trudeau. These are your words, sir: that when your children were ages seven to 12, you had a condo at the foot of Mont Tremblant. Pierre Elliott Trudeau had a country home 50 kilometres away. On five occasions over seven years, he and his three kids came and parked their car in the lot. On one occasion, you drove the kids back to their mother's house. You knew Justin Trudeau as a student at McGill. You had no contact with Justin Trudeau until he was an elected MP, and later, as Prime Minister.

The point is, sir, that you said you had no contact with Justin Trudeau for 40 years, not as a friend. You said those are the facts. Later that day, you interviewed with CTV anchor, Omar Sachedina, and stated that your relationship with Justin Trudeau was “an unfortunate allegation”. You largely confirmed the same details as at your press conference, but changed the frequency of ski trips to “five occasions, over two or three years” as opposed to over seven years.

Mr. Johnston, what we have before this committee are two completely different descriptions of your relationship with Justin Trudeau. Those two different descriptions cannot be accurate at the same time.

My question is simple and direct, Mr. Johnston. Were you telling Canadians the truth on May 23 or back in 2016?

The Right Hon. David Johnston: Madam Chair, I am telling the truth in connection with my relationship with Prime Minister Trudeau, which goes back to when our children were teenagers. During the course of almost 40 years, we had no meetings, no dinners at one another's homes, no particular contact. I was a friend of the father, etc., but that was the extent of the contacts.

Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC): Thank you, Madam Chair. I'll resume the time there.

Sir, you were a member of the Trudeau Foundation until your appointment to this position. Is that correct?

• (1020)

The Right Hon. David Johnston: Madam Chair, I was a member of the association—which is like shareholders in a general meeting—of the Trudeau Foundation, not a member of the board of directors.

I joined it in 2018, just a year or so after I stepped down as Governor General, because I've had a very long concern and interest in student support—graduate students, scholarships.

Mr. Michael Barrett: Thank you, sir.

The Right Hon. David Johnston: The role, as a member of the association, is to attend annual general meetings and to vote in the board of directors, but I have had nothing to do whatsoever with any of the decision-making of the Trudeau Foundation.

Mr. Michael Barrett: Were you aware of the reporting that the Trudeau Foundation was targeted for a foreign influence campaign by Beijing and that the foundation accepted \$140,000 from the Communist dictatorship in Beijing?

The Right Hon. David Johnston: Madam Chair, the first knowledge I had of that particular gift was when it appeared in the newspaper and, as a member of the association, I received a memo from the CEO, as I think other members of the association did, that they had started a press release indicating that this gift was being returned.

Mr. Michael Barrett: Thank you for confirming your knowledge of it.

Given your ties to the foundation, the foundation's involvement with Beijing and Beijing's role in your report, do you see a conflict of interest?

The Right Hon. David Johnston: Madam Chair, my connection with the association of the Trudeau Foundation had no role whatsoever in the decision-making of the board of directors, the acceptance of gifts and so on, and—

Mr. Michael Barrett: Thank you, sir.

You've been friends with Frank Iacobucci for decades. Is that correct?

The Right Hon. David Johnston: Madam Chair, Professor Iacobucci and I were young law professors at the University of Toronto, when I was about 25, and yes, he's been a lifelong friend.

Mr. Michael Barrett: Mr. Iacobucci, also a member of the Trudeau Foundation, is whom you sought an opinion from on the matter of whether you were in a conflict of interest, for which he provided you the exemption or excuse that you were looking for.

The Right Hon. David Johnston: Madam Chair, Justice Iacobucci was not a member of the Trudeau Foundation. He was a mentor to one or two students who were scholars of the foundation. The function of the foundation is not only to provide scholarships but to provide the possibility of mentorship for those students by people who are respected in their area, and he served in that capacity.

Mr. Michael Barrett: Thank you, sir.

The Right Hon. David Johnston: Yes, when allegations were made about me having a conflict of interest—

Mr. Michael Barrett: Thank you, sir.

The Right Hon. David Johnston: —he's known me for a long time, and he indicated I had none.

Mr. Michael Barrett: Sir, I believe there are at least 12 retired Supreme Court justices who aren't associated with the Trudeau Foundation like Mr. Iacobucci.

Mr. Iacobucci's law firm, Torys LLP, was also hired. You hired them to assist you. Working for Torys was long-time Liberal donor Sheila Block.

We have you with an association to the Trudeau Foundation. We have Mr. Iacobucci, who is associated with the Trudeau Foundation. We have Ms. Block, who is a lifetime donor and supporter of the Liberal Party, including attending fundraising events with the Prime Minister in recent time. Given all of that, don't you see a conflict of interest?

The Right Hon. David Johnston: Madam Chair, with respect to the question of Ms. Block, she is a pre-eminent counsel. She—

Mr. Michael Barrett: The question is with respect to conflict of interest, sir.

The Chair: Okay, let's just pause. You just took 23 seconds to ask that. Let's just provide the witness 23 seconds to answer that.

I can't believe I'm sitting here timing how much time it's taking for the questions and the answers so that I can run a functional meeting. All members have asked for three hours of time from this person—three hours. That's a long time to be meeting. We talk about how important our time is, but then you want me to keep interrupting.

Mr. Johnston, the floor is yours.

The Right Hon. David Johnston: Madam Chair, I do not see a conflict. Sheila Block is a pre-eminent counsel. She served me very faithfully when I was invited by Prime Minister Harper to undertake another very difficult inquiry 15 years ago or so. She is renowned for the quality of her work, and certainly important work that's done well, but that said, the conclusions in the report are mine.

Whatever lawyers in practice or others do with respect to contributions to political campaigns, these are all on the public record and well understood.

• (1025)

The Chair: Next is Mr. Turnbull.

Mr. Ryan Turnbull: Thanks for being here, Mr. Johnston.

I would say that we all owe you a debt of gratitude for your service to Canada over decades. I want to thank you for the many roles you've taken on and faithfully served and fulfilled, and for the latest role you've taken on.

I do recognize that your report has come with some questions, and there have been some concerns that others have expressed. Maybe I'll quote PM Harper, which I don't often do. When you were originally appointed as the Governor General, he said that you represented “the best of Canada”.

I appreciate the fact that you're here today in front of all the parliamentary members answering our questions for three hours. It really is a testament to your service to Canada.

I want to start by mentioning a few things that we've heard here at this committee, online, in press conferences and in House proceedings.

Mr. Calkins has said that Han Dong is “an agent for Beijing”.

Pierre Poilievre has said repeatedly that Justin Trudeau “is acting against Canada's interest and in favour of a foreign dictatorship”. That was on March 7.

Pierre Poilievre also said that the PM “expressed his admiration for the basic Chinese Communist dictatorship.... Seeing this ideological bond, Beijing decided it had a friend and wanted to help the Prime Minister get elected. It interfered in two successive elections.” Poilievre also said, “We also know that the Prime Minister has been aware of many of these facts for a very long time and yet chose to do nothing.”

Mr. Cooper, who is on this committee, said, “The invitation of a ‘briefing’ is a blatant trap to muzzle Poilievre under national security laws.” The truth is now a trap, apparently.

In the long list of baseless and absurd claims that the Conservative Party is making, the latest is on their website. It says, “Trudeau’s Fake Rapporteur Continues Interference Coverup”.

I would submit to this committee, and to you, that these are not just harmless exaggerations or isolated instances of partisan hyperbole. They’re intentional and inflammatory. They’re baseless allegations, and they’re harmful and false. They erode the trust in our democracy. They’re stoking anti-government sentiments for political gain.

In your first report, Mr. Johnston, you said that you incorporated into it a wide range of sources, including the proceedings of this committee. You noted that at times members of this committee asked “insightful questions”. You also referred to the “element of political theatre”.

Do you think this debate, and the importance of providing answers to the Canadian public, is well served when the political theatre element drowns out the probative fact-finding work that we’re all called upon to do?

The Right Hon. David Johnston: Madam Chair, I would encourage the members of the committee to read the report we have prepared and to focus our attention on the real danger we have here, which is clear, present and pervasive foreign interference in our elections.

In our report, we tried to avoid the discussions of the partisan kind that you refer to and to follow the facts and apply the law thoroughly and thoughtfully. I would urge us to get on with this important matter of foreign interference, which does require immediate attention by this body and the institutions of Parliament to protect our national security and protect our citizens.

Mr. Ryan Turnbull: Thank you, Mr. Johnston.

It seems to me, based on our conversations in this committee, that there are some members participating in these debates and proceedings who want to get to the facts and the matter at hand, and there are others who are painfully avoiding the facts and don’t seem to want to talk about them.

Mr. Johnston, it’s clear to me that the Conservatives sang your praises and extolled your virtues for over a decade. In fact, in 2007 Pierre Poilievre himself said this about you on your appointment to the Mulroney-Schreiber inquiry:

I think we’re dealing with a very credible individual, and I think that that distant history bears little relevance to the fact that he has a very distinguished career. If we’re suggesting just because at some point in history he was appointed by a former Conservative prime minister that he should be disqualified from participating in public life, I think that is a little bit extreme. This is a very qualified indi-

vidual, and frankly, I haven’t heard anybody question his integrity, and I have no reason to do so.

Mr. Johnston, why do you think Mr. Poilievre has changed his mind from 2007 until now?

● (1030)

The Right Hon. David Johnston: Madam Chair, I think my focus throughout this has been on dealing with the facts of foreign interference, trying to apply the law and putting before you as comprehensive and as thoughtful a report as we possibly could, knowing it would be reviewed by NSICOP and NSIRA, and, I hope, with the participation of the leaders of the three major parties—and I thank Mr. Singh for agreeing to be one of those—who will review what it is we’re about.

Quite apart from changes of positions by people on whether my integrity evaporated three or four years ago for some reason with the change of government, I’m anxious that we get to the real issue here, which is foreign interference. Let’s look at this report with our recommendations. Let’s review it, and let’s move with urgency on dealing with a problem that is very, very serious and is affecting not simply our national security but our citizens in very direct, immediate and difficult ways.

Mr. Ryan Turnbull: Thank you, Mr. Johnston.

The Conservatives seem to claim that you suddenly betrayed your character, that you built up this character over many years that they said was credible and had high integrity, and all of a sudden you just abandoned your principles and integrity when you were appointed by PM Trudeau for this particular position, which to me is utterly absurd.

The best predictor of future behaviour is past behaviour, and you’ve built your character over time to be an honourable person who has integrity and is credible. Many people have said that about you over many years, and yet here we are.

I ask myself, why is it that they’re so intent on attacking your character? The only thing I can come up with is that they don’t like the conclusions of your report. The main one that I think they’re scared for anyone to report on or talk about is the main finding, where you said in your report, on page 2:

I have not found examples of Ministers, the Prime Minister or their offices knowingly ignoring intelligence, advice or recommendations on foreign interference or being driven by partisan considerations in dealing with these issues.

Yet we still often hear and see claims to the contrary, with facts often distorted, misconstrued and misrepresented. We see here, in a parliamentary setting, and outside of the parliamentary setting that sort of rhetoric, those claims that are being made without evidence and the often bad-faith mis-characterizations.

Does this kind of activity itself do damage to our democracy, in your view?

The Right Hon. David Johnston: Madam Chair, I would say several things.

One is that the whole review and the work that you're engaged in is to build trust in our democracy and reinforce it when it is in peril by foreign interference.

In the quote you just read, we continued on to say that, in our review, we found very serious shortcomings in our systems of dealing with foreign interference, which require very substantial review and improvement, and the responsibilities of this committee and other agencies of Parliament are to do exactly that.

Foreign interference has been growing like this, and our ability to adapt has been growing like that. We have to close that gap, but it's the work of Parliament to get at the facts and to come up with recommendations and improvements, using the precedents from other jurisdictions, especially the Five Eyes, which have had to deal with this for longer periods of time, with more difficult threats in their case, which are now very much present in our home. Our job is to look forward and to determine how we can do a much better job of putting together a system that deals with foreign interference in a constructive and very protective way for Canadian interests.

Mr. Ryan Turnbull: I agree completely that it would be nice if other parties would contribute to those discussions in a constructive manner and operate based on the facts, but what we've seen is... You've built in validation for your findings, but members of opposition parties are not willing to review the annex to your report.

Is this what you meant in your report by referring to operating behind "a veil of ignorance"?

The Right Hon. David Johnston: Madam Chair, in our report, we presented what we could publicly while paying full respect to the classified information that we were able to receive. We prepared an annex to that report, in which we go into detail on the classified information that permitted us to come to some of those conclusions.

That classified part, of course, will be with the report before the NSIRA and NSICOP committees, to be reviewed and corrected, but it means getting on with the job and Parliament doing its work, which is to deal with this danger of foreign interference in our elections in a constructive and thoughtful way.

• (1035)

The Chair: Thank you.

[*Translation*]

We have three minutes left before the voting period begins. I am going to give Mr. Therrien the floor for 10 minutes. Then we will suspend so everyone can go and vote.

Mr. Johnston, you may answer in either official language; that's your choice. The time used for the interpretation won't be included in Mr. Therrien's speaking time. Take the time to listen to the question and comments, and you may take the time you need to answer.

Go ahead, Mr. Therrien.

Mr. Alain Therrien (La Prairie, BQ): Thank you, Madam Chair.

Good morning, colleagues.

Thank you for being here, Mr. Johnston.

Today we are trying to mount the greatest possible defence of our democracy, which is under attack by foreign interference. What we're doing today is extremely important.

When I go door to door, people tell me they aren't sure they'll vote. I'm sure you hear the same thing. So I encourage them to do so by telling them that it's important to vote and to get involved because their choice may decide the colour of the government and of the policies that are adopted.

However, more and more people are abstaining, and we're struggling against that trend. Unfortunately, when we see these threats of interference, people's trust in democracy and in our institutions declines. That can lead them to think that the dice are loaded, to wonder what's the point of voting and to question whether foreigners are deciding for them. This can take on extremely large proportions. It's this trust that we have to protect, and it's our institutions that we must protect.

According to the latest Léger poll, 72% of people want an independent public inquiry because the situation is critical. It's important to shed all possible light on this matter, and people think that's the only way to do it. I won't cite you a whole list of reasons, but many experts in the field tell us we need to hold an independent public inquiry. Most of the members in the House have said that we need to strike a public and independent inquiry.

In his report, Mr. Johnston rejects this option. I'd like to know why he rejects the idea of an independent public inquiry, which so many people have called for.

[*English*]

The Right Hon. David Johnston: Madam Chair, first of all, I warmly reinforce the comments that have just been made with respect to people losing interest in and understanding of democracy and that we must work very hard to build that trust.

I would also say that what we're seeing around the world is a diminishing trust in democracies all over. As people move away from the rule of law, which is so important here, and move to the law of rule, strong people, autocratic governments, come into place. That's the danger we face.

With respect to the question of a public inquiry, we thought long and hard about this. The dilemma is that we're dealing with classified information. It is not possible to discuss classified information in public, nor to report it in your reports. This has been apparent in other inquiries that have had to deal with this difficult matter.

What we have done is say that, having dealt as best we can with the classified information on the questions of responsibility within the government for dealing with foreign interference, there are very serious shortcomings. We'll proceed in the second phase of our mandate, the next five months, to deal with those issues in public hearings, inviting the public to come in and participate with experts to do so, and to put a focus on the urgency of getting on with this. We'll begin with public hearings with diaspora communities, whose voices have been explaining these concerns to us but without adequate protection and response up until now.

In the balance of our work, we hope to address that and a number of other issues that will place a very strong focus on the urgency of dealing with foreign interference, encouraging and strengthening our parliamentary institutions to develop the appropriate reforms, put them into place, and then see that they operate in a way that does, in fact, build trust in our democracy.

• (1040)

[*Translation*]

Mr. Alain Therrien: Madam Chair, there are precedents for an independent public inquiry into extremely sensitive matters that sometimes involve issues potentially related to the safety of certain individuals in the event information is disclosed. That's why in camera meetings have been held in previous independent public inquiries in order to obtain that kind of information. That's the best way to shed light on a matter.

Three secret services from foreign countries were involved in the Maher Arar inquiry. Ultimately, an independent public inquiry was established, as was the case of the bombing of Air India flight 182. There are precedents.

Mr. Johnston says that the subject matter of an independent public inquiry has been discussed and considered but that certain factors prevent one from being held. I would very respectfully respond to him by saying that it has previously been done.

I'd go even further. Dan Stanton, former executive manager of the Canadian Security Intelligence Agency, gave compelling testimony on this point. He feels that Mr. Johnston is wrong in saying that a public inquiry is impossible. Mr. Stanton said that foreign interference is one of the easiest issues to explore through a public inquiry, and knows what he's talking about.

Mr. Johnston, I'd like to know your opinion of Mr. Stanton's statements and past experiences that show that an independent public inquiry is possible.

[*English*]

The Right Hon. David Johnston: Madam Chair, the issue of public inquiries is important, and what we realize is that when we're dealing with classified information, it becomes very difficult. It has been possible in other reviews to have sessions that haven't dealt with classified information and to shine the light of day on those. That's what we intend to do with the public hearings regarding the reforms in our system that are most important.

When Justice O'Connor finished the Arar inquiry, his comment was that public inquiries under the Inquiries Act are very difficult tools to use for something whose job is to shed light on situations,

particularly situations of negligent responsibility and so on. Because they are led by lawyers with cross-examination, they have difficulty getting at information that is classified. We can't do that in public. They are very expensive and very time-consuming and often do not result in providing that light.

What we had hoped to do, of course, in the many months of our mandate, was exactly that—to have public hearings on matters that are not part of the classified information. I think we may recall an earlier inquiry. It was the McDonald commission that led to the creation of the CSIS Act to take over from the RCMP responsibilities regarding foreign interference. That commission took five years to complete its work.

[*Translation*]

Mr. Alain Therrien: I'm astonished, Madam Chair.

We're being told that an independent public inquiry can be expensive. What's the price of a democracy? What's the value of democracy?

Two parties are currently neck and neck in the polls, and the colour of the government may be decided by a few ridings. But we're being told that shedding light on this matter might be expensive. People agree on this: the only way to shed light on the matter is with an independent public inquiry. It may be a long process, but we may live a very long time in darkness if we do nothing. That wouldn't be better.

Mr. Johnston says that some aspects are classified "secret" and can't be revealed in public. How is that worse than what we saw in the Arar affair, where three secret services from three different countries were involved in the inquiry.

[*English*]

The Right Hon. David Johnston: Madam Chair, certainly with respect to the public hearings we have in mind, it will be possible to invite representatives of CSIS and other experts from both the government and outside of the government to comment on this.

With respect to the issue of cost, I want to emphasize the costliness in terms of the time that is wasted in getting at the real issues of how we address foreign interference and come up with reforms and changes and improvements, and the careful oversight of our operations to be sure that we will do a much better job than we're doing at the present time on something that is a very serious and not fully recognized danger to our democratic society in Canada.

• (1045)

[*Translation*]

Mr. Alain Therrien: May we proceed with the vote, Madam Chair?

I'll suspend my speaking time. Does that suit you?

The Chair: Yes. We will now suspend and come back in a few minutes for a question or two.

Mr. Alain Therrien: All right. You're very kind.

Thank you.

The Chair: We can all vote. Tell me if you haven't voted.

[*English*]

We're pausing for votes.

• (1045) _____ (Pause) _____

• (1045)

The Chair: I'm going to call us back to order. I'm glad everybody was able to vote.

[*Translation*]

Mr. Therrien, you have the floor for 1 minute and 38 seconds.

Mr. Alain Therrien: Thank you, Madam Chair.

We're hearing that the process is a long one, but I think it's essential. It's important that we shed light on this situation in order to resolve the issue once and for all and that we build trust in the general population.

It's true that we received Mr. Johnston's report within a fairly short time, but when I read it, I see virtually nothing that leads us, first, to understand that we can trust Mr. Johnston for the next steps and, second, to say that we've shed light on the situation.

I'm going to go back to one simple question, Mr. Johnston. I'm appealing to your intelligence because I know you're a brilliant man. Your experience proves that. What's the difference between the "secret" classification of information in the case of foreign interference and the "secret" classification of information in the Arar affair? Why is the present case worse than the Arar case?

It's a simple question. I'll come back to it if you don't answer it because I think it's important.

[*English*]

The Right Hon. David Johnston: Madam Chair, that's a really important question of when information moves into the sphere of evidence and when it's classified or not classified. It's one of the issues that we hope to address in depth in the public hearings that will be held over the next five months, the issue of whether we have the right direction and the right balance in determining what must be kept secret and what can be put into the open situation.

We have experience from other jurisdictions that have dealt with this very particular problem. It seems to me that we can learn from those experiences and try to find a better balance of what must be classified to protect our people who are working, as well as our Five Eyes allies.

• (1050)

[*Translation*]

Mr. Alain Therrien: Mr. Johnston, I just want to tell you that what you said is very important.

What I understand from your answer is that we don't know why we can't hold an independent public inquiry. That's what I heard. You said it would take several months to determine the difference between pieces of information and the importance of classification. So you aren't even prepared to tell me today that we don't need an independent public inquiry because you'll have to take a few months to think about it.

The Chair: Mr. Therrien—

Mr. Alain Therrien: I just wanted to conclude our conversation. What Mr. Johnston said is extremely important.

The Chair: We will continue with you, Mr. Singh. You have 10 minutes.

[*English*]

Mr. Jagmeet Singh (Burnaby South, NDP): Thank you very much, Madam Chair.

Madam Chair, through you, I would like to thank Mr. Johnston for appearing today. Thank you for appearing to discuss the report.

I want to lay out a couple of opening statements. You've also addressed the question, but I want to make it clear as well. I've made it clear that I disagree with your finding that there should not be a public inquiry. I believe there should be a public inquiry. I think that is the only way to really restore public trust and confidence in our electoral system.

Last week, we passed a resolution in the House. You alluded to it, but I also want to state that we recommended that you step down as special rapporteur for a very specific reason, given the appearance of bias. I gave one concrete example that, to a reasonable person, it would seem that there is a clear appearance of bias: the fact that the lead counsel had repeatedly donated to the Liberal Party and attended a fundraiser with the Prime Minister as late as 2021. This appearance of bias, to a reasonable person, would undermine the work you're hoping to do, and that work cannot be achieved because of the appearance of bias, which is so fundamental.

I am also disappointed that you rejected the majority vote. The will of the House was expressed, and you rejected that vote. I think that's disappointing.

I want to use my time to talk about some of the details of the report. I'll turn to my first question, through you, Madam Chair.

My first question is in relation to a question I asked of the Prime Minister on May 9. I asked a question in question period about the impact of foreign interference on the diaspora, which, as you alluded to, will be a major part of your public hearings. I asked a question of the Prime Minister about the impact on diaspora communities of foreign interference. In response, the Prime Minister said, "the diasporas, whether the Chinese Canadian, the Iranian Canadian, Russian Canadian or Indo-Canadian communities, are often the first communities to be targeted by foreign interference."

In fact, the national security and intelligence adviser, Jody Thomas, also highlighted that foreign interference, particularly from India, has an impact on Canadians and especially the Sikh community. Many people from diaspora communities will tell you that they left communities of repressive regimes and came to Canada hoping for security, liberty and safety, only to be pursued by that same interference. In the Sikh community, many people will share stories of being denied visas, or of their communities or their family members being threatened for raising concerns about the human rights track record of India, for example.

Given that it is well known that this exists, and particularly that the Prime Minister has expressed that these threats to diaspora communities exist, how do you expect that people from diaspora communities—knowing that they are already targeted and that they're already at risk of personally being targeted or their families being targeted—would have any sort of confidence to attend a public hearing, given these threats to themselves or their community and potential backlash and repercussions to their families?

How would they have the confidence to show up to a public hearing? How would that process work for them? Are there any steps being taken to protect their security, given the concerns they have?

The Right Hon. David Johnston: Thank you for those questions, which are really vital and important and require very thoughtful attention.

You're quite right: The diaspora communities have been beset with interference and the disturbance of their tranquility, their own safety and their well-being in ways that are unconscionable. It behooves all of us to see this as a very serious threat in our community, where pluralism and respect for one's cultural heritage are very important values to us. It has been neglected for far too long.

I look at Mr. Chong over here, who has chaired the Canada-China relations committee, for example, where there are reams of testimony from diaspora communities about this particular matter. We have not done the kinds of things we should do and we must do—because it is real, it is damaging and it is simply unacceptable for Canadian citizens.

What we hope to do in the balance of the five months is to put a real light on this issue of the threats that diaspora communities are under and develop much more effective ways of, first, equipping ourselves and our intelligence agencies to deal with them more effectively than now, and second, acquainting Canadians with the fact that so many people in the diaspora communities are unwitting victims of something that lies far beyond them. We, as Canadians, have a responsibility to protect them, to embrace them and to say that this is not acceptable and we will not sit here and let it stand. We must recognize that it's happening to these communities and take adequate steps in terms of our governmental protections to see it.

In the last month or so, we have seen a step forward in at least trying to provide a better understanding and warnings to members of Parliament and others who have been subjected and whose families have been subjected to these things. That, too, requires very important remedies.

• (1055)

Mr. Jagmeet Singh: Thank you. Again, I'm hoping you will also address how those families will feel safe to come forward or how those individuals will feel safe to come forward.

In my second question, I want to touch on how you identified the serious shortcomings in communication between security agencies and the government. You made it clear that there were “no examples...of Ministers, the Prime Minister or their offices knowingly or negligently failing to act on intelligence, advice or recommendations.” So it is conceivable, in your report, that the ministers or the Prime Minister were not properly informed. However, you also recognize in your conclusion that it is very clear that foreign governments are absolutely or undoubtedly attempting to interfere in our democracy and that this is something that's been well known.

Given how clear it is that there is foreign interference going on and that the government ought to have known that, generally speaking, there is foreign interference going on, my question is about the utter lack of curiosity of this government. Despite clear and credible evidence of foreign interference, in your investigation, at no point in time did the Prime Minister or ministers ever actively or proactively ask CSIS or other security agencies whether or not members of Parliament were being targeted.

Was there never an attempt to proactively assess threats to members of Parliament? While you accept that they were not maybe advised of this by CSIS, did they never have the curiosity to say that if we know there's foreign interference going on, maybe it's impacting our members of Parliament? Was there never any evidence of that curiosity and interest in following up?

The Right Hon. David Johnston: Madam Chair, thank you for both questions. I'll answer very briefly but I hope helpfully.

With respect to whether we would expect members of the diaspora community to be able to appear before a public hearing in openness, I'm quite confident they will, in many instances, and in instances where they do not want to be there, we would receive submissions. We've already received perhaps half a dozen or so submissions from diaspora communities, very painfully and eloquently setting out the burdens that they're bearing and crying out for help. In the cases of people who feel they can't come in person, we would invite and encourage whatever information they could give us and, in particular, what steps we can take.

Now, let's come to the question of curiosity in dealing with those foreign threats. In our report, as you know, we've been quite critical of the shortcomings of the government, indicating that it has been slow to react and slow to anticipate in many instances, and that must be changed, but it must be changed with the work of this committee and other parliamentary committees. NSICOP and NSIRA—one in place since 2017, the other since 2019—are review and oversight committees. That's the kind of responsibility to see whether our agencies are working properly or not, and we must bolster that kind of thing.

I'm quite in agreement that we have not had that kind of curiosity, and particularly the flow of information so that we may act upon [*Inaudible—Editor*], and I hope we can address that.

• (1100)

Mr. Jagmeet Singh: I appreciate that. Thank you, Mr. Johnston.

Finally, through the chair to you, Mr. Johnston, I want to point out something particularly concerning: a different conclusion that you arrived at in comparison to Mr. O'Toole. I want to highlight that Mr. O'Toole raised a question of privilege, and I just want to quote a portion of what he said:

The briefing from CSIS confirmed to me what I had suspected for quite some time, which is that my parliamentary caucus and I were the target of a sophisticated misinformation and voter suppression campaign orchestrated by the People's Republic of China before and during the 2021 general election.

So, members of the Conservative caucus and he, himself, were targeted.

In your report, you find, in reference to Mr. Chiu—who was of course a member of the Conservative Party and a candidate in the 2021 election—that misinformation could not be traced to a state-sponsored source. We have two very different conclusions: one is from the CSIS briefing that Mr. O'Toole is referring to, and then you're stating in your report that there was no clear evidence that it was state-sponsored. How could you have such different conclusions from what Mr. O'Toole received?

The Right Hon. David Johnston: Again, Madam Chair, I appreciate that particular question. I've been asked to be brief.

We did have an opportunity to meet with Mr. O'Toole shortly before our report was completed and did take into consideration what he had to say to us. I must say that he has been a very knowledgeable, thoughtful person about this and has much more to contribute.

The evidence we had before us that permitted us to come to the conclusion you suggested was what was available to us at that time. Since that time, with the conversations that Mr. O'Toole has had with the director of CSIS, I think there's been a much greater step in terms of what should have been done and what must be done in the future.

The Chair: Thank you.

[Translation]

I give the floor to Mr. Berthold for five minutes.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you, Madam Chair.

Thanks to Mr. Johnston as well.

Mr. Johnston, I was somewhat shocked when you said in your opening statement that the comments made about your integrity were false and that repeating them doesn't make them true. To my mind, that statement alone puts you in a conflict of interest, particularly with regard to the opposition party leaders.

Mr. Johnston, you are a former Governor General of Canada, a position in which you did not play a political role.

However, you are still receiving compensation as a former governor general. Is that correct?

[English]

The Right Hon. David Johnston: Madam Chair, could I have the question repeated?

[Translation]

Mr. Luc Berthold: Are you still receiving compensation as a former Governor General?

[English]

The Right Hon. David Johnston: No, Madam Chair, I don't receive any payment as former governor general. I have a pension as a public servant, and that is the pay.

[Translation]

Mr. Luc Berthold: Thank you.

For how many years have you been a member of the Trudeau Foundation, Mr. Johnston?

[English]

The Right Hon. David Johnston: Madam Chair, thank you for that question.

I joined the association of the Trudeau Foundation. That's like a shareholder in a general meeting, not a member of the board of directors, not involved in any decision-making—

[Translation]

Mr. Luc Berthold: That's not the question, Mr. Johnston.

[English]

The Right Hon. David Johnston: [*Inaudible—Editor*] an annual general meeting to vote in the board, to approve the financial statements—no involvement in fundraising of any kind. That was 2018, and I resigned in March of this year, when I was appointed to this role.

[Translation]

Mr. Luc Berthold: During an interview in 2016, you said, with respect to your relationship with the Prime Minister's family, that you had gotten to know the children and that your friendship and relationship was really built on exchanges between the children.

Do you acknowledge making those comments, Mr. Johnston?

[English]

The Right Hon. David Johnston: Madam Chair, I do recall referring to the fact that my own children and Mr. Trudeau, as a young boy, did have opportunities to ski together four or five times. Between that time and when he became Prime Minister, I had no meetings with Mr. Trudeau, and our children, to my knowledge, did not.

When they became neighbours to us at Rideau Hall, I think I referred to the fact that it would be very nice for our grandchildren to have the chance to play with his children. That didn't occur, I don't think, on any occasion, but it still would have been a pleasant experience for us.

[Translation]

Mr. Luc Berthold: Mr. Johnston, I would ask you please to answer more briefly. I want to address a number of points, and I want to be respectful and allow you the time to respond, but I have some very specific questions for you.

In 2017, you visited the University of Chongqing in your capacity as president of the University of Waterloo. You met the President Xi Jinping, and you later said that it was wonderful to be back in China and that you felt as though you had come home.

Is that correct?

• (1105)

[English]

The Right Hon. David Johnston: Madam Chair, if I understand the question correctly—that it was wonderful to be back home—I think that was Mr. Trudeau going back to 24 Sussex Drive, and that was not available. The secretary to the office of the Governor General very gallantly said that he would be happy to vacate Rideau Cottage, and that's why Mr. Trudeau's family moved in there.

[Translation]

Mr. Luc Berthold: Madam Chair, I think we're having interpretation problems because the questions I've asked and the answers I've received haven't really matched up from the start.

So I ask for a little indulgence on your part. I'll try to speak more slowly, but we really are having interpretation issues because Mr. Johnston isn't answering my questions.

Mr. Johnston, you asked Mr. Iacobucci, a former mentor from the Trudeau Foundation, for his opinion as to whether there was a potential conflict of interest in your mandate as the Prime Minister's special rapporteur.

Is that true?

[English]

The Right Hon. David Johnston: Yes.

[Translation]

Mr. Luc Berthold: You hired Sheila Block, a major Liberal donor, as senior counsel in drafting your report.

Is that true?

[English]

The Right Hon. David Johnston: Madam Chair, it is true that Ms. Block was my senior counsel with respect to the Mulroney-Schreiber inquiry. I reached out to her to be the senior counsel for this review as well.

[Translation]

Mr. Luc Berthold: I have many other statements like these that you've claimed are false, Mr. Johnston, but I'm unfortunately out of time as a result of the interpretation problems.

You have written a book entitled *Trust*, which I have here. There is no French version. You say in this book that the worst leaders engage in manipulation and fail to disclose vital information or disclose only the information that supports their opinions, decisions and actions.

Do you remember writing that?

[English]

The Right Hon. David Johnston: I do remember writing that chapter of this book, yes.

[Translation]

Mr. Luc Berthold: Mr. Johnston, with all due respect, and having regard to your years of experience, I find it hard to believe that, in your opinion, not a single one of the facts I've just stated suggests an appearance of conflict of interest for someone who is called upon to present an independent report on interference in our democracy by the Beijing regime, interference that apparently favoured the Liberal Party.

Do you sincerely believe that none of those facts can give the impression that there is a conflict of interest and that Canadians should take you at your word?

[English]

The Right Hon. David Johnston: Madam Chair, to answer the question, I don't believe I have a conflict of interest, and I would not have undertaken this responsibility had I had a conflict of interest.

What I would say is that, for 55 years, I've chaired or served on advisory committees, perhaps two or three dozen times, because of my non-partisanship and my integrity. This is the first time that it's ever been called into question or that it's been suggested that I have a conflict of interest.

My suggestion, Madam Chair, is that one looks at a record of service and comes to one's conclusion on conflict of interest. I would, again, plead that you focus the attention on foreign interference, this report, which will be reviewed, and others, where we must do a much better job of getting on with an important matter.

The Chair: Thank you.

Ms. O'Connell, you have five minutes.

Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.): Thank you, Madam Chair.

Thank you, Mr. Johnston, for being here today. Actually, where you just left off is part of where I want to go with some of my questions.

Before I get to that question, though, Madam Chair, I want to point out that the Conservatives just had a total of 15 minutes' worth of questions and they didn't ask a single question about foreign interference, not a single question. Madam Chair, it was nothing more than a character assassination or conspiracy theories around children playing together.

Mr. Johnston, given your opening comments about how serious and pervasive this issue is, I find it incredibly frustrating and disappointing that 15 minutes' worth of questioning time from the official opposition consisted of zero questions on foreign interference. However, what has already happened—and, Mr. Johnston, you wouldn't know this—is that Conservative member Mr. Barrett has already posted clips—I'm sure to help fundraise or stoke fears and conspiracy theories around your non-partisanship.

Some of the questions earlier by Mr. Brock brought up things about, again, children playing together—your grandchildren playing with the current Prime Minister's children. That's what they think is the smoking gun here: children playing together. I point out that, Mr. Johnston, in some of the responses that you were providing.... Even though the Conservatives wanted you here and the opposition wanted you here for three hours, they didn't want you to answer a single question. I find that very telling, and again, they got their clips. That's what this is really about. This isn't about foreign interference and protecting our democracy, because if it were, they'd ask serious questions instead of playing partisan games.

Mr. Brock mentioned a time period when, as you mentioned, the current Prime Minister was 11 years old. However, my colleague Mr. Turnbull pointed out that, since the time you spent with the current Prime Minister when he was 11 years old, the leader of the opposition, Mr. Poilievre, actually defended your reputation. We can't find anything that has changed in your conduct or behaviour, so all I can conclude is that opposition members are not serious about foreign interference. They're not serious about preserving democracy. They're just looking for partisan attacks. Mr. Johnston, you pointed out that some of the people you used for the Mulrone-Schreiber inquiry are the same individuals you used to help you or assist you in this writing, yet Conservatives are conveniently neglecting that point.

Let's get to the actual issues around foreign interference, because I think we owe it to Canadians to be serious about this. We can leave the partisan games to the Conservatives, because Canadians will judge them on that. I'm going to follow up on some of Mr. Singh's questions about Mr. O'Toole. We heard testimony in this committee from Mr. Chiu. I actually asked him, at the time, if he could table any of the evidence he had or the examples that he had been concerned about. He said that he never saved any of that information.

Was there anything...? Did the Conservative Party provide any information? Mr. O'Toole talked about a dossier. The Conservative Party also, in 2022, did an internal review into the 2021 election results. Was any of this information provided in the package that you would have received and reviewed?

• (1110)

The Right Hon. David Johnston: Through the chair, could you be more specific about that package? I just don't have a context for it.

Ms. Jennifer O'Connell: Sure. Mr. Singh had commented on some public reporting from Mr. O'Toole, and he spoke about a dossier that the Conservative Party had about some of the WeChat information. Mr. Chiu demonstrated that there was all this evidence submitted to him, but he had no longer saved it, or something along those lines. Then, in January 2022, the Conservative Party received the results of an internal review that they did, led by James Cumming.

Did you receive any of that documentation in your review?

The Right Hon. David Johnston: Madam Chair, I want to be careful in my answer, because I don't have a specific recollection of receiving those specific documents.

What I do have is that we asked Mr. Poilievre on four different occasions to make submissions, if he could, and to meet with us, but he chose not to.

I think two or three days before our report was published, we had a package of documents, which were largely reports from newspapers and other media reports. I don't recall the specific document you mentioned.

The Chair: Thank you.

[*Translation*]

Mr. Therrien, you have two and a half minutes.

Mr. Alain Therrien: Thank you, Madam Chair.

I'm going to ask some brief questions, and I'm hoping for some short answers this time. I don't want to put any pressure on Mr. Johnston, but I only have two and a half minutes.

Mr. Johnston, we agreed that it's very important to restore the public's trust. That, among other things, is the purpose of this exercise.

Which do you think will restore the public's trust, an independent public inquiry or no inquiry at all?

[*English*]

The Right Hon. David Johnston: Madam Chair, thank you for the question.

Clearly, that is our job: to restore confidence. In the balance of our report and of our work for the next five months, we hope to devote ourselves to having as much light as we possibly can on the key issue, and that is, how is our system of dealing with foreign interference working? According to the report that you've read, not at all well. It needs significant improvement.

Through those public hearings, hearing from experts and from others, and with your help as the review committee continuing your work, I hope we can treat this with the urgency it deserves and can stand proud before Canadians to say we are doing everything in our power to protect them.

• (1115)

[*Translation*]

Mr. Alain Therrien: What I'm hearing is that Mr. Johnston is going to shed some light, that we shouldn't worry, that this is why he's here, and so on.

The problem is simple. Before Mr. Johnston tabled his report, experts were opposed to an inquiry, but they're in favour of it now that the report has been submitted.

Does that mean that the attempt to shed light very quickly and at low cost, as Mr. Johnston proposes, is a failure? I have some names here: Daniel Stanton, whom I mentioned earlier, formerly of CSIS, Michael Wernick and Artur Wilczynski. Those people changed their minds after the report was tabled.

Does that ultimately mean we need a report from a commission of inquiry? You haven't convinced people. Since your report was submitted, they've mainly been convinced that an independent public inquiry is really necessary.

[English]

The Right Hon. David Johnston: Madam Chair, again, thank you for that question.

We have set out the reasons why we think a classic royal commission public inquiry would not serve the process of rebuilding trust, but the public hearings that I mentioned will.

I come back to Justice O'Connor, following the Arar committee, who said that public inquiries, in the traditional sense, are not particularly useful and can be horrendous in dealing with these kinds of things. There are appropriate ways to deal with them. That's what we have to do in the next five months.

[Translation]

The Chair: Thank you.

Go ahead, Ms. Kwan.

[English]

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Madam Chair.

Global News reported on February 8, 2023, “National security officials [warned] Prime Minister Justin Trudeau and his office more than a year before the 2019 federal election...that Chinese agents were 'assisting Canadian candidates running for political offices’”. In Mr. Johnston's report, an early draft of the memo containing “similar but not identical language” was noted. The draft was “significantly revised”, according to the report, before the memo went to the Prime Minister.

Did Mr. Johnston inquire as to who changed the memo, and why it was changed?

The Right Hon. David Johnston: Madam Chair, thank you very much for this question.

I want to go directly to our report. There are two parts of my brain functioning here. One is the part that deals with classified information, and the other is the part that deals with open information. It's important that I not cross that boundary.

To deal specifically with the question that has just been raised, Madam Chair, page 23 of our report, dealing with these statements and conclusions in the press, states:

The PRC Interfered with the Nomination of Han Dong as the Liberal Party Candidate in Don Valley North (Global News, February 24, 2023)

Then it says:

Irregularities were observed with Mr. Dong's nomination in 2019, and there is well-grounded suspicion that the irregularities were tied to the PRC Consulate in Toronto, with whom Mr. Dong maintains relationships. In reviewing the intelligence, I did not find evidence that Mr. Dong was aware of the irregularities or the PRC Consulate's potential involvement in his nomination.

The Prime Minister was briefed about these irregularities, although no specific recommendation was provided. He concluded there was no basis to displace Mr. Dong as the candidate for Don Valley North. This was not an unreasonable conclusion based on the intelligence available to the Prime Minister at the time.

The Chair: Mr. Johnston, if you just reference where you would like us to note that, we'll take it, because time is limited.

I'm going to go back to Ms. Kwan

Ms. Jenny Kwan: Thank you very much, Madam Chair.

I read the report several times over. Quoting it again to me is not going to answer that question.

My question was, did Mr. Johnston look into who changed that memo and why it was changed?

The Right Hon. David Johnston: Madam Chair, again, I must be conscious of the classified information. The memo that appeared in the Global News—

Ms. Jenny Kwan: Sorry, I'm going to interrupt for a second. It's a yes-or-no question.

Did Mr. Johnston look into who changed it, yes or no?

The Right Hon. David Johnston: The answer to that question is that the memo that was referred to in the Global News report was an early draft that had certain statements. That draft was not circulated further. There was a final draft that came to quite a different conclusion about what transpired.

• (1120)

The Chair: Thank you.

Ms. Jenny Kwan: Madam Chair, if I can finish my thought, I take that to mean that Mr. Johnston did not ask who changed it and why it was changed.

The Right Hon. David Johnston: Madam Chair, again—

The Chair: I'm not going to comment, but I think, Mr. Johnston, your comment does stand as to what your response is. How people received information is not the debate today, but the focus is on foreign election interference.

We're going to continue.

We're going to go to Mr. Chong for five minutes, followed by Mr. Fergus.

[Translation]

Then we will suspend.

Go ahead, Mr. Chong.

[English]

Hon. Michael Chong (Wellington—Halton Hills, CPC): Thank you, Madam Chair.

Thank you, Mr. Johnston, for appearing.

You've made several mentions during this hearing today about the need for Parliament to do its work. You've said that it's the work of Parliament to help counter what you call the ever-increasing threat of foreign interference. You've pleaded with us and made pleas to us to focus on the issue of foreign interference.

Our job here is to hold the government accountable. It's set up in the opening clauses of the Constitution Act from 1867. Section 18 gives us immense powers to do that.

The problem is that Parliament has not been able to do its work because our hands have been tied by the government. We haven't been able to get the answers we are seeking to questions concerning the PRC's foreign interference in Canada. Government documents that are requested aren't released. When they are, they're often so heavily redacted that they make little sense. Government witnesses aren't forthcoming with answers to our questions.

Not only are we not able to do our work because of that, but the government is deliberately bypassing Parliament through the very entities that you've referenced in your report and your testimony: NSICOP, NSIRA and even—with respect, sir—your position. All of these entities are appointed by the government. They're appointments of the Prime Minister and serve at the pleasure of the Prime Minister.

We've been unable to do our work. It's been incredibly frustrating. Over the last four years, we've spent a lot of time and effort holding hearings on foreign interference. We've had four committees of this House examine the matter: the foreign affairs committee, the Subcommittee on International Human Rights, the Canada-China committee and this committee, the Standing Committee on Procedure and House Affairs. By my count, these four committees alone have held 70 meetings where PRC's foreign interference was examined, heard from 364 witnesses and received 152 hours of testimony. The testimony consisted of 1,902 pages of evidence and resulted in five reports with 31 specific recommendations relating to foreign interference.

Despite all of this work, we still haven't gotten the answers we sought from the government and, with respect, neither will you. In your first report, you've indicated that your upcoming hearings will not be focusing on who knew what and when. The focus will not be on looking at government records and speaking to government personnel.

If Parliament hasn't been able to get the answers over the last four years, if you're not going to seek the answers in your upcoming hearings and if we're not getting a public inquiry with all the powers of subpoena to call witnesses and to gather evidence, then how on earth are we to get the answers we need to play our constitutional role and hold this government accountable?

The Right Hon. David Johnston: I should say that my counsel and I spent a very profitable hour and a half or two hours with Mr. Chong going through some of these things. We benefited enormously from the work that he himself has done on this matter and other matters.

First of all, NSICOP and NSIRA—assisted by the leaders of the three major parties, I hope—will have an opportunity to review our report, review our conclusions and find out if there is fault in us not assessing responsibility where it lies.

With respect to the question of the inability of Parliament to move government, we will be looking very carefully at the oversight bodies. We will look, in particular, at NSIRA, which has been in place since 2019, and NSICOP, which has been in place since 2017.

We'll have expert testimony from foreign intelligence experts and advice that we get from you, Mr. Chong, which we will very much

welcome, including what you've said has been done over four years. We'll have a much more strengthened, robust role of those two committees to provide proper oversight and ensure that the operations of our foreign interference oversight are much more effective than they are at the present time.

• (1125)

Hon. Michael Chong: Thank you for that answer, Mr. Johnston.

I'd like to also follow up and ask you a question about how you can restore public trust and confidence in our institutions. Eight months ago, when this foreign interference scandal first blew wide open, reasonable people could have argued that public trust could be restored without an independent public inquiry. That door closed a long time ago.

The House of Commons, three times in the last three months, has voted for an independent public inquiry. The majority of Canadians in polling want a public inquiry. You, however, have recommended against a public inquiry. Do you not see how recommending against a public inquiry undermines confidence in our democratic institutions?

The Right Hon. David Johnston: Thank you again for that question, Mr. Chong.

What we have recommended—and what we intend to do in the next five months—is having public hearings on these very important questions of whether our systems are adequate and, if they are not, how we improve them in very substantial measure. We intend to focus on that as a really important matter of Parliament and our agencies, and for the public generally, to ensure that we do a much better job than we are doing at the current time.

The Chair: Thank you.

Go ahead, Mr. Fergus.

Hon. Greg Fergus (Hull—Aylmer, Lib.): Thank you, Mr. Johnston, for coming to committee today. Thank you for your report as independent special rapporteur, as well as for your lifetime of service to our country in many roles.

Mr. Johnston, you noted in your report a series of structural issues in the way information is shared by our security agencies. Can you please expand on that? What could be the initial view of possible solutions?

The Right Hon. David Johnston: Madam Chair, in the last pages of the report, we refer to issues for review in the public stage of the work. In particular, we speak about:

The role and structure of NSICOP and whether it can be strengthened.

Amendments to the CSIS Act that might assist in fighting foreign interference.

Machinery of government issues, including:

Processes for funneling intelligence to top officials, including greater accountability for ensuring that the right people see the right intelligence, including at the most senior public service and political levels.

Tracking protocols so it is possible to reconstruct who saw what, and when.
Clearer lines of responsibility for recommendations as to how to react to intelligence.

A government-led process (rather than an agency-led process) for declassification of information to enhance transparency.

We also speak of the case for a national security committee of cabinet, to put foreign interference in a context where it should be dealt with at the highest level and with a sense of urgency and importance.

Hon. Greg Fergus: I get you on that. I'm looking for, perhaps, a little preview or a further sense as to where you think we should be going, because as you just quoted from your report, you talked about the problem of information sharing that seems to be happening.

We had testimony before this committee from the national security and intelligence adviser to the Prime Minister, Jody Thomas, who also identified that there were gaps in the process. We understand that she has already implemented a process to address those gaps. Is that also your understanding, and how do you think this would be helpful?

The Right Hon. David Johnston: It is my understanding, Madam Chair, that this process has been initiated by the national security and intelligence adviser. It's a very welcome one.

I think there are very important reform initiatives using the experience of other allies, like the Five Eyes, dealing with precisely these problems that we can take and put into effect.

I think what we need is more encouragement with respect to our agencies to be proactive in suggesting those changes, and then ensuring that Parliament and committees like this understand that and say, "We can do better, and we are going to do everything possible to be sure that we do better quickly."

Hon. Greg Fergus: On the parliamentary aspect of it, we have the National Security and Intelligence Committee of Parliamentarians. You wrote about them in your report. Do you feel this is a good forum where documents can be reviewed by parliamentarians while ensuring that we maintain their classification system? More importantly, does NSICOP, speaking comparatively with our Five Eyes partners, have the right level of access?

• (1130)

The Right Hon. David Johnston: It's interesting. Another one of the issues that are in this list of things to be reviewed in the next four or five months is "Whether NSICOP is properly constituted as a committee of the executive, rather than a committee of Parliament." NSICOP has a very fundamental role, as does NSIRA.

We've now had six years of experience with NSICOP. It's made some recommendations. I think there is much more that can be done with that to improve our system. NSICOP, NSIRA and this oversight committee have very fundamental roles to play.

Hon. Greg Fergus: Are there ways that you are able to share with us, before this committee, questions that we should be looking at in making NSICOP and NSIRA more functional?

The Right Hon. David Johnston: In preparing for these public hearings, we'll try to list a series of questions and then invite ex-

perts from outside the government, and some from within the government, to provide their advice on just that.

Hon. Greg Fergus: Great.

Mr. Johnston, very quickly, you made some recommendations in terms of changes that should be made to the Canadian Security Intelligence Service Act. This is something that we've also heard from other witnesses. Can you expand on what types of changes you would like to see?

The Right Hon. David Johnston: Madam Chair, the first observation to make is that the act was passed in 2003, I believe, and has not been substantially amended since that time. It does call for a significant review.

In fact, the director of CSIS has called for that, with some recommendations, on a number of occasions, so it's another area where I think attention is urgent and should be done. The—

The Chair: I'm going to let you just hold that thought, because there was a nice pause there and I think that was a great exchange.

With that, bells are ringing. We do have another vote. I'm going to ask committee members to take a 10-minute break. When we return, we will re-enter into six-minute rounds. I believe we can get through two rounds, and then we can vote.

Do we have agreement to do what we did for the first vote so that we can vote by the app? I'll pause to make sure all votes have been registered, and then we'll continue, to maximize our time together. Excellent.

We'll see you back in 10 minutes. Thank you so much.

- (1130) _____ (Pause) _____
- (1140)

The Chair: I call the meeting back to order.

We are going to go through six-minute rounds. I'm watching the clock as well. I believe we can get through two or maybe three six-minute rounds, depending on timing.

We will be starting with Mr. Cooper.

[*Translation*]

He will be followed by Ms. Romanado, then Mr. Therrien, if we have the time. We will vote very quickly and continue the meeting, as we did with the first vote.

Go ahead, Mr. Cooper.

[*English*]

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much, Madam Chair.

Thank you very much, Mr. Johnston.

Mr. Johnston, when you were asked earlier to reconcile the briefing that Erin O'Toole had from CSIS, in which he was informed that he and the Conservative Party were targeted by Beijing and that, among other things, the Beijing regime and Beijing actors, including the United Front Work Department, had amplified and spread disinformation, with your conclusion that you could not trace that disinformation to a state-sponsored source, you said, "The evidence we had before us that permitted us to come to the conclusion you suggested was what was available to us at that time."

Are you saying you didn't have all of the material evidence and intelligence when you drafted your report?

The Right Hon. David Johnston: Madam Chair, when we drafted our report, we had the intelligence then available from CSIS and other sources, and that was the basis of our conclusion.

Mr. Michael Cooper: You had intelligence, but you said it was based on what was available to you at the time and that there had been "a much greater step in terms of what should have been done". That's what you said in answer to the question about your effort to try to reconcile what you said with what Mr. O'Toole said based on the information he had received from a CSIS briefing.

Again, I put it to you, how do you explain that?

• (1145)

The Right Hon. David Johnston: Madam Chair, we reported on what was available to us. What transpired in the discussion between the director of CSIS and Mr. O'Toole I don't know. But the issue of—

Mr. Michael Cooper: Who selected the CSIS information you relied upon in your report?

The Right Hon. David Johnston: We had significant information, Madam Chair, from CSIS and we had information, of course, from other agencies, such as the national security adviser and so on, and direct testimony from the heads of the different agencies.

Mr. Michael Cooper: I would submit that the only way to reconcile what Mr. O'Toole says with what is in your report is to conclude one of three things: either you omitted material information or you misinterpreted that information or this government withheld that information from you.

I will put it to you more specifically that, at page 25 of your report, in reference to the September 8 Global Times article that contained disinformation—the Global Times being a Beijing-controlled entity—you state, with respect to that disinformation from the Global Times, that "the re-circulation could not be attributed to any state actor."

How did you come to such a conclusion?

The Right Hon. David Johnston: Madam Chair, we came to the conclusion set out there based on the information that was available to us at the time—

Mr. Michael Cooper: Okay. Thank you for that, because the information that was available to you at that time surely would have included a rapid response mechanism report dated October 18, 2021, which stated, "Chinese Communist Party media accounts on Douyin (the Chinese version of TikTok) have published videos that

repeat a Global Times headline published on September 8 that suggest the CPC's platform would lead China to break off relations with Canada". That's from a Communist Party media account, including one Douyin account that had 26 million followers.

You had that information. In the face of that, why did you say there was no evidence the Beijing regime was involved in the recirculation of that disinformation?

The Right Hon. David Johnston: Madam Chair, the answer to the question is that our conclusion was that we could not find direct attribution to any state actor. There was no question that there were activities, but that they could be traced to a state actor directly was not the conclusion we came to.

Mr. Michael Cooper: The rapid response mechanism attributed it to a state actor. It was a Communist Party media account. What part of "state actor" doesn't equal a Communist Party media account?

The Right Hon. David Johnston: Madam Chair, if I understand the reference, I'm looking at our report, which spoke about WeChat in an article from The Hill Times.

Is that the reference?

Mr. Michael Cooper: No, it's the rapid response mechanism report of October 18, 2021, which is one of the very few documents that have been produced for this committee. Surely you had seen it.

The Right Hon. David Johnston: Madam Chair, with respect to that, the information we had did not permit us to conclude that there was a state-sponsored source. There may be other information that would make that clearer, but that was not clear to us at the time.

Mr. Michael Cooper: Well, there were Communist Party media accounts, with one account having 26 million followers, but you made the unequivocal statement that there was nothing to indicate recirculation and amplification by the Beijing regime.

You further cite, on page 25 of your report, in reference to the misinformation directed at then member of Parliament Kenny Chiu, that it, too, "could not be traced to a state-sponsored source". Mr. Johnston, were you not aware of it? On September 10, an account associated with HuayiNet, which is connected to the United Front Work Department, posted disinformation from another Global Times article, this time targeted at Kenny Chiu, yet you make that unequivocal statement in your report.

How is that possible?

The Right Hon. David Johnston: Madam Chair, let me refer specifically to what we said on that matter on page 25:

Chinese-Canadian MPs, including Mr. Chiu, were and remain of particular interest to the PRC. There was online misinformation about Mr. Chiu's proposed foreign agent legislation, which he corrected in the media during the campaign. But the misinformation could not be traced to a state-sponsored source. The government does not regulate consumption of social media, during elections or otherwise. However, it has engaged with social media platforms to deal with misinformation, and the threat that it poses to election security. This does not include WeChat, which is based in the PRC.

• (1150)

The Chair: Thank you.

Mrs. Romanado, go ahead.

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

Through you, I'd like to thank Mr. Johnston for being with us today.

First, Mr. Johnston, I'd like to apologize to you and your team for some of the personal attacks that have been thrown out there with respect to the integrity of yourself, your team and the work that you're doing. I do want to thank you for the task that you have at hand for a very serious issue.

Mr. Johnston, I read the report multiple times. I have to say that the conclusion I come to is that it is very well done. It is very clear to me that you had access to the information that you required to enable you to determine some of the statements and debunk some of the misinformation that was out there. References to the information that led you to come to those conclusions are part of the confidential annex that is included in the report, for those who have the top secret clearance, obviously, to be able to see it.

I have two things. We're hearing that there may be additional information that you did not have access to. You testified earlier that the leader of the official opposition, Pierre Poilievre, was invited four times to provide additional information for your consideration on this issue. He did not provide that and you merely received copies of media reports. We understand that the Cumming report coming out of the last election was not provided to you.

Is there anything else? Gathering intelligence is something that is ongoing. This is not something where you have one piece of a puzzle and it doesn't change. Do you need more information in order to continue and to conclude the work that you are doing?

The Right Hon. David Johnston: Madam Chair, I have two observations.

One is that, as we've been dealing with an ocean of information in eight short weeks, it's like painting a picture where you have different brush strokes. You need brush stroke after brush stroke until finally a picture emerges. In building a synthesis, that is very key.

Am I confident that we saw every bit of information that we would like to have had or perhaps should have had? Given the ocean of information, the answer is no. I'm not sure how we could absorb any more than we did in the space of eight weeks.

What more needs to be done? I think it comes to the machinery system that we indicated is in need of major reform. It is about having much better clarification of when something moves from intelligence, in this emerging picture, to something that becomes a threat and is passed on. We simply don't deal with information as well as we possibly should.

Mrs. Sherry Romanado: Actually, on that note, something that we heard in earlier testimony, Mr. Johnston, is that intelligence agencies really don't understand politics and political parties, and political parties and politicians don't really understand intelligence gathering and so on. That is something that needs to be improved in

terms of making sure there is a two-way dialogue between these two stakeholders in terms of foreign interference.

One other thing I would question is this. Given that PROC is looking at this issue, and we have NSICOP, NSIRA and yourself looking at this, and I believe other committees are, would you recommend that perhaps members of this committee receive the necessary top secret clearance to be able to see the same information that you have in terms of the annex that clearly demonstrates how you came to the conclusions that you have? Would you recommend that, or would that be a duplication of efforts with respect to NSICOP?

The Right Hon. David Johnston: Madam Chair, with respect to the second of those two questions, I think that is something that should be looked at very carefully, particularly if it permits parliamentarians to perform their proper functions.

Other jurisdictions have had experience with that. They have review committees like NSICOP, but to expand the "cone of silence", so to speak, and the opportunity to get at this to make intelligence decisions in Parliament makes sense. Whether every parliamentarian should necessarily have that clearance, it may not be, but I think we could expand considerably how we involve parliamentarians more. In particular, when it comes to issues that affect individual parliamentarians, like their safety, it's very clear to me that we have a much better job to do in getting past "This must be kept secret. We can't tell you about it because it will destroy our forces." I think we have to find ways of bringing those folks into the confidence.

On the first question, you're quite right. We have a culture with intelligence agencies to keep things secret, and for very good reasons. They have sources whose lives are at stake. They have confidence that they have to share with other intelligence agencies. But I think other jurisdictions have made some strong and successful efforts to deal better with that declassification/classification nexus. I think that's a job we have to do here.

• (1155)

Mrs. Sherry Romanado: Thank you very much.

I have two last points.

With respect to our intelligence assets, I'm sure you're aware, Mr. Johnston, that my two sons are in the military, and one of them is an intelligence officer, so I understand full well the importance of understanding national security and understanding the difference between a classified "need to know" and putting our assets at risk, as well as our relationship with the Five Eyes.

One thing we did hear is that a lot of parliamentarians and/or their staff won't recognize what is foreign interference. Would you agree that there's some education that needs to happen to make sure that we can be a partner in finding the solution to combat foreign interference?

The Right Hon. David Johnston: First of all, I salute your two sons and their service, which I admire very much.

Second, how we refine that information and put it into a palatable, understandable form is a major challenge, and we have, as we pointed out, challenges with respect to this that must be addressed and improved.

The Chair: Thank you.

Bells have just ended. What we're going to do is do the six minutes for Mr. Therrien, and then we will take a break to make sure everyone has voted.

[*Translation*]

Mr. Therrien, the floor is yours.

Mr. Alain Therrien: Thank you, Madam Chair.

Mr. Johnston has discussed public hearings at length. When I talked about a public inquiry, he often responded by saying that he was going to hold public hearings.

Mr. Johnston, let's suppose I'm a victim of Chinese interference through some police station, for example. Do you think I would then appear at a public hearing?

[*English*]

The Right Hon. David Johnston: Madam Chair, certainly some people will not want to appear before a public hearing. That said, we will encourage anyone who wants to make a submission to us, or write to us, or account personal experiences that they've had. They would be very much welcome, and we hope we can give that appropriate attention.

[*Translation*]

Mr. Alain Therrien: Thank you for your quick and specific answer.

Holding public hearings means telling people that they are welcome if they want to come and discuss interference. Cherie Wong very recently said she wouldn't participate in public hearings. She's a member of the Canada Hong Kong Alliance and doesn't want to appear because she's afraid of reprisals.

That's the difference between a public hearing and an inquiry. An inquiry will summon people and be conducted in camera. It can summon people and request that documents be submitted to it. That way, people can safely go and speak with inquiry members and be examined and cross-examined. Information thus gathered would give us a clear idea of the kind of Chinese interference being carried on here.

Mr. Johnston, don't you think that's a promising approach?

[*English*]

The Right Hon. David Johnston: Madam Chair, I think it's quite possible, and very appropriate, that in the public hearings, one could have in camera sessions. In fact, since our review will continue with respect to threats to our safety and so on, I expect we will have to go in camera, certainly to hear from officials with classified information.

With regard to any member of the public who does not want to be seen publicly but wants to tell a story that's important to a proper review, I think it would be very appropriate to arrange for those meetings to occur in camera with all the appropriate protection.

• (1200)

[*Translation*]

Mr. Alain Therrien: So you're in favour of the idea of inviting people without necessarily putting legitimate pressure on them to provide the desired information and so we're better equipped to deal with foreign interference. That's what I understand.

The Right Hon. David Johnston: Exactly.

Mr. Alain Therrien: Can we shed light on interference merely by inviting people to appear? The answer has already been confirmed: victim members of the diaspora have said they won't attend those hearings.

Won't you then be facing a lack of information that prevents you from shedding any light on the matter in accordance with your mandate?

[*English*]

The Right Hon. David Johnston: I don't think one should try to force people to come, either in the open or in an in camera session, to disclose anything if they don't wish to. They're Canadian citizens. They have a right not to do so. That would be fully respected.

[*Translation*]

Mr. Alain Therrien: In camera proceedings are extremely important in an inquiry. Referring back to the Arar inquiry, people were summoned, but they didn't face threats of physical or other violence. That's proof that an inquiry protects people who are victims of this kind of pressure and makes it possible to gather more comprehensive information, compared to what might be gathered at public hearings. These are the reasons why many experts who were opposed to a public inquiry before Mr. Johnston's report changed their minds after reading it.

Now coming back to senior counsel Sheila Block, I won't go on at length about her. She donated \$7,500 to the Liberal Party and participated in a fundraising activity in 2021 that the Prime Minister also attended.

Does the fact that you selected her as senior counsel earn you the trust of people expecting solutions to Chinese interference? Is that a good move that will encourage people to trust this special rapporteur?

[*English*]

The Right Hon. David Johnston: Madam Chair, Ms. Block's credentials, as a thoughtful and impartial person of great integrity, are known throughout this land to any members of the bar who have been acquainted with her. In my view, we've been extremely fortunate to have her skills, her integrity, and her commitment to improving our way of dealing with foreign interference.

I have every confidence in her, and that's shared widely across the land, regarding her as one of the pre-eminent counsels we have in this country.

[Translation]

Mr. Alain Therrien: Thank you.

The Conservatives were very keen to know if he was a friend of the government, of the Prime Minister and so on. I didn't really ask the question, for one simple reason: in his report, he blames the media, CSIS and the public service, but he doesn't blame the government or its ministers. I think this report is proof that he's ultimately a friend of the Prime Minister.

[English]

The Right Hon. David Johnston: Madam Chair, we don't blame the media, nor do we blame public officials in our report. What we are calling for in this continuation of public hearings is to provide the ways of reforming our system so it functions in the interest of all Canadians and functions very well.

The Chair: Thank you.

I'm going to ask that we pause for not more than a minute, hopefully, to make sure that everyone has voted and that your votes have been registered.

I'm pausing for one minute. Try not to move.

- (1200) _____ (Pause) _____
- (1205)

The Chair: I'm going to continue.

We will continue with Ms. Kwan.

[Translation]

Ms. Kwan, the floor is yours for six minutes.

[English]

Ms. Jenny Kwan: Mr. Johnston, your report noted that:

Irregularities were observed with Mr. Dong's nomination in 2019, and there is well-grounded suspicion that the irregularities were tied to the PRC Consulate in Toronto, with whom Mr. Dong maintains relationships.

Did you look into what those irregularities were? If yes, what were they?

The Right Hon. David Johnston: Madam Chair, again, I'm trying to keep the two parts of my brain functioning—the open part and the classified part. We speak about that issue on page 26:

Han Dong Advised the PRC Consulate to Extend the Detention of the “Two Michaels” (Global News, March 22, 2023)

There has been considerable media attention about an alleged transcript of this conversation. I have reviewed the same intelligence report that was provided to the Prime Minister relating to this allegation, which I am advised is the only intelligence that speaks to this issue. I can report the following.

The allegation is false. Mr. Dong discussed the “two Michaels” with a PRC official, but did not suggest to the official that the PRC extend their detention. The allegation that he did make that suggestion has had a very adverse effect on Mr. Dong. He continued to maintain close relationships with PRC consular officials at least through the 2021 Election.

Ministers and the Prime Minister went out of their way to defend Mr. Dong, whom they believe has been badly harmed by the reporting. They did not believe the media reports when they came out—

The Chair: I'm just going to pause.

Ms. Kwan is visiting committee today and we are excited to have her. I think if we can just keep a glimpse on each other, then you can see...because I think it's just an exchange that she's trying to get to. Quoting from the report is appreciated, but she has noted that she has read the report, so she is looking for the answer as to how ever you feel best....

Ms. Kwan, the floor is yours.

Ms. Jenny Kwan: Thank you, Madam Chair.

I've read the report several times over, so I don't really need Mr. Johnston to quote the report back to me. What I really need is for him to answer the question, which he didn't.

My next question, then, is this: Did he ask if the Prime Minister knew what those irregularities were?

The Right Hon. David Johnston: Madam Chair, can we be a little more specific about the irregularities?

Ms. Jenny Kwan: The irregularities, Mr. Johnston, are what you cited in the report. You say, “Irregularities were observed with Mr. Dong's nomination in 2019, and there is well-grounded suspicion that the irregularities were tied to the PRC Consulate in Toronto”.

The Right Hon. David Johnston: The irregularities had to do with nomination meetings and the busing in of people and students and so on, and some questions about whether Mr. Dong had been substituted for another candidate in the nominated process. I think they were that kind.

Ms. Jenny Kwan: My question was, Mr. Johnston, whether you asked the Prime Minister if he knew what the irregularities were.

The Right Hon. David Johnston: We did ask the Prime Minister about the nomination of Mr. Dong and the allegations that a previous member had been pushed out. He indicated that he was aware of that and that there were reasons that the previous member stepped out and Mr. Dong received the nomination.

Ms. Jenny Kwan: I'm sorry, but my question was whether the Prime Minister knew what those irregularities were.

The Right Hon. David Johnston: I believe the Prime Minister was aware that there was some question about the actual nomination and the busing in of people, etc.

Ms. Jenny Kwan: Okay.

In the report, Mr. Johnston, you concluded that it was reasonable for the Prime Minister to take no action, even though in your own report you cited that there were irregularities and that there was well-founded suspicion.

From my perspective, I don't know how you can square that circle and how you can come to that conclusion when there was well-founded suspicion, and yet no action was taken. The common refrain from the report seems to be that no recommendations were made, so none were taken and none were ignored. Somehow, the notion is to say “I see no evil, I know no evil, so therefore there is no evil”, but in reality, there is much more and it's much deeper than what is going on.

My question, then, is this: Can Mr. Johnston explain if CSIS looked into nomination processes?

• (1210)

The Right Hon. David Johnston: Madam Chair, with respect to the nomination processes, that is a very difficult area, because they're governed by the rules of the party. It's been a very difficult area to regulate, to oversee, and I think one looks to the parties to develop appropriate rules.

I think CSIS has been conscious of the fact that nomination events have followed procedures that would not be the most attractive, but to date, I don't think CSIS has cast its attention into that area in great depth.

Ms. Jenny Kwan: I think that explains why CSIS makes no recommendation to the Prime Minister on this, because they don't look into it in great depth, but it doesn't mean to say there are no issues. Even in your own report, Mr. Johnston, you noted that there were irregularities and well-founded suspicion. How could it be that you would come to the conclusion for the Prime Minister to take no action, that it is actually okay? I really have deep troubles with that.

I'd like to ask Mr. Johnston this question: Can you advise the committee on what your concept is of the appearance of conflict of interest? What does that mean to you?

The Right Hon. David Johnston: The appearance of a conflict of interest would be a reasonable person in possession of all the true facts concluding that a person would not be able to provide unbiased judgment on a particular matter. The key issues would be, one, a reasonable person, and two, all the true facts being in front of that person.

Ms. Jenny Kwan: Did you check to see if Ms. Block has donated to the Liberal Party or attended a Liberal Party fundraiser event with the Prime Minister before you asked her to join your team on this important work?

The Right Hon. David Johnston: Madam Chair, I've worked with Ms. Block on an earlier occasion and have complete confidence in her and her colleagues to make any appropriate judgments on conflicts of interest. With respect to her contributions to the Liberal Party, she has made contributions to other parties, and she has served the country with great eminence.

No, I don't believe Ms. Block is a conflict of interest.

The Chair: Thank you.

We will now enter into our usual rounds. There are five minutes to Mr. Cooper, followed by Ms. Sahota.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Madam Chair.

Mr. Johnston, I draw your attention to page 27 of your report, where you write that "CSIS sent an issues management note" to then public safety minister Bill Blair and his chief of staff in May 2021, which warned that MP Michael Chong was being targeted by Beijing.

Last Thursday at this committee, Minister Blair said something quite different from what you wrote in your report. He said that CSIS did not make him aware of that information. How can one reconcile, on the one hand, what you said in your report versus what Minister Blair testified before this committee last Thursday?

The Right Hon. David Johnston: Could you give me the paragraph reference on that page? Did you say page 25 or page 27?

Mr. Michael Cooper: I hope this is not taking my time, Chair.

It's page 27.

The Right Hon. David Johnston: Okay. It says, "CSIS sent an issues management note". Is that the question?

Mr. Michael Cooper: Yes.

The Right Hon. David Johnston: It says, "CSIS conducted the briefing, but we understand from Mr. Chong's statements to the media and PROC that it did not include the detail with respect to his family."

Mr. Michael Cooper: I'm sure you're quite familiar with that. I hope you're familiar with that section of your report. It's a whole section.

The Right Hon. David Johnston: Madam Chair, I'm attempting to get the context so that I can provide an appropriate answer.

It's clear to us that there was a breakdown in communication in warnings going from CSIS to Mr. Blair, for reasons that I think have to be repaired, including who would receive information and with what kind of equipment, etc. I think that's been clearly indicated.

I think in this case, the Prime Minister has taken action—

Mr. Michael Cooper: You—

The Right Hon. David Johnston: —to ensure that there is a much better protocol—

• (1215)

Mr. Michael Cooper: I'm sorry, Mr. Johnston. I want to be respectful—

The Chair: I'm going to pause.

Mr. Michael Cooper: —but I have limited time—

The Chair: I'm going to pause.

Right here, on this beautiful sheet in front of me, is exactly how much time everyone gets and exactly how much time you've actually received. You'll notice that when there is a nice exchange of one person speaking at a time and the beep goes off, I let the conversation continue.

I've proven myself to you, Mr. Cooper. In the last round, you had six minutes, and you were given seven minutes and 12 seconds. Do you know why? It was a good exchange and we were getting good information.

Once again, let's just take turns back and forth. You can rest assured—all members can—that any time that should be given to you will be given to you.

Mr. Cooper, the floor is again yours.

Mr. Michael Cooper: Mr. Johnston, at page 27 of your report, you say very specifically that “an issues management note” was sent to the minister in May 2021 concerning Michael Chong, but that “Neither the Minister nor his chief of staff received [that]”, because they did not have access to what you refer to as the “Top Secret Network email”. At committee last Thursday, Minister Blair said it wasn’t an issue of access. In fact, he said, “First of all, there is no email”.

Is Mr. Blair not being forthright in his testimony, or is there a material fact or facts that you got wrong in your report? I’m trying to understand, on the one hand, what Mr. Blair said, versus what you say, which I can’t reconcile.

The Right Hon. David Johnston: Madam Chair, the question was what Mr. Blair received. Our understanding, from Mr. Blair’s testimony to us, is that he did not receive the memo indicating that that warning was there.

Mr. Michael Cooper: But a memo had been sent to his attention.

The Right Hon. David Johnston: My understanding is that it had his name or office on it but he did not receive it.

Mr. Michael Cooper: That was sent through an email, a top secret email system. That’s what your report says.

The Right Hon. David Johnston: Madam Chair, the understanding I have is that, very clearly, email or whatever, he did not receive it. That was the testimony he gave to us. That, for us, seemed to be a very substantial flaw in how information is crystallized and finds its way into the hands of recipients who have the accountability to act on it.

Mr. Michael Cooper: It’s impossible to understand how Mr. Blair could say there just wasn’t such an account, but you say there is.

Moving on to the member for Don Valley North, at page 24 of your report, you say, “I did not find evidence that Mr. Dong was aware of the irregularities or the PRC Consulate’s potential involvement in his nomination”. Did you find any evidence or intelligence that Mr. Dong was unaware of the Beijing consulate’s involvement in the irregularities that happened at his nomination campaign, at the nomination meeting?

The Right Hon. David Johnston: Again, I’m trying to be careful in dealing with what’s open information and what’s classified information.

With respect to the nomination meeting, there clearly were strange practices, unusual practices, going on. We did not conclude from that that it was directly laid in the hands of the People’s Republic of China. There clearly was discussion between Mr. Dong and the consulate in Toronto, but that’s the extent, to my understanding.

Mr. Michael Cooper: Well, I asked you a specific question, and that was whether you had any information that he was unaware.

I want to ask you very simply, why did you not bother to interview Mr. Dong?

The Right Hon. David Johnston: I think we interviewed the people who had information about this particular matter. Mr. Dong

at that time, I think, was proceeding with his own lawsuit. We felt that this was something he should get on with.

The Chair: Thank you.

Ms. Sahota, go ahead.

• (1220)

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Madam Chair.

When answering a question that was previously asked, at the end, Mr. Johnston, you stated that you had worked with Ms. Block previously. Can you elaborate on what that previous work was?

The Right Hon. David Johnston: In about 2007-08, Prime Minister Harper invited me to review allegations of the involvement of Mr. Karlheinz Schreiber with former prime minister Mulroney, who had stepped down from office, and to strike the terms of reference for an inquiry into that particular matter. Ms. Block reached out to assist as senior counsel. She and a team from the Torys law firm did so and were eminently helpful and capable in that.

Ms. Ruby Sahota: I guess her work was good during that interaction, since you decided to retain her services again this time.

The Right Hon. David Johnston: When I asked her to assist in that respect, she was referred to me as the pre-eminent counsel in the country to do that kind of work, and that proved to be the case.

Ms. Ruby Sahota: Thank you.

Through this process, Mr. Johnston, you’ve been given thousands of documents. You said that you had only so many weeks and that you had ample evidence that was provided to you, including intelligence. You interviewed officials, ministers, the Prime Minister, and members of the security and intelligence community. You then looked at unverified allegations that have been either floating around in the media or made by politicians. Then you took a look at the substance, the material that you were provided, to come to conclusions.

I want to walk you through some of the conclusions and ask for a little bit of elaboration, an explanation, as to why you came to those conclusions.

On the allegation that the PRC gave \$250,000 to 11 political candidates for the 2019 election—that was the allegation in the Global News report of November 7, 2022—you stated in your report:

No recommendations were made to any Minister or the Prime Minister about this allegation, and therefore no recommendations were ignored.

Can you expand on how you came to this conclusion?

The Right Hon. David Johnston: We set that out on page 21. We just finish by saying:

NSIA Thomas and the Prime Minister’s Chief of Staff both testified to PROC that there was no evidence of money flowing to federal candidates.

I asked the Prime Minister and other Ministers if they or their staff knew anything about money being transferred to federal candidates in the 2019 Election. They indicated that they had not heard anything about this until the media reporting. The Prime Minister pointed out that he is not briefed on matters that are not supported by reliable intelligence. No recommendations were made to any Minister or the Prime Minister about this allegation, and therefore no recommendations were ignored.

Ms. Ruby Sahota: Then, on the allegations that there was a network of 11 federal election candidates and operatives, at least some of whom were “witting affiliates of the Chinese Communist Party”—this is what Global News reported on November 7, 2022—you stated in your report:

My conclusion is that there was no evidence presented to any Minister or the Prime Minister that any of the 11 candidates or any group of candidates were working together as part of a network. No recommendation about a network of candidates was made as no network was known to exist. No recommendation was ignored.

Can you expand on this conclusion? How did you arrive at this?

The Right Hon. David Johnston: That was based on both open and classified information, first of all. What we say a little bit earlier on page 22 is this:

The PRC has leveraged proxy agents and has tried to influence numerous Liberal and Conservative candidates in subtle ways. There is no basis to conclude that the 11 candidates were or are working in concert (i.e., as a “network”) or understood the proxies’ intentions. Some of the candidates are well-integrated with Chinese Canadian community organizations. There is nothing inherently suspicious about this, as it is common for political candidates to rely on community support.

In a nutshell, I guess, based on what we received, we could not see the evidence of an integrated network working as alleged to have occurred.

Ms. Ruby Sahota: Thank you.

We’ve discussed this a bit in some previous questioning, but I want to be clear on the allegation that Han Dong advised the PRC consulate to extend the detention of the two Michaels. Global News was very confident in its reporting on this. You found that to be false. Can you expand as to why you found that to be false?

• (1225)

The Right Hon. David Johnston: The reference, I think, that Global News had was to an early draft of an understanding of what transpired in a conversation between a member of the PRC consulate and Mr. Dong. That was subsequently superseded by another interview, which indicated that the suggestion in the first one that he had suggested the two Michaels be further detained was simply a wrong interpretation. It was just a misinterpretation.

The Chair: Thank you.

We should make sure that the mikes are off so that the floor sound doesn’t go back to colleagues.

Thank you, Ms. Sahota.

[*Translation*]

Mr. Therrien, the floor is yours for two and a half minutes.

Mr. Alain Therrien: Thank you, Madam Chair.

Mr. Johnston, you said you met with witnesses who had relevant information that you could use to draft the report that you tabled two weeks ago. I have a few questions about that.

First, did you meet with Stéphane Perrault, the Chief Electoral Officer?

[*English*]

The Right Hon. David Johnston: Madam Chair, we did not meet with the director, Mr. Perrault, because there were no com-

plaints before him or the commissioner of Canada elections with respect to interference. We anticipate that we would be meeting with him and his colleagues as we look at improving our systems, including any suggestions that can be made to help the commissioner of Canada elections work more effectively.

[*Translation*]

Mr. Alain Therrien: Unless I’m mistaken, the Chinese interference was in a way an attack on Canada’s electoral system and perhaps that of Quebec.

You didn’t think it was appropriate to meet with the current Chief Electoral Officer. It seems to me you should have met with Mr. Perrault at the outset because he’s central to everything that happens within Canada’s electoral process. I’m astonished to hear you didn’t meet with him, even though I understand your answer.

Did you meet with the commissioner of elections, Caroline Simard?

[*English*]

The Right Hon. David Johnston: Madam Chair, with respect to both the commissioner of Canada elections, Ms. Simard, and the Chief Electoral Officer, there were no complaints registered with the commissioner or the Chief Electoral Officer for us to follow up on with the 2019 and 2021 elections. For that reason, we did not meet with them, but we expect we will in our subsequent work.

[*Translation*]

Mr. Alain Therrien: No complaints had been filed, but 11 candidates were apparently victims of some sort of interference during the election. You confirmed that in your report. They were election candidates. As no complaints were filed concerning those two organizations, you thought you didn’t have to meet with the commissioner of elections or the Chief Electoral Officer.

Is that correct?

[*English*]

The Right Hon. David Johnston: Madam Chair, we expect that we will meet with those two officials in subsequent review. What I was saying is that our understanding was that there were no complaints directed to them that required action with regard to the 2019 and 2021 elections.

[*Translation*]

Mr. Alain Therrien: Madam Chair, I’m truly stunned by what I’m hearing. I’ll conclude my remarks with that.

The Chair: We will continue with Mr. Julian.

[*English*]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you, Madam Chair.

I’d like to thank Mr. Johnston for being here today.

I want to follow up on the question that Ms. Kwan asked you about the vetting of Sheila Block. It was unclear to me whether it was an honour system where you expected her to step forward with concerns about her donation history, or whether you were aware of all those donations and, to your mind, that didn't represent any problem, given the important work you were assigning to her.

The Right Hon. David Johnston: Madam Chair, with respect to Ms. Block, I reached out to her because she's an eminent counsel and highly qualified. I'd worked with her in another difficult situation—

Mr. Peter Julian: That's not the question, with respect, Mr. Johnston. It's whether you were aware of her donation history or not.

The Right Hon. David Johnston: The answer is that I wasn't aware of her donation history, and it wouldn't have occurred to me to inquire into that, because her reputation and integrity are impeccable and continue to be so, in my view.

Mr. Peter Julian: Mr. Johnston, we've heard a lot today. Conservatives have been citing and quoting Liberals praising your decades of public service. Liberals have been quoting Conservatives praising your public service. There's no doubt that you have a long history of public service.

We've spoken to this in the House as well, that a motion was adopted by a majority of parliamentarians in a minority parliament. Parliamentarians read your report and considered that before they cast their vote.

As you mentioned at the outset, you have a deep respect for Parliament, so I find it perplexing. How could you have a deep respect for Parliament and, when there is a clear parliamentary vote, ignore that clear parliamentary vote asking you to step aside so that we could have a public inquiry, which, of course, most Canadians want to see as well?

• (1230)

The Right Hon. David Johnston: Madam Chair, I do have deep respect for Parliament, and I hope I've given good evidence of that through my life, and through my time as Governor General.

The reason I'm continuing in this position, with respect to the motion of Parliament, is that I believe the vote was based on allegations that were false. It would be wrong for me to simply step aside and say, "We'll let those allegations stand. That's fact; that's the truth, so be it." That would not be the right thing to do.

Mr. Peter Julian: Mr. Johnston, with respect, you can't determine how parliamentarians vote, or why they vote that way. As you mentioned, you have a deep respect for Parliament. You do need to heed a parliamentary vote. As a parliamentarian who cast that vote, I was well aware of your long history of public service but simply profoundly disagreed with your conclusions.

The Right Hon. David Johnston: Madam Chair, I was asked by the government of the day to undertake an important task, to review foreign interference in our elections. I undertook that task and intend to continue it until my services are simply no longer useful or required.

That's the reason why, with great respect to Parliament, I have—

The Chair: Thank you.

Next, we have Ms. Dancho, followed by Mr. Turnbull.

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Madam Chair.

Thank you for being here, Mr. Johnston. We appreciate your participating in this important democratic process to hold the Liberal government accountable, as is our duty as His Majesty's official opposition, so thank you again for being here today.

I want to ask you a brief question about your report. I'm sure you're aware that there have been multiple Beijing police stations operating at various locations across Canada for the purpose of intimidating Chinese Canadians and students from China studying here, to silence their democratic right to debate and to freely criticize foreign governments.

I was disappointed, however, to see that this was not included in your report. Can you explain why?

The Right Hon. David Johnston: Madam Chair, the activities of the police stations are nefarious and widespread here in Canada and in other jurisdictions. They are the subject of an RCMP investigation, which is a rather unusual situation. Because of that ongoing investigation and oversight activities, we felt it was appropriate to see that investigation through.

Ms. Raquel Dancho: Thank you for your answer.

I do feel, however, that it is warranted, and it's certainly encompassed in the foreign interference sphere that has been talked about quite a bit. I see that you're nodding in agreement, so I appreciate that.

I feel that leaving it out does feed into a bit of a perception of bias, which has been a criticism of this report and of you leading the report, in the sense that it has been a failure of the Liberal government to drag its feet on bringing forward a foreign agent registry act. That would be the vital tool needed to hold accountable those operating these illegal Beijing police stations, which are a very clear violation of our sovereignty. They are a slap in the face to all Canadians. That is a tool we need to hold accountable those who are responsible for this, and again, the Liberal government has dragged its feet for a number of years. I do feel, sir, that it would have been a well-placed criticism within this report. There were very few, if any, criticisms of the current Liberal government in the report.

I found it concerning as well that you left out that the Trudeau Foundation, given the leaked report from CSIS, had been given \$140,000 through various channels from the Communist Party of China. CSIS said in the leak that, through a wiretap, it was found to have been donated for the express purpose of influencing Justin Trudeau, who would ultimately become the Prime Minister. Again, not including that leads to a perception of bias, sir. Whether warranted or not, I think that's certainly a valid perception that many people beyond the Conservative Party have pointed out.

Again, I appreciate that you do not see a conflict of interest with Justin Trudeau or with the Trudeau family. I do have to point out that it is not common, certainly, in Canada that people are friends with prime ministers' sons, and that they have dinner with them and go skiing with them.

I am a McGill graduate, sir, and I appreciate that you were also at McGill. You mentioned several times that you ran into Justin Trudeau at McGill and that you saw him there. I can tell you, when I was at McGill, I didn't know who the president was, let alone run into him or her on multiple occasions.

I do feel that, because of your long career and your service to Canada, you have very clear connections to a very elite group of what some call "Liberal insiders" that perhaps you don't recognize. That has provided a very clear perception of bias with your appointment, sir. Whether rightly or wrongly, I do feel that those who hold that perception have a good reason in this regard.

Ultimately, sir, while the report is extensive, it does downplay a lot of the concerns and the leaks we have seen from reputable journalists in *The Globe and Mail*. It denies certain ones. It calls certain other ones false and says that the conclusions were false. You are quite critical, and I do appreciate that you don't see it this way, but this report, sir, is quite critical of the media and their discussion of these leaks in the news to tell the public.

It is also quite critical of the Conservative Party in the way we have held the government accountable upon learning of these leaks. Again, it is not very critical at all of the Liberal Party, despite the fact that they have really not held anyone accountable for the police stations, for the intimidation of MP Chong, MP O'Toole, MP Kwan and MP Chiu, and for the targeting of the Conservative Party of Canada. In fact, the one diplomat expelled would not have been expelled if those leaks had not happened, yet there is nothing critical about the lack of action to hold anyone accountable for these things in this report.

Sir, respectfully, I do feel that the perception of bias is warranted, both in the report and given your history with the Trudeau family.

I will just conclude, Madam Chair.

I urge you to respect the will of Parliament, Mr. Johnston, with three votes calling for a public inquiry. Respect the will of Parliament and honourably step down following that.

Thank you, Mr. Johnston.

• (1235)

The Right Hon. David Johnston: Madam Chair, first of all, with respect to having no criticism of the government, the report goes into considerable detail to say that we have a system of dealing with foreign interference that is not working. It points out a number of the areas of defects. I have welcomed the initiatives that have been taken, such as working to now establish a foreign agent registry, which would put that in the public realm. That's been a matter to study, because it has pros and cons, but I think there's action on that. That's very encouraging.

With respect to friendship, acquaintances and so on, you suggested that somehow my realm of friends is with senior Liberal Party people. I've been fortunate in my life to be president of two impor-

tant universities in this country. I've been involved in somewhere between two and three dozen inquiries, advisory boards and so on. In the course of that kind of work, one is given the opportunity to meet with senior officials, be they Conservative or any other party. That, for me, is simply part of my life, so to suggest that I'm part of a Liberal clique is just wrong.

The Chair: Thank you.

Mr. Turnbull, go ahead.

Mr. Ryan Turnbull: Thanks, Madam Chair.

Mr. Johnston, I was comforted, in a sense, by the fact that you invited scrutiny into the findings of your own report by giving the opportunity for all parties represented on NSICOP and the security and intelligence experts through NSIRA to review your findings. You've also said today multiple times, and I know it's in your report as well, that opposition leaders were invited and you encouraged them to review the facts in the annex of your report.

I take it from Ms. Dancho's comments that she thinks your calling something "false" is a criticism. I think that's just a commitment to the truth.

It seems you must be quite confident—in your findings and the conclusions that you've drawn from the facts, within the context—that other parties and individuals whom you've invited to scrutinize your findings would land on the same conclusions. How confident are you?

The Right Hon. David Johnston: What I would say, Madam Chair, is that we did the best we possibly could in the two months we had to follow the facts as far as we could and apply the law.

We welcome the scrutiny, the overview of the two committees you referred to, joined by the leaders of the major opposition parties. I think that's appropriate and that's how these things should work. Our work should be held accountable, as it is being here. It will be held accountable by committees that have expertise in this and have been working at it for very long.

With respect to the media, we do say in our report that we're not casting any aspersions at the media. Freedom of press is very important in this country and we would be in chaos if we didn't have it, especially with respect to the rule of law.

• (1240)

Mr. Ryan Turnbull: Thank you for that.

I know that you must have had security clearance at the highest level in order to be able to review the intelligence documents within the context in which you formulated your conclusions in your report. Were you impeded in any way in speaking publicly about your opinions about the government taking action or not taking action as a result of having that security clearance?

The Right Hon. David Johnston: The answer to that question, Madam Chair, is no. We were not impeded. In fact, we worked very carefully to try to write a report that would put as much light as we could on this matter but still respect classified information. There was no impediment to that. We were very pleased to be able to push those boundaries a little bit more than they ordinarily would be in a public report.

Mr. Ryan Turnbull: Thank you.

One of the things that I spent considerable time doing is reviewing all the things that our government has done on foreign interference since 2015. I've heard time and time again people make claims that are false, that the government hasn't done anything.

In your report, you spend a considerable number of pages on that—I think it's roughly page 30 to 49, so almost 20 pages of the report—and you conclude that:

While more can and must be done to strengthen our ability to detect and deter foreign interference, the extent of the government's policy initiatives and regular communications on the topic contradicts suggestions that the government intended to hide the existence of foreign interference, that it has negligently failed to act on it, or that it tolerated foreign interference.

Can you confirm again that it's not true that our government did nothing on foreign interference?

The Right Hon. David Johnston: Madam Chair, we set out a series of initiatives that had been taken, principally from about 2017 on. Russian influence was the main concern then; Chinese influence became that. There clearly was important activity. The concern is that the activity was not fast enough to catch up with the growing foreign interference, which continues.

What we have done in setting this out is also attempting to create a menu of other initiatives that should take place, some of which we expect to review in our public hearings, to continue this job of being much more aggressive in recognizing the nature of the flip and then taking the prompt steps to counter it, deter it and deal with it in an adequate fashion.

Mr. Ryan Turnbull: If I may just follow up on that, I know that at some point—and I don't remember exactly where it was—you had admitted that your assumption leading into your work as special rapporteur was that you would likely land on a public inquiry, and yet you didn't. You landed on public hearings.

Can you explain why?

The Right Hon. David Johnston: Madam Chair, a public inquiry would duplicate the work that we attempted to do, especially dealing with classified information. Any public inquiry is going to run into that same problem: How do you deal with classified information in an open fashion and report upon it?

Our view is that you could do that particularly in the area of reforming our systems, looking at them carefully and thoughtfully, drawing the best expertise you can, reinforcing the oversight committees, building on a better system of managing foreign interference and taking lessons from other jurisdictions, especially the Five Eyes, which have had considerable experience in dealing with exactly these challenges.

The Chair: Thank you.

This brings us almost to the end. What we are going to do is give five minutes to Mr. Brock, followed by five minutes to Ms. O'Connell.

[*Translation*]

Mr. Therrien will have two and a half minutes and Mr. Julien two minutes.

[*English*]

Mr. Brock, five minutes go to you.

Mr. Larry Brock: Thank you, Madam Chair.

I'll be splitting my time with my colleague Mr. Chong.

Mr. Johnston, aside from Navigator, are there any other individuals or entities assisting you currently?

• (1245)

The Right Hon. David Johnston: Madam Chair, I've received informal advice from a number of people, including professionals, but no one has been paid for their services apart from Navigator.

Mr. Larry Brock: Thank you.

Are Don Guy and Brian Topp, or anyone else from GT and Company, involved with assisting you?

The Right Hon. David Johnston: Yes, those two individuals have provided advice to me, which was quite welcome.

Mr. Larry Brock: Okay. Was it both individuals, Mr. Guy and Mr. Topp?

The Right Hon. David Johnston: Yes.

Mr. Larry Brock: When did that start?

The Right Hon. David Johnston: Madam Chair, I think that started about 10 days ago, as I recall.

Mr. Larry Brock: Thank you.

Are you still receiving advice?

The Right Hon. David Johnston: Yes.

Mr. Larry Brock: Thank you.

Is there anyone else from GT and Company whom you've spoken to about foreign interference?

The Right Hon. David Johnston: No, I think not, Madam Chair.

Mr. Larry Brock: Okay.

Are you paying Mr. Guy and Mr. Topp for their services and advice?

The Right Hon. David Johnston: Not at all, Madam Chair, nor are we paying for any of the other informal advice I'm receiving from a number of quarters.

Mr. Larry Brock: Thank you.

At least three times, Mr. Johnston, you've misquoted sections of your report in response to various questions from members of all parties. It begs the question, sir, of who actually wrote this report.

The Right Hon. David Johnston: Madam Chair, the answer is that I wrote the report, and had considerable advice from a very competent legal team.

Mr. Larry Brock: That includes Sheila Block.

The Right Hon. David Johnston: It was led by Sheila Block, Madam Chair.

Mr. Larry Brock: Does it include her team?

The Right Hon. David Johnston: Madam Chair, yes, I've been assisted by a team of legal experts.

Mr. Larry Brock: Did you receive drafting assistance from the PMO?

The Right Hon. David Johnston: Madam Chair, no, there would be no question of drafting assistance from the PMO. We're completely independent in our work from the PMO.

Mr. Larry Brock: Did you receive advice from the PMO as to what should be contained in the report?

The Right Hon. David Johnston: Madam Chair, we had continual discussions with PMO officials as we were seeking information and trying to get different—

Mr. Larry Brock: Thank you.

Did you receive drafting assistance from the PCO?

The Right Hon. David Johnston: Madam Chair, the report is something I wrote, with assistance from my senior legal team, and that was it.

Mr. Larry Brock: Thank you, Madam Chair.

Go ahead, Mr. Chong.

Hon. Michael Chong: Thank you, Madam Chair.

Mr. Johnston, thank you for taking the time over the last three hours to appear in front of us.

The core of your mandate is to assess foreign interference in our electoral process. That's the core of your mandate.

In Canada, there is only one federal electoral process, and that is the process whereby Canadians get one vote for their local member of Parliament. Everyone else in our system is appointed. The Senate is appointed. The Prime Minister is appointed—as you know, as a former governor general. The cabinet is appointed. Everyone else is appointed. The only electoral process federally in our system is for the House of Commons. It's the only part of our system that has an electoral process. It's the only part of our system that is democratic. It's the only part of our system where Canadians get a vote, and that is for the House of Commons.

The majority of the people's 338 elected representatives have voted three times in the last three months for an independent public inquiry, yet you and you alone—with respect—have recommended against one. How can you and the government, in this process that you are involved with as an independent rapporteur, restore trust and confidence in our democracy if the government continues to defy the democratic wishes of our only national democratic institution, the House of Commons?

The Right Hon. David Johnston: Madam Chair, I was asked by the government of the day to undertake a job to review foreign in-

terference, and that included the question of whether a public inquiry would be the best way to do it. After very thoughtful consideration, we concluded that it was not, but that conducting public hearings on the matters that were not classified information would be a very appropriate way to build trust in our institutions.

That work continues to be very important, and I think we need to bring a sense of urgency to get on with that task.

Hon. Michael Chong: I have a very different question, Madam Chair, a very short one.

Mr. O'Toole indicated that the report had been sent to translation on the weekend before he met with you. On what date was the report sent to translation?

• (1250)

The Right Hon. David Johnston: If my memory serves me, Madam Chair, [*Technical difficulty—Editor*] for translation, but on the basis that we'd get the translation started and that there would be changes and amendments to that report. Within the two days following our meeting with Mr. O'Toole, which I again emphasize was an extremely important and helpful meeting, we made changes to that report and ensured that they were in the translation.

The Chair: Thank you.

Time is so short, and I did let you get one extra one in there, so I'll note that.

Ms. O'Connell, I'll give the same time to you.

Ms. Jennifer O'Connell: Thank you, Madam Chair.

I was hopeful. Since my last intervention, we did receive some questions from the Conservatives on foreign interference, but it appears that we came back full circle to a new conspiracy theory questioning whether you actually wrote the report that you wrote. After three hours of desperation, that's what comes our way now.

Let me get back to what we're talking about here. Mr. Johnston, you spoke throughout your testimony today of the great care you took to write and share information that everyday Canadians can easily read and understand. As a former NSICOP member, I can say that this is something that NSICOP looks at very carefully, too: How do you write public reports that can be consumed by people who are not national security experts?

In your report, what I appreciated so much was the comment about how you would be providing all of the information on which you based your recommendations or your findings. You would be compiling that in an annex, and you would make it available for scrutiny. I think I wrote down that you “welcome the scrutiny” based on the information that you made your recommendations on.

Is it reasonable for people to question not only your integrity but whether you've written the report and what information you had or didn't have, when those very parties had the opportunity to read all of the national security confidential information but chose not to? Do you think it's reasonable for someone who chooses not to read the information to then make judgments about what information you had or didn't have?

The Right Hon. David Johnston: Madam Chair, let me respond to that question in very generalized ways. I think that in dealing with something as important and as growing as foreign interference in our elections and creating mistrust in our institutions—and by the way, those enemies are rubbing their hands with glee as they observe the kind of paroxysms that we're going through—we would have to work very hard at acquainting parliamentarians with foreign interference, but the public really understands very little. In this blessed country of Canada, we'd rather consider ourselves kind of protected and not have to worry about that.

We do have to worry about that. It does create very challenging difficulties for us, and it will continue and get worse.

Ms. Jennifer O'Connell: Thank you.

Another criticism that often comes up about why certain party leaders won't receive national security briefings and review the information that you reviewed is that they say they will be silenced. You have now been here for about three hours discussing the very nature of this report, the information. You have the security clearances. You wrote an entire report based on national security secure information. Do you feel that you are silenced from talking about these things, when you wrote an entire report on it and have been here for three hours answering questions from all parties on the very matter, which has national security confidentiality in it?

The Right Hon. David Johnston: Madam Chair, the first thing I would say is that this is accountability, and that's what Parliament is about and should be about.

Second, I would say that it's very possible for parliamentarians to take top security clearance, as some of you have, without in any way restricting their responsibility to speak publicly and openly about what they know in their head. What they have to guard against is disclosing classified information. That's the difficulty we have with public inquiries that are supposed to shed light on things when you have a problem of classified information that you just can't disclose for reasons we've discussed.

• (1255)

Ms. Jennifer O'Connell: Absolutely. Thank you for sharing that, because I've raised it in the House, as well.

I'm a former member of NSICOP, and being able to distinguish.... What you said earlier in your testimony reminded me of the red folder and the green folder. Sometimes it's hard to remember what is confidential and what isn't. That is why it's so important to actually have these open conversations. It's not a secret that you're trying to conceal from Canadians; it's about maintaining the sensitive nature of this information in a reasonable and respectful way that is ultimately in the interest of all Canadians.

How do we have these more open conversations with Canadians, so they have a better sense of what national security is all about in this country?

The Right Hon. David Johnston: I'm a teacher, and I very much believe in seeing the world through the eyes of my children, and now my grandchildren. I think we have to work harder at educating our young people about our civic institutions, the quality of those institutions, and how they're protected.

Democracy is a very thin veneer. It's like the garden cultivated next to the jungle, as Hugh MacLennan wrote in *Voices in Time*. It must be very carefully cultivated, because if it is not constantly cared for, the weeds and then the jungle will take it over. We need the constant gardeners. You people here, parliamentarians, are the constant gardeners.

I think we have to imbue in our young children a sense of the preciousness of this country, that we have much to protect, and that we must engage ourselves in that to be sure the country is a better place for those who come after us.

The Chair: Thank you.

[*Translation*]

Mr. Therrien, go ahead for two and a half minutes.

Mr. Alain Therrien: Thank you, Madam Chair.

Democracy is being threatened. We have to ensure that the public has confidence in this democracy. Some 72% of the population are calling for an independent public inquiry. The majority in the House is calling for an independent public inquiry. Many experts are calling for one as well. Some didn't call for it initially, but Mr. Johnston's report convinced them it was necessary. They then joined with the experts who were already calling for an independent public inquiry. This is the only way to obtain the documents needed to understand and limit this interference. It's the only way to meet with interference victims in camera. What Mr. Johnston is proposing is public hearings without obligation to which we only invite people. Victims have already said they won't appear at them.

The benefit of Mr. Johnston's approach is that it's less costly. How much is a healthy democracy worth? We're talking about democracy.

Mr. Johnston says his approach is faster. This is unfortunately a botched job. It's faster, but no light will be shed on the subject. It's so quick that he didn't meet with Stéphane Perrault, the Chief Electoral Officer of Canada, or Caroline Simard, the commissioner of federal elections. Speed, in this case, has resulted in a botched job.

The only thing to do is to hold an independent public inquiry. Democracy demands it. The House demands it. The public demand it. Mr. Johnston talks about protecting democracy, but he doesn't respect it.

I unfortunately think his appointment was a mistake.

[English]

The Right Hon. David Johnston: I have no response, Madam Chair.

The Chair: I appreciate that.

Mr. Julian, you have two and a half minutes.

[Translation]

Mr. Peter Julian: Thank you, Madam Chair.

Mr. Johnston, earlier you said you hadn't met with the commissioner of federal elections because no complaints had been filed. However, Ms. Simard testified before our committee, and we know that many complaints of foreign interference are under review.

Are you aware that the commissioner is actively reviewing those complaints of foreign interference in our elections?

[English]

The Right Hon. David Johnston: Madam Chair, we were aware of investigations, but no findings of interference. Our expectation is that we would continue to follow the progress of those investigations and meet with the commissioner of Canada elections to have a good discussion about those.

• (1300)

[Translation]

Mr. Peter Julian: Madam Chair, it's very important that that meeting be held before the decision is made whether to proceed with a public inquiry.

Mr. Johnston, I listened closely to your testimony today. You said that an inquiry would cost a little more and that it might take a little longer, but you also acknowledged the weak points of the approach you've adopted. You clearly said at the start of your testimony that foreign interference was real and constituted a threat to our democracy.

I believe the contradictions in your testimony are obvious to Canadians. Aren't you concerned that they will undermine the credibility of your approach, all the more so because parliamentarians don't agree and have voted differently?

[English]

The Right Hon. David Johnston: Madam Chair, the question is whether I have confidence in the public responding in one way or another. That is for the public to decide. We undertook this task and did the best job we could to build trust in democracy. It will be reviewed by the appropriate review committees. We welcome their suggestions and their conclusions.

[Translation]

Mr. Peter Julian: Madam Chair, I suggest that we extend the meeting by 16 minutes. Mr. Johnston has been very generous, but I know that some members still have questions for him. So I'd like you to allow a four-minute round for each party, for a total of 16 minutes.

[English]

The Chair: Mr. Julian, do you want five more minutes for the Conservatives and five more minutes for the Liberals?

[Translation]

Mr. Peter Julian: No, Madam Chair, I would like you to allow each party four minutes, for a total of 16 minutes.

[English]

The Chair: The current round that we're in would be completed after 10 more minutes. I do believe, with our committee having agreed to work through votes, that if I summarize the amount of time, we're pretty close to three hours with the Right Honourable David Johnston. That's very generous for the amount of time.

We do have resources. I think it's absolutely astonishing that we're doing this. Is that the will of members?

Ms. Sahota, go ahead.

Ms. Ruby Sahota: Madam Chair, in the last couple of rounds, we saw that members didn't even ask a question. They just used their time to make their comments. If that's how this committee is going to be running, and we've seen ample evidence of that throughout the last three hours, I would say that we release the witness and adjourn for today.

The Chair: I, for one, did know who the president was at my university. I know we didn't get to ski together and hang out together, but I do appreciate the service you've offered.

I come into a situation as a chair where I do need to see the will of committee members. I want to say that I find this very awkward, because I did work with everyone to make sure we could find agreement to find a way forward. I actually thought we were quite credible in the way we did this, so I am concerned about this conversation. It will be noted.

Mr. Johnston, I know the calibre of individual you are, so I know you're not going to say no—unless you want to; you can walk out right now. Otherwise, I'm going to have to go with just another quick round.

I apologize, at least on behalf of myself and some members. This was not the intention.

Who is going for the Conservatives?

Mr. Chong, you have five minutes.

Hon. Michael Chong: Thank you, Madam Chair.

Thank you, Mr. Johnston, for agreeing to stay a bit longer.

You mentioned in your remarks that there are three advisers for the second part of your mandate. Could you tell us who those three advisers are?

The Right Hon. David Johnston: No. We have not begun that at all.

Hon. Michael Chong: Okay, thank you.

I want to focus on the second part of your mandate that you outlined in your report. You mentioned, on page 16 of your report, "There is no doubt that these communities are distrustful of security agencies." That's not entirely accurate. Many diaspora communities have been pleading with security agencies to do more to stop the foreign interference that they are subject to, particularly the Chinese Canadian community.

Chinese Canadians are being targeted by Beijing, and they have rejected your proposals for public hearings. They are frustrated because they have already spoken up and testified many times over the last four years in front of the four parliamentary committees that I've referenced. The government has largely ignored their pleas for help, and they have suffered in silence. They're exhausted. They want more action, not these hearings you are proposing.

Just yesterday evening, I looked at a partial list of members of the Chinese diaspora here who don't want this second phase of hearings, who want an independent public inquiry: Mabel Tung of the Vancouver Society in Support of Democratic Movement; Mehmet Tohti of the Uyghur Rights Advocacy Project; Chami Lhamo of the International Tibet Network; Gloria Fung of Canada-Hong Kong Link; Victor Ho, the former editor of Sing Tao Daily, one of the largest Chinese-language newspapers in the country; Cherie Wong of Alliance Canada Hong Kong, and the list really does go on.

All of these civic leaders in the Chinese community, and many more, have expressed a lack of confidence in your first report and in this process, so how can you possibly proceed with the second part of your mandate in light of that lack of confidence from many parts of the Chinese community in Canada?

• (1305)

The Right Hon. David Johnston: Madam Chair, our hope is that we could encourage members of those communities to continue their work in trying to draw to the attention of Parliament and the public generally the dangers we're facing.

We hope that the work we have done and the review by NSICOP and NSIRA, joined by leaders of the opposition, will provide a great deal of impetus to do much more of an active kind in providing the appropriate protection for these communities.

Hon. Michael Chong: These communities, which have been most impacted by PRC interference, have been asking for an independent public inquiry. They put their hope in Parliament, over the last four years, that we would get some real action through Parliament, but unfortunately, because Parliament has been unable to do its job because of a lack of information from the government, a lack of documents, a lack of forthcoming testimony and forthrightness from government witnesses at committee, we've all, in Parliament and within the diaspora community, now put our hopes on an independent public inquiry with the full powers of a public inquiry to subpoena witnesses and to call for the production of documents so that the government can be held accountable as to what happened and so that these long-standing issues can be addressed.

What would you say to those who've said that an independent public inquiry can be held while at the same time protecting national security? Reference was made earlier to the fact that we've had inquiries before like the Maher Arar inquiry, which dealt with highly classified intelligence information. In fact, some of that information was Five Eyes' intelligence. That is the most sensitive intelligence because it comes from our Five Eyes partners and not from domestic intelligence agencies.

We've also had the former head of CSIS, Dick Fadden, say that a public inquiry is possible on this matter. We've had Dan Stanton, a former CSIS officer manager, also say that a public inquiry is possi-

ble. We've had the former Chief Electoral Officer of Canada say that a public inquiry is necessary.

In light of all these calls for a public inquiry, how can the second part of your mandate restore confidence?

The Right Hon. David Johnston: Madam Chair, I would say that there are other experts, including Ward Elcock, for example, who have suggested that public inquiries are not the appropriate way, and Justice O'Connor, following the Arar committee, made the same point. There are differences of opinion on that, and those are reasonable.

What I believe is that the work of our group, the special rapporteur, will, in fact, provide a great deal of pressure and impetus for the government to act with greater acceleration on improving our system of dealing with foreign interference and that the work we will do over the next five months will add very considerable effort to that, so I'm quite hopeful that we will see some very considerable action over the course of the next few months on this very important challenge.

• (1310)

The Chair: Thank you.

Mrs. Romanado is next.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

I'd like to thank Mr. Johnston for extending his stay with us for another round.

Just in following up on that last line of questioning, on the difference between a public inquiry and the current process that is under way, I think a lot of folks are forgetting the fact that a public inquiry is actually named by an order in council, which is cabinet. Therefore, the same argument that it would not be independent could be said for a public inquiry, because at the end of the day it would be cabinet deciding the terms of reference and so on.

We know, Mr. Johnston, that you've done the work of interviewing various people with respect to foreign interference. You've looked at the documentation. You've written a report. You will be conducting interviews and public hearings, which of course could include going in camera for those who, out of fear, may not want to testify. That would be the same situation in a public inquiry situation. If they're afraid to testify before you in a public hearing, it could be the same thing for a public inquiry. The difference doesn't make sense. You've offered that some meetings could be held in camera for those who would like to testify for any concerns they may have.

Given that the next scheduled election is October 20, 2025, the goal of course should be that we want to make sure the systems we have in place are as strong as they can be to detect, deter and counter any foreign interference in our next election, if we're looking at "forward-facing". You've already addressed some of the issues we've seen with respect to communications problems. What would you recommend, in addition, that this committee could suggest we do to make sure that, in a forward-facing goal, we protect our democracy? Is there something this committee could be doing to assist, to make sure we are ready for the next election?

The Right Hon. David Johnston: Madam Chair, thank you for that question.

I would encourage the committee to be very precise and very disciplined and rigorous in accountability to improve our systems with respect to foreign interference. Yes, we have seen some progress and some changes. There is a clear outline of changes that are in process.

In fact, in our next report, what we would like to do is identify the initiatives that are currently under study—like the foreign registry, for example, and many others like that—and to see if there can't be timetables for dealing with these reforms, with amendments to the CSIS Act and so on, so that there's a very disciplined procedure, say, long before the next election of 2025. We can look to our Five Eyes colleagues and look to Canadians in saying that we are really working hard in dealing with foreign interference and we're making real progress on it to restore confidence in Canadians that they can trust our government to protect them.

Mrs. Sherry Romanado: In that regard, would you suggest that NSICOP and NSIRA also provide a list of deliverables with respect to timelines to make sure we're ready and that we check in, perhaps six months from now or a year from now, on where people are at with respect to those recommendations?

The Right Hon. David Johnston: Madam Chair, I think that's a wonderful suggestion and should be done.

What's important about that, for me, is that we have these overview committees with expertise, with the opportunity to go into deeply classified information, and that we make those bodies as strong as we possibly can in their current existence and with amendments to how they're set up and so on, and ensure that they have the task of working with you and other committees of the House to be sure that we are truly making progress on this in an important way.

Mrs. Sherry Romanado: Last, you touched a bit on the civics necessary. We touched on that a little earlier when I was asking the question. Evidence and intelligence are not the same thing. How can we make sure that Canadians, parliamentarians and everyone who wants to protect our democracy recognize that? What does it look like? What are the tactics used by non-friendly state actors in terms of interference? How can they be part of the solution in terms of identifying and reporting them? This could be a team Canada effort in terms of countering foreign interference. I think this would be a joint effort from all Canadians.

• (1315)

The Right Hon. David Johnston: One of our recommendations, with respect to the public hearings over the next five months, was to deal exactly with that issue. Bring in the best expertise we can to it. Learn from others who have been able to provide more light. Then, help to acquaint the public with this distinction and how we can manage it and put more light on the subject.

The Chair: Thank you.

Monsieur Therrien, go ahead.

[*Translation*]

Mr. Alain Therrien: Thank you, Madam Chair.

Mr. Johnston's report outlines problems in transmitting information from CSIS to the Prime Minister and ministers.

Mr. Johnston states in his report that what we heard in the media was more or less true. He also says that the Prime Minister and ministers didn't receive the information. When they said they didn't know, they were right. They were really didn't have the information.

I'm not criticizing that; that's not what I'm mean. However, Mr. Johnston states that information pathways, CSIS and the public service were each partly responsible. However, the remarks of Mr. Stanton, Mr. Wilczynski, Ms. Thomas and Mr. Wark showed that there was a problem with the political offices.

I'd like Mr. Johnston to tell us about that.

[*English*]

The Right Hon. David Johnston: Madam Chair, I agree entirely with the member who just raised the question that we have much improvement to do in how we crystalize information, how we move it into responsible hands, how we ensure that appropriate action is taken and have accountability for it. We have much work to do, and that's the task we should get on with, with urgency.

[*Translation*]

Mr. Alain Therrien: I'm going to ask a delicate question, Madam Chair, and I wouldn't want it to be misinterpreted.

There are times when one might prefer not to know certain things.

Could it be that the political offices are reacting to the possibility that ministers and the Prime Minister didn't really want to receive that information?

[*English*]

The Right Hon. David Johnston: Madam Chair, I don't think I have many comments to make on what kinds of messages were given at that time. However, we expect from our public servants in this country that they will be non-partisan, that they will be professional, and that they will provide clear information and recommendations to their ministers and to our systems of ministerial accountability. We should expect that they would act appropriately. When they do not, then we should hold them accountable.

[*Translation*]

The Chair: Thank you.

Go ahead, Mr. Julian.

[*English*]

Mr. Peter Julian: Thank you, Madam Chair.

Thank you, Mr. Johnston, for your generosity of time in allowing us a few extra questions.

I want to come back to the issue of the contributions of Sheila Block. In questioning, you said that Ms. Block had contributed financially to other parties. Which parties are you aware of that she contributed to?

The Right Hon. David Johnston: My understanding is that her contributions have been quite widespread. I think she has supported people in political office who bear other than Liberal qualities, but I don't have specific information I can give you.

Mr. Peter Julian: However, she told you that she had contributed to other parties as well.

The Right Hon. David Johnston: Yes, I think she has been supporting and been prepared to assist other former students and people who have been affiliated with parties other than the Liberal Party.

Mr. Peter Julian: In response to a question from Ms. Kwan, you said that the appearance of a conflict of interest has to be fact-based. Those facts, her frequent contributions to the Liberal Party, are part of the public domain. Do you not understand why some people would question the appearance of a conflict of interest when those facts—we're not talking about speculation—are before us?

The Right Hon. David Johnston: I don't understand the question. I'm sorry.

Mr. Peter Julian: You said that an appearance of a conflict of interest needs to be fact-based. She has factually given thousands of dollars to the Liberal Party, so do you understand why people see that as an appearance of a conflict of interest?

• (1320)

The Right Hon. David Johnston: Madam Chair, as I said before, I don't see Ms. Block's providing contributions to political parties as a conflict of interest. I think that over a period of 15 years or so it's something like \$300 or \$400 to the Liberal Party, but my

understanding is that she has made contributions in a wide direction: former students and so on.

Mr. Peter Julian: It's been thousands of dollars.

My final question is this: In your report, you said there was no evidence of illegal donations, but we know that the only way to get this information is through the complaint process with Elections Canada or the commissioner of elections. That was certainly the case in the Dean Del Mastro case.

Was that done? Was there any evidence around auditing campaigns? Since you didn't meet with the commissioner or Elections Canada, how did you come to that conclusion?

The Right Hon. David Johnston: It's based on the fact that our understanding from those officials is that there were no findings of fault and, certainly, no activities leading to charges with respect to the 2019 and 2021 elections.

The Chair: With that, the Right Honourable David Johnston has been very generous with his time today.

On behalf of PROC committee members, I want to thank you for letting us know when you were going to be able to appear and for responding promptly to our communications to you, right away. We wish you and your loved ones well. Thank you for your service.

The Right Hon. David Johnston: Thank you very much, Madam Chair. Thank you to all members of the committee.

The Chair: Thank you.

With that, PROC committee members, we'll see you on Thursday. Keep well and safe.

The meeting is adjourned.

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