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# **Standing Committee on Justice and Human Rights**

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**EVIDENCE**

**Wednesday, March 13, 2019**

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**Chair**

**Mr. Anthony Housefather**



## Standing Committee on Justice and Human Rights

Wednesday, March 13, 2019

• (1300)

[*Translation*]

**The Chair (Mr. Anthony Housefather (Mount Royal, Lib.)):** Good afternoon everyone.

Welcome to the Standing Committee on Justice and Human Rights. It's a pleasure to have you all here.

[*English*]

We have a lot of fresh and friendly faces at the table. Welcome to those of you who are not normally part of our committee.

Today we've gathered as the four opposition members of the committee have asked for a request for a meeting pursuant to Standing Order 106(4) to discuss their request to study developments in the accusation that the Prime Minister and his.... Well, I won't even go into that. I will just say that I'm going to turn the floor over to Mr. Poilievre to explain the rationale for the meeting.

Take it away.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Chair, would you like me to move my motion first and then begin discussing it or would you rather I do it in reverse order?

**The Chair:** Whichever you prefer.

**Hon. Pierre Poilievre:** I have a motion here:

That, following the public statement of March 6 by Ms. Jody Wilson-Raybould offering to provide more information to Canadians should it be requested, the committee request that she appear no later than Thursday March 14.

**The Chair:** Thank you very much, Mr. Poilievre.

Mr. Poilievre, basically at the last meeting the motion that the committee adopted was:

That the Committee consider next steps and potential additional witnesses on Tuesday, March 19, 2019.

This motion would negate that motion. It would go against the spirit of it.

My recommendation to you for the motion is that you say in the scope of your motion, at the beginning of your motion, "notwithstanding the motion that the committee adopted at its previous meeting on March 6, 2019".

**Hon. Pierre Poilievre:** That is fine.

**The Chair:** Okay. Then the motion is receivable.

Please go ahead.

**Hon. Pierre Poilievre:** Thank you very much, Mr. Chair.

We are back here today to discuss whether the Prime Minister interfered politically in the criminal prosecution of a Liberal-linked corporation, SNC-Lavalin. The request is for Jody Wilson-Raybould to have the opportunity to complete her testimony. You will recall that Ms. Wilson-Raybould was not allowed to complete her testimony at her last appearance.

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** On a point of order, Mr. Chair, I just saw someone taking a picture of us. I want him to erase it, please.

**The Chair:** Absolutely. We didn't see that, but please, would you mind...?

Thank you very much.

Thank you, Monsieur Berthold.

Please continue, Mr. Poilievre.

**Hon. Pierre Poilievre:** Yes.

Ms. Wilson-Raybould was not permitted to complete her testimony. The Prime Minister granted her a limited waiver, applying only to the period during which she was attorney general. However, after he removed her from that position, she witnessed events that were so egregious she considered that it warranted her resignation from cabinet altogether. Canadians deserve to know what those events were. So far, the Prime Minister has kept in place a partial gag order preventing them from finding out.

To illustrate that gag order, let me read back into the record an exchange at this committee between the Honourable Lisa Raitt, deputy leader of the Conservative Party, and the former attorney general:

Hon. Lisa Raitt: For clarity, can you tell us what you discussed with the Prime Minister at your meetings in Vancouver on February 11?

Hon. Jody Wilson-Raybould: I cannot.

Hon. Lisa Raitt: Can you tell us why you've resigned from cabinet?

Hon. Jody Wilson-Raybould: I cannot.

Hon. Lisa Raitt: Can you tell us what was discussed with the cabinet on February 19?

Hon. Jody Wilson-Raybould: I cannot.

Hon. Lisa Raitt: If the issues surrounding your ability to communicate these conversations to this committee were resolved and you were able to be released from cabinet confidence or from privilege, would you be willing to return to this committee and give us testimony again?

Hon. Jody Wilson-Raybould: I would be.

In other words, this is not just another kick at the can. The motion proposes to give Ms. Wilson-Raybould her first opportunity to tell the full story.

Now, members across the way may try to come up with excuses for silencing her and preventing her from speaking on behalf of the Prime Minister, who has indicated that he does not want her to say any more. One of the excuses might be that it will take a lot of time, and that we should be focused on other things. Well, Parliament can walk and chew gum at the same time. We have numerous parliamentary committees that can work on budgetary matters, environmental matters, and legislative matters in other places. We have a Parliament of two chambers, which can debate any other matters at any other time, even while Ms. Wilson-Raybould is testifying here. There is no reason that cabinet can't continue doing its work on a whole range of other issues through its regular meetings while she comes here and testifies. In other words, there is no reason that the business of government and Parliament cannot go on while Ms. Wilson-Raybould is allowed to complete her testimony.

They might say that the matters she would discuss are out of bounds, that they happened after she left as attorney general, and that therefore they are not up for discussion in this study. That would be a funny excuse, because the Prime Minister and Gerald Butts have both made comments that zero in on the time period about which Ms. Wilson-Raybould is forbidden to speak. They can speak about it; they can talk about those time frames, and they can give specific interventions about what went on after she was removed as attorney general, but so far she cannot. It's not out of bounds for them; therefore, it must not be out of bounds for her.

● (1305)

Finally, some might say, "Well, she had an awful long time to speak already, and therefore she doesn't need to speak again." Well, as I pointed out, and as she has pointed out in a letter to you, Mr. Chair... She specifically highlighted the restrictions she was under while she was here the first time and indicated that there are additional material events that occurred outside of that, which she has not been permitted to speak about, those events, of course, being so severe, so important and so egregious that they caused her to resign from cabinet altogether.

We know her resignation was linked to this particular scandal. She has not been able to tell us exactly what triggered the resignation, but we do know that it was in relation to the Prime Minister's political interference to shelve the criminal charges against this Liberal-linked corporation. In other words, it is pertinent to the terms of this particular study.

I think the ball is in the court of Prime Minister Trudeau. It is for him and his representatives to explain what harm it would do if she were to complete her testimony, and how the public interest would be diminished if she were allowed to come back here and tell the things that she was forbidden to say last time and what harm it would cause Canadians to find out the whole truth. I can think of nothing.

We have heard the first part of the truth, but the rest of the truth remains a secret. We simply ask that the committee agree that she come back here, that the Prime Minister lift the remaining partial gag order and that we let her speak.

Thank you.

● (1310)

**The Chair:** Thank you, Mr. Poilievre.

The clerk is keeping a speakers list. Right now I have Ms. Ramsey, Monsieur Berthold, Monsieur Drouin, and then Mr. Cooper after Mr. Drouin.

Is there anyone else?

Okay.

Ms. Ramsey.

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Chair, the point in time we have arrived at is one filled with questions. There are half-truths. There are changing stories. People around the country are watching what's happening and, unfortunately, today they don't have answers to many of the questions they are posing.

Ms. Wilson-Raybould has been asked to come back and testify. If the Liberals don't want to hold an independent public inquiry, which is something on which we've been clear that we believe is an important step, then they must allow this committee to do its work and that means inviting Ms. Wilson-Raybould back. The Clerk of the Privy Council, Michael Wernick, was allowed to come back and rebut testimony, and Canadians are viewing his return as being fair in the same way that they're viewing Ms. Wilson-Raybould's return as being fair and an important part of the rest of this story. To be quite honest, it's categorically unfair not to extend her the same courtesy.

She has also said herself that she would like the order in council amended so that she can speak to the matters after January 14. I will quote from her testimony here at the justice committee on February 27, in which she said:

My narrative stops here. I must reiterate to the committee my concern, outlined in the letter to the chair yesterday. That is that Order in Council 2019-0105 addresses only my time as the Attorney General of Canada and therefore does nothing to release me from restrictions that apply to my communications while I proudly served as the Minister of Veterans Affairs and in relation to my resignation from that post or my presentation to cabinet after I resigned.

Those are her own words about her desire to be able to speak about what happened past that period.

Mr. Butts' and Mr. Wernick's testimony was, at times, inconsistent with what we heard from the former attorney general, and it's imperative that she have the opportunity to address these points in the same way that was afforded to Mr. Wernick.

Liberals really need to treat this with the seriousness it deserves. It can't be something that is pushed to the side under the guise that this is typically discussed in camera, or the fact that it hasn't happened before. We are in uncharted waters here in what's taking place around this particular issue, and so we need to behave appropriately, in a way that will reflect that, and that means having her come back to the committee.

This is something that New Democrats have heard when we've been in our constituencies the past couple of weeks. It certainly has been dominating headlines across the country. All of the major news outlets are writing stories on the fact that we don't have the full truth, and that is because we don't have testimony about the period of time that Ms. Wilson-Raybould simply cannot speak about.

This is about transparency. This is about accountability. These are things that the Liberal government ran on, as the Liberal members know well here at the committee, and this is a test of that. This is a test of whether those are just words or whether there's actually meaning behind those words, and today is an opportunity for the Liberals on the committee to revisit having her come before the committee, and the importance of that to Canadians.

I can tell you that we New Democrats are being flooded with people coming to our offices. I've had people walking into my office talking about what is happening and asking questions that we simply don't have answers to. That's what we're seeking to do here: to be able to have this lifted off her so that she can speak, as she has indicated publicly and here at the committee that she has a desire to do.

Canadians want the other half of the story from her, and she deserves an opportunity in the same way that Mr. Wernick had, to come and speak to what has been said about her and to things that she has not had the privilege to be able to speak about.

Last, the committee must recognize that there is a degree of urgency around this, and there is no good reason that can be presented today for why Ms. Wilson-Raybould can't return to the committee to testify.

• (1315)

**The Chair:** Thank you very much, Ms. Ramsey.

Right now, Monsieur Berthold, Mr. Drouin, Mr. Cooper, Mr. Barrett and Mr. Poilievre are the next people on the list.

Monsieur Berthold.

[Translation]

**Mr. Luc Berthold:** Thank you very much, Mr. Chair.

**Allow me to reread the motion put forward by my colleague that we are here to discuss today:** That, following the public statement of March 6 by Ms. Jody Wilson-Raybould offering to provide more information to Canadians should it be requested, the committee request that she appear no later than Thursday, March 14.

It's a straightforward motion and it echoes what the people we've talked to have called for repeatedly in recent days and weeks, not to mention the commentators.

Why was Ms. Jody Wilson-Raybould prevented from giving her full account of the events that have brought us to this point?

The government would have us believe that nothing untoward happened, that it was simply cabinet business as usual, that things were discussed and that those discussions were interpreted differently by different people. The government claims that, from time to time, situations like that occur. That's not what occurred, though. What occurred was that people resigned. A minister was demoted. Another minister quit. The Prime Minister's top adviser quit. This whole affair has gotten so bad that even the Prime Minister's confidence has been shaken.

Why do we need to hear from Ms. Wilson-Raybould again? The answer is simple: she, herself, said that she wasn't able to tell the full story. She was restricted in what she could say when she appeared

before the committee on February 27; she was allowed to discuss only some of what happened in relation to the matter before us.

**Mr. Chair, I'd like to refer to the letter she sent you on February 26, in which she talked about her upcoming appearance, on February 27. With respect to the order from the Prime Minister allowing her to speak about some of the elements in question, she said this:**...does nothing to release me from any restrictions that apply to communications while I served as Minister of Veterans Affairs and in relation to my resignation from that post or my presentation to Cabinet after I had resigned.

**Further, the letter indicates this:**...the Order in Council leaves in place whatever restraints there are on my ability to speak freely about matters that occurred after I left the post of Attorney General.

If Minister Wilson-Raybould indicated that she couldn't discuss matters that occurred after she left the post of Attorney General, it means that something happened. There's more to the story. It just so happened that we heard from other individuals on those very matters. Mr. Butts and Mr. Trudeau referred to the matters that occurred after January 14. Unfortunately, Ms. Wilson-Raybould advised you, in her February 26 letter, that she wasn't able to discuss those matters because she wasn't authorized to do so under the order in council.

I'd like to revisit what Ms. Wilson-Raybould said, on February 27, in response to questions from my fellow member Lisa Raitt. I'll be citing parts of that exchange.

Hon. Lisa Raitt: For clarity, can you tell us what you discussed with the Prime Minister at your meetings in Vancouver on February 11?

Hon. Jody Wilson-Raybould: I cannot.

Hon. Lisa Raitt: Can you tell us why you've resigned from cabinet?

Hon. Jody Wilson-Raybould: I cannot.

Hon. Lisa Raitt: Can you tell us what was discussed with the cabinet on February 19?

Hon. Jody Wilson-Raybould: I cannot.

This next exchange demonstrates that Ms. Wilson-Raybould is willing to speak:

Hon. Lisa Raitt: If the issues surrounding your ability to communicate these conversations to this committee were resolved and you were able to be released from cabinet confidence or from privilege, would you be willing to return to this committee and give us testimony again?

Hon. Jody Wilson-Raybould: I would be.

Clearly, Ms. Wilson-Raybould has more to say. Clearly, there are people right now who would prefer that she not speak. Clearly, there are people here with the ability to make sure Ms. Wilson-Raybould has the opportunity to give Canadians the full story, her full truth, in terms of how she perceived the situation and what she experienced.

• (1320)

It's very easy for the Prime Minister to tell the government members to allow the committee to hear from Ms. Wilson-Raybould again and to lift the restrictions on what she can say, so that Canadians can finally know Ms. Wilson-Raybould's full side of the story. It makes no sense to allow individuals to speak to the events in question when the person at the centre of the matter isn't allowed to appear before the committee and speak to those same events.

Mr. Chair, some key details elude us. They are relevant to this matter and are currently being covered up. A lot of people are going to great lengths to ensure that information doesn't come out. I've been all over this past week and spoken to many a Canadian, both in my riding and in other regions. They all want to hear Ms. Wilson-Raybould's truth.

Why would the committee, which has agreed to allow certain facts to be laid bare, not allow Ms. Wilson-Raybould to appear again? The Prime Minister should send a clear signal to the members of the committee that he will authorize Ms. Wilson-Raybould to give her full side of the story so Canadians can have the whole truth. That is crucial. For that reason, I will be voting for the motion. If the Prime Minister has nothing to hide, he shouldn't be worried about what Ms. Wilson-Raybould will say.

**The Chair:** Thank you, Mr. Berthold.

I'd just like to clarify something for the committee members.

Mr. Berthold, you spoke to Mr. Poilievre's motion, but it was amended to include the wording "notwithstanding the motion adopted on Wednesday, March 6, 2019". That applies to both the English and French versions. I just wanted to point that out.

**Mr. Luc Berthold:** I agree. It's just that we didn't get the version

**The Chair:** Yes, of course. I just wanted to make clear for everyone what was on the table.

Mr. Drouin, you may go ahead.

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Thank you, Mr. Chair.

As you know, I'm not a regular member of the committee, but, like everyone here, I had the opportunity to watch the proceedings on March 6. The opposition certainly referenced that date. I watched the March 6 proceedings, and I clearly recall the committee adopting the following motion:

That the Committee consider next steps and potential additional witnesses on Tuesday, March 19, 2019.

In light of that decision, I move that the committee adjourn at this point.

[English]

**Hon. Pierre Poilievre:** A point of order, point of order—

**The Chair:** The clerk has advised me that it's a non-debatable motion—

**Hon. Pierre Poilievre:** That's why I said point of order—

**The Chair:** —a non-amendable motion, so we—

**Hon. Pierre Poilievre:** —before that happened. We have a point of order and that does take precedence.

**The Chair:** I'm asking if the point of order takes precedence. I don't think so.

**Hon. Pierre Poilievre:** Point of order.

**The Chair:** I have to [Inaudible—Editor].

**Hon. Pierre Poilievre:** Point of order, point of order—

**An hon. member:** Point of order—

**Hon. Pierre Poilievre:** Point of order.

**The Chair:** Mr. Poilievre, what's your point of order?

**Hon. Pierre Poilievre:** My point of order is that right now we are debating a motion that I put forward and you acknowledged that it was duly placed before the committee. The member across the way is stripping members of their ability to speak on behalf of their constituents here in this committee, which is a delegate assembly of the House of Commons. We have the right to speak. Numerous people remain on the speakers list.

**Mr. Mark Gerretsen (Kingston and the Islands, Lib.):** This is not a point of order.

**Hon. Pierre Poilievre:** Actually, it is. It is right in the Standing Orders that members of Parliament have the ability to speak, and I am speaking right now. I know that you want to silence the debate, you want to shut.... Your government has attempted to—

**The Chair:** Mr. Poilievre, can you get to your point of order? Can you get to your actual point of order, because a point of order—

**Hon. Pierre Poilievre:** I actually have started my point of order and—

**The Chair:** I'll remind you that it has to be an actual point of order, so let me hear—

**Hon. Pierre Poilievre:** It is indeed a point of order.

I appreciate that this is a very uncomfortable subject for the Trudeau majority on this committee, but while the Prime Minister is trying to silence his former attorney general, he will not silence members of the official opposition, and we are asking for the right to debate—

**The Chair:** At this point, this is a point of debate. We're going to move to a vote.

**Hon. Pierre Poilievre:** Why would you shut down a debate—

**The Chair:** Because I have spoken to the clerk, and at this point you haven't raised a point of order. You've raised a point of debate.

**Hon. Pierre Poilievre:** It is quite clear that this is an attempt to shut down the debate [Inaudible—Editor] cover-up [Inaudible—Editor].

**The Chair:** Thank you.

We're going to move to a vote.

●(1325)

**Ms. Tracey Ramsey:** Can we have a recorded vote, please?

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Can we have a recorded vote, please, Mr. Chair?

**The Chair:** It will be a recorded vote.

**Hon. Pierre Poilievre:** I have another point of order. This is a cover-up.

**The Chair:** Mr. Clerk, we've had a request for a recorded vote. Please proceed to the roll call.

(Motion agreed to [See Minutes of Proceedings])

**The Chair:** The meeting is adjourned.

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