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# Special Joint Committee on the Declaration of Emergency

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Joint Chairs:  
The Honourable Gwen Boniface Mr. Matthew Green Mr. Rhéal Fortin





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• (1835)

[English]

**The Joint Chair (Hon. Gwen Boniface (Senator, Ontario, ISG)):** I call this meeting to order.

Welcome to meeting number 10 of the Special Joint Committee on the Declaration of Emergency created pursuant to the order of the House on March 2, 2022, and the Senate on March 3, 2022.

Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021.

I'd like to remind all those present in the room to follow the recommendations from public health authorities, as well as directives of the Board of Internal Economy to maintain health and safety.

Should any technical challenges arise, please advise me, as we may need to suspend for a few minutes to ensure all members are able to participate fully.

Witnesses should also be aware that translation is available through the globe icon at the bottom of their screen.

We have with us today, from 6:30 p.m. to 8 p.m., the Honourable Chrystia Freeland, Minister of Finance.

Welcome.

She is joined by officials Isabelle Jacques, assistant deputy minister, financial sector policy branch; Jenifer Aitken, acting assistant deputy minister, law branch; and Sarah Paquet, director and chief executive officer, Financial Transactions and Reports Analysis Centre of Canada.

Minister, we welcome you. You have five minutes for your opening comments.

The floor is yours. Please begin.

**Hon. Chrystia Freeland (Minister of Finance):** Thank you very much, Chair, members and senators.

The work of this committee is very important and I hope my appearance will be helpful.

I am accompanied here today by the women of Finance, Isabelle Jacques, the assistant deputy minister; Jenifer Aitken, also assistant deputy minister of the law branch; and Sarah Paquet, the CEO of the Financial Transactions and Reports Analysis Centre of Canada.

My ministerial colleagues have explained how the Emergencies Act was invoked and carried out. I'm here to speak about the eco-

nomie costs of the occupation and blockade and the measures carried out under the emergency economic measures order.

It was just three months ago that we saw the end of the blockades of key border crossings and the occupation of our nation's capital, which were doing great damage to Canada's economy and to our reputation as a reliable trading partner.

Tens of millions of dollars in daily trade were disrupted due to the blockades at border crossings. According to StatsCan, in Coutts, Alberta, about \$48 million in daily trade was affected by the blockades. In Emerson, Manitoba, about \$73 million in daily trade was affected by the blockade.

The blockade of the Ambassador Bridge affected about \$390 million in trade each day. This bridge supports 30% of all trade by road between Canada and the United States.

The world's confidence in Canada as an investment destination was being undermined. We fought fiercely to protect Canada's privileged trading relationship with the United States during the NAFTA negotiations and in the face of the illegal and unjustified section 232 tariffs. We could not allow that hard-won success to be compromised, and we could not allow the livelihoods of Canadian workers to continue to be threatened just as we were all working so hard to recover from the economic damage caused by COVID-19.

[Translation]

And so, on Monday, February 14, more than two weeks after the occupation and blockades began, the Government of Canada invoked the Emergencies Act as a last resort to restore public order.

In the context of that necessary measure, the Emergency Economic Measures Order came into force on February 15 and introduced a number of temporary financial measures.

As a result of the blockades, on February 23, the government revoked the state of emergency declaration under the Emergencies Act as well as all temporary measures provided for under the Emergency Measures Regulations and the Emergency Economic Measures Order.

Madam Chair, I would like to explain the temporary measures provided for under the order and to show why the implementation of those measures was necessary and effective.

The order contains measures designed to limit financing of the illegal activities that led to the state of emergency, that is to say the funding from various organizations and individuals.

[*English*]

These measures meant that Canadian financial service providers—not the Government of Canada—were required, without the need for a court order, to freeze or suspend the account of an individual or business participating in the blockades, and to refuse to provide service or to facilitate any transaction related to funding the illegal blockades and occupation. In practice, they did so based either on information they received from law enforcement agencies authorized to be disclosed by the emergency economic measures order, or on information collected from their own internal processes.

I'd like to emphasize a very critical point here, that financial service providers made these decisions independently. There was no political direction.

As of February 21, during the period when the order was active, enforcement action under the emergency economic measures order had culminated in the freezing of approximately 280 financial products, such as savings and chequing accounts, credit cards, and lines of credit for a total of approximately \$8 million, including \$3.8 million from a payment processor. Further, 170 Bitcoin addresses were identified and shared with virtual currency exchangers.

Law enforcement agencies were authorized to provide information to Canadian financial service providers. This included the identity of persons and entities believed to be participating in illegal blockades. If the law enforcement agencies were satisfied, this disclosure would help financial service providers apply the order.

For their part, Canadian financial service providers were directed to review their relationships with anyone involved in the blockades on an ongoing basis and to report the existence of related property and transactions to the RCMP or CSIS.

Madam Chair, as the government said at the time, and has proved to be the case, these measures were temporary.

• (1840)

**The Joint Chair (Hon. Gwen Boniface):** Minister, your time is up.

We can now go to questions.

**Hon. Chrystia Freeland:** Okay.

**The Joint Chair (Hon. Gwen Boniface):** We'll begin a five-minute round, starting with Mr. Motz.

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** Thank you, Chair.

Thank you, Minister, for being here.

Being that you're the most senior official who's been here in this committee so far, will the government waive cabinet confidant and solicitor-client privilege on the documents ordered by this committee?

**Hon. Chrystia Freeland:** Thank you for the question, Mr. Motz.

The government has received the motion, and the public service is working on it diligently. I think everyone here appreciates the importance of cabinet confidentiality.

**Mr. Glen Motz:** Thank you.

This means that we won't get anything, probably.

Ms. Freeland, senior officials from your department who are with you here today appeared before our committee earlier this spring. Yet, none of the witnesses you offered could speak to the economic implications of the protest in February that we asked them about. It's convenient for you, considering that you put great stock not only in the invocation of the act, but also in your statements today claiming economic justifications for declaring a national emergency.

Will you make available to this committee the appropriate expert witnesses who can actually defend these economic claims?

**Hon. Chrystia Freeland:** I can quote two experts, if you'd like, right now.

**Mr. Glen Motz:** I don't want to have them quoted. I want to have the names of those from your department who can come here to this committee.

**Hon. Chrystia Freeland:** An expert I think worth listening to is Flavio Volpe, president of Canada's Automotive Parts Manufacturer's Association. He was quoted widely in the press.

**Mr. Glen Motz:** I'm sorry, the question was about witnesses from your own department. Who from your department can answer specific questions on the economic impact? We asked last time and couldn't get an answer. Can you provide them?

Just a yes or no would be good. If you could give us those witnesses' names and provide them, that would be awesome, please.

**Hon. Chrystia Freeland:** As a former journalist, Mr. Motz, I always believe in going to primary sources.

Another source whose testimony I would urge you to refer to is Michigan representative Elissa Slotkin, who made some very concerning comments during the blockades about the implications for the United States' trading relationship with Canada.

**Mr. Glen Motz:** Again, that doesn't necessarily have any impact on my question or the answer to my question on the expert witnesses from your department.

My question, then, is relating to your department. Did anyone in government instruct public servants to conjure up an economic narrative to support its decision to invoke the Emergencies Act?

**Hon. Chrystia Freeland:** No.

**Mr. Glen Motz:** Was the government informed at any point by public servants that the economic data either didn't exist, did not answer the questions you wanted to be answered, or did not produce the results you preferred to hear? If so, did the government instruct those public servants to generate numbers to back up its claims, regardless of the data problems?

**Hon. Chrystia Freeland:** Mr. Motz, I am Canada's finance minister. I was our chief negotiator during the NAFTA negotiations, or I led the negotiations, assisted very ably by Steve Verheul. I personally had many conversations and read many reports that caused me to be very concerned about the economic consequences of the illegal blockades and occupation. I spoke directly with Canadian business leaders, who told me that they were hearing from investors that their confidence in Canada, as an investment destination, was shaken.

I spoke directly from and read the comments of many U.S. political leaders who spoke about how the blockades—

**Mr. Glen Motz:** I'm sorry, Minister, but—

**Hon. Chrystia Freeland:** —were encouraging protectionism against Canada.

**Mr. Glen Motz:** —my question was about within your own department. You may not be aware of this, but there's a reason I'm asking that question.

Just so that you are aware, in your opening statement you made some suggestions that.... The word you used was that trade was “disrupted”. But Stats Canada has reported that the cross-border trade in Ontario and Alberta during the time of the blockade was actually up 16% compared with last year. Although disruptive, inappropriate and illegal, it appears that the blockade at the borders did not have the economic impact you're suggesting, and it certainly did not warrant the use of the Emergencies Act as you're suggesting.

I have one other question. You said you froze around 280 accounts—around \$8 million, you suggest. What caused the government to continue to freeze those bank accounts after the blockades were cleared and the trucks were gone from Wellington?

• (1845)

**Hon. Chrystia Freeland:** I have to go back to your previous assertion about the economic damage, Mr. Motz. I was very gravely concerned about the damage to our trading relationship with the United States and our reputation as a reliable partner.

I have to quote Representative Slotkin, who said, “The one thing that couldn't be more clear is that we have to bring American manufacturing back home to states like Michigan.”

**Mr. Glen Motz:** So you're disputing Stats Canada?

**Hon. Chrystia Freeland:** Representative Slotkin said, “we need to continue the work”—

**The Joint Chair (Hon. Gwen Boniface):** Mr. Motz, I apologize. Your five minutes is up.

**Mr. Glen Motz:** Thank you.

**The Joint Chair (Hon. Gwen Boniface):** Pardon the disruption, Minister.

We'll move to Ms. Bendayan.

**Ms. Rachel Bendayan (Outremont, Lib.):** Thank you very much, Madam Chair.

Minister, thank you for being here. I believe you were mid-sentence in quoting somebody. Would you perhaps like to finish and provide us with the full quote for the record?

**Hon. Chrystia Freeland:** I would.

Look, I appreciate that many of us here are elected and we have a partisan job to do, but I really want to speak very sincerely as Canada's finance minister and as a person who fought so hard, supported really by our whole country, to maintain that essential trading relationship with the United States. It was clear to me that with each passing hour, our economic reputation with the United States as a reliable trading partner and as a reliable investment destination was being damaged.

I'm going to quote Elissa Slotkin, a Michigan congresswoman. This is what she had to say:

It doesn't matter if it's an adversary or an ally—we can't be this reliant on parts coming from foreign countries.

The one thing that couldn't be more clear is that we have to bring American manufacturing back home to states like Michigan. If we don't, it's American workers...who are left holding the bag.

Then she vowed the following:

to continue the work that Michiganders have been pushing for over the last 30 years: bringing manufacturing of critical items back to the U.S. so we're not dependent on others for our economic security.

This is so dangerous to Canada, colleagues. I was deeply, deeply concerned that these illegal blockades and this illegal occupation would provoke a whole new wave of protectionism and deeply erode our trading relationship with the United States. That was a real economic threat.

Going back to Mr. Motz's point, reputational harm is not something that you necessarily feel fully in the moment. It's something that you feel in the years ahead. Later on I'll quote Flavio Volpe, who talked about, at the time, his concerns that, going forward, investors would not choose to put their money into Canada because they would, quite reasonably, say to themselves that there is no guarantee that parts we build in Canada will be able to freely and easily travel to the United States.

I also spoke directly with U.S. government officials. They were very, very worried. I was very, very worried as well. The measures that we took were serious. The members of this committee are right to scrutinize them carefully. But I do also want to remind everyone here that the economic harm—in the moment and in the weeks, months and indeed years to come—was serious, and it was becoming more serious every single day.

• (1850)

**Ms. Rachel Bendayan:** Thank you for that, Minister.

I too, at the time, was extremely concerned. At the time of invocation of the Emergencies Act, as I understand it—both at the time and from testimony at this committee—the blockade at the Coutts, Alberta, international border was ongoing and that the border would only reopen on February 15. The blockade at Emerson, Manitoba, was also ongoing and the border there would only open two days following the invocation of the Emergencies Act. In Surrey, B.C., it was the same thing. It would only open several days later. There was a continued threat of further blockades at the Windsor border, which, as you mentioned, Minister, affected about \$400 million in trade each day.

I would like to hear you on the economic importance of this, not only for our country but also for workers. I have read a quote from Dave Cassidy, the president of Local 444 of the United Auto Workers, which represents workers at the factory in Windsor. He said:

Our whole economy...depends on that bridge being open

If these lines don't run and the workers are sent home, then these working families unfortunately become collateral damage to the protest that's going on at the bridge

Minister, can you speak to the importance of supporting our Canadian workers at this time?

**The Joint Chair (Hon. Gwen Boniface):** Minister, just to let you know, you have 10 seconds.

**Hon. Chrystia Freeland:** Yes. It's very important.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Mr. Fortin, you have five minutes.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin (Rivière-du-Nord, BQ)):** Thank you, Madam Chair.

Welcome to the committee, Minister.

I'm pleased to learn that you're already working on production of the documents we've requested. I understand what cabinet secrecy is. I imagine you also understand the importance of the work we're doing and the fact that we've been sworn in and may receive confidential documents and information.

We can't carry out our mandate if we don't have all the information and documents we need to do so. I hope you're aware of that too. I'm sure you're making good faith efforts to do what has to be done for us to have that information and those documents.

Having said that, I'd like some clarification on one point.

Did you take part in cabinet discussions before the Emergencies Act was proclaimed?

**Hon. Chrystia Freeland:** We had discussions with the Incident Response Group. That group consists of key ministers.

**The Joint Chair (Mr. Rhéal Fortin):** Did you discuss whether the Emergencies Act should be invoked?

**Hon. Chrystia Freeland:** We discussed the situation. I described the significant economic consequences. We also discussed how we might terminate the blockades and occupation as well as the matter of costs.

**The Joint Chair (Mr. Rhéal Fortin):** When did those discussions begin or take place?

**Hon. Chrystia Freeland:** The committee's meetings are public. A notice was published for each of the committee's meetings.

**The Joint Chair (Mr. Rhéal Fortin):** Was the decision to proclaim the Emergencies Act made in that committee?

**Hon. Chrystia Freeland:** The information was already public, and, as it was an important decision, it was made at a full cabinet meeting.

**The Joint Chair (Mr. Rhéal Fortin):** I see.

You said that the roadblocks in question and the occupation of Wellington Street, among other things, caused significant damage to the Canadian economy.

Would you please explain how the roadblock on Wellington Street hurt the Canadian economy?

**Hon. Chrystia Freeland:** That's a good question.

There were two kinds of consequences. First, it had a major impact on Ottawa's economy and on the Outaouais regional economy. I'm sure that's important for you since you're a member from Quebec.

According to a Radio-Canada article, which cited—

**The Joint Chair (Mr. Rhéal Fortin):** I apologize for interrupting, Minister. I don't mean to be rude, but, as you know, we don't really have a lot of time. I don't want to hear about the article. Perhaps I worded my question poorly.

In your opinion, as a minister, how did the protests on Wellington Street impact the Canadian economy?

What's the connection between the two situations?

Personally, I don't see it.

**Hon. Chrystia Freeland:** Perhaps that's my fault. My French isn't very good, but I'll try to explain it.

● (1855)

**The Joint Chair (Mr. Rhéal Fortin):** You can use the interpretation service.

**Hon. Chrystia Freeland:** No, it's important for me to answer you in French. You should agree with me on that.

**The Joint Chair (Mr. Rhéal Fortin):** With all due respect, it's more important for you to answer the questions, Minister.

**Hon. Chrystia Freeland:** The blockades and the occupation had an impact in two ways. First, they compromised the economy of the greater Ottawa region.

Second, they undermined Canada's reputation. Canada is normally considered a politically stable state, which is very important for investors.

**The Joint Chair (Mr. Rhéal Fortin):** I understand.

You told us earlier that the act was invoked as a last resort because it was necessary. My question is this: what did you try to do before resorting to it?

When you say it was a last resort, it's usually because you've tried something else and it didn't work.

What did you do to prevent or shut down the protests on Wellington Street?

**Hon. Chrystia Freeland:** You've already spoken with other colleagues and officials about the work that was done on the ground and with the people responsible for implementing the act from a national security standpoint. However, I want to point out, as Minister of Finance, that every hour and every day of the occupation and blockades hurt our economy.

**The Joint Chair (Mr. Rhéal Fortin):** I only have a few seconds left. What did you try before invoking the Emergencies Act?

**Hon. Chrystia Freeland:** Mr. Fortin, I also remember—

[English]

**The Joint Chair (Hon. Gwen Boniface):** Excuse me, Mr. Fortin, but your time is up.

We'll now move to Mr. Green.

**The Joint Chair (Mr. Matthew Green (Hamilton Centre, NDP)):** Thank you.

I'll say, right off the top, welcome, Deputy Prime Minister. You're here both as Deputy Prime Minister and Minister of Finance.

I have to say that I'm very concerned about the nature of the answers. I'm the fourth questioner, yet I'm not sure you've brought any additional facts. You're quoting news articles. You're quoting people. You're talking about primary sources.

I will put to you that we need you as a primary source, as somebody who supported this. I need to know if the government had, within its department—within your department, your ministry—facts that meant the economic impacts of the occupation were significant enough to meet the threshold of “threats to national security”, as legally defined in section 2 of the CSIS Act. I'm not talking about feelings. I'm not talking about reputation and how bad we might look in the world. I'm talking about quantifiable facts your department would have provided for the inevitable invocation of the act.

I'm going to put the question to you directly: What were the economic impacts of the occupation, and were they significant enough to meet the threshold of a threat to national security, under section 2 of the CSIS Act?

**Hon. Chrystia Freeland:** Let me be very clear, and with all due respect—

**The Joint Chair (Mr. Matthew Green):** Those two statements, by the way, preclude neither of the above.

**Hon. Chrystia Freeland:** I'm happy to answer your question if I'm not interrupted. I have to start again.

Sincerely, with all due respect, I dispute the contention that, when it comes to the economy, reputation doesn't matter. In fact, Canada's reputation as a reliable trading partner, as a reliable in-

vestment destination, as a country with peace, order and good government, and as a country with stable and effective political institutions.... These are some of the most precious things we have, as an economy, and they're the foundation of our prosperity.

I would—

**The Joint Chair (Mr. Matthew Green):** That's not the question I asked you.

The question I asked you is, what economic impacts of the occupation did your ministry provide, and what legal opinion was provided that would have met the threshold, as defined under section 2 of the CSIS Act?

I'm not talking about pontification. I'm talking about facts, here.

**Hon. Chrystia Freeland:** I don't believe I'm pontificating.

Let me, again, be really clear. The economic impact was absolutely clearly there.

• (1900)

**The Joint Chair (Mr. Matthew Green):** What was it specifically?

**Hon. Chrystia Freeland:** The economic impact on the region of Ottawa was clear, the economic impact on actual trade that was blocked, and the ongoing future economic impact and the harm done to our reputation as a reliable trading partner—

**The Joint Chair (Mr. Matthew Green):** Can you quantify it?

**Hon. Chrystia Freeland:** I had many conversations with Canadian business leaders.

**The Joint Chair (Mr. Matthew Green):** That's not good enough.

Madam Chair, look. There are two things that are happening right now.

One, the audio and the feedback is making this very difficult for me to engage, and I don't know if somebody has a live mike there.

**Hon. Vernon White (Senator, Ontario, C):** I think you're running two devices.

**The Joint Chair (Mr. Matthew Green):** I'm not. I'm here on my headphones.

Second, it's a very frustrating process when we have such limited time and such evasive answers.

What we're looking for at this committee are specifics, the facts of the matter.

**The Joint Chair (Hon. Gwen Boniface):** Mr. Green, would you like us to suspend and make sure that your audio is correct? We will hold your time where you're at.

**The Joint Chair (Mr. Matthew Green):** Please do.

Well, how is it now? Is it echoing? It stopped.

**The Joint Chair (Hon. Gwen Boniface):** It's fine for us on this end, so it appears to be something on your end.

**The Joint Chair (Mr. Matthew Green):** Okay.

Well, I'm going to go back to the most basic question: Can the Minister of Finance provide something generated within her department, which is not an external reference to an American governor or any external bodies, that quantifies the threshold under section 2 that goes beyond reputation? I'm talking about real economic impacts that are quantifiable and that her ministry, I hope, would have generated in some kind of report or some kind of briefing. If so, will she please provide it to this committee today?

**The Joint Chair (Hon. Gwen Boniface):** The answer is that, when you both speak at the same time, it is problematic.

Go ahead, Minister.

**Hon. Chrystia Freeland:** Thank you.

I have to say that I disagree so forcefully with the premise of the question. Reputational damage, when it comes to an economy, when it comes to a trading relationship, when it comes to Canada's reputation—

**The Joint Chair (Mr. Matthew Green):** This is just repeating the same answer.

Look, at the end of the day, we have a job at this committee to get to the heart of the matter. You can reject the premise of the question. All you have to say is that your ministry did not generate any internal information that would be for the good and the welfare of this committee, because that's what I'm hearing right now in the repeating of these answers.

I'm going to move on.

You stated on February 17 that you had spoken directly with the heads of major banks and the director of FINTRAC. What was the nature of those conversations? Did the banks and FINTRAC express either support or opposition to any of the temporary measures in the order?

**The Joint Chair (Hon. Gwen Boniface):** Mr. Green, your time is up.

Mr. Fortin, may I ask you to take the chair?

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** You have the floor, Ms. Boniface.

[*English*]

**The Joint Chair (Hon. Gwen Boniface):** Thank you very much.

Minister, I would like to zero in on the Ottawa occupation and the effect of the economic measures. As you know, this issue has been raised continually, namely the link between the Ottawa occupation in particular and the measures. With other tools that were provided through the emergency measures regulations, why were the economic measures needed to disperse the occupation? I'm trying to figure out what the thought process was going into it.

**Hon. Chrystia Freeland:** Maybe I'll start, if it's in the spirit of your question, by talking a little bit about the economic damage to Ottawa.

Let me start by pointing out that the City of Ottawa released a report last week detailing the cost of the illegal blockade to the City of Ottawa itself. They put the cost at \$37 million. Larry Andrade, a

Deloitte partner, calculated the damages suffered by businesses and employees in the Ottawa area during the occupation period to be between \$150 million and \$207 million. The Retail Council of Canada estimated that there were losses of \$3 million per day in sales.

When it comes to the second part of your question, on the thought process, I do want to assure the members of this committee that I am very aware of the seriousness of invoking the Emergencies Act. I'm very aware that doing so was a big decision. What I as Minister of Finance would like to say to you and to Canadians is that the gravity of that decision was weighed, in my mind and in the discussions within our department, against the gravity of the economic damage that was being done. The economic damage that was being done truly was compounded. Every day that it went on, specific damage was being done, but every single day that it went on, that really was a blow to Canada's reputation. It was a blow to every single Canadian who goes out and tries to get someone to invest in the country. It was a blow to every single Canadian who tries to be a supplier to an American partner. I heard directly in conversations I had with Canadian business leaders who were getting in touch with me that they were gravely concerned. I actually heard it from some members of this committee who asked me questions in question period and who, at the time, were gravely concerned. Certainly, I, of course, was not the only person in the Department of Finance who was working on this. My officials and my political colleagues were all hearing exactly the same thing.

• (1905)

**The Joint Chair (Hon. Gwen Boniface):** Thank you for that.

Just quickly, one of the issues that have been raised, certainly at this committee, on the economic measures had to do with the communication and understanding of Canadians who may have made a donation at the front end, thinking it was for a legitimate cause, which certainly caused a lot of grave concern for them in terms of what it meant.

I'm wondering if you've done any review of how that was communicated and whether or not there have been any lessons learned from that process.

**Hon. Chrystia Freeland:** I think that is an excellent question, and because it's so important, and given the importance of clear communication, I do want to take this opportunity to reinforce that. I'm now going to read from the RCMP statement of February 21:

At no time, did we provide a list of donors to Financial Institutions.

It's important for Canadians to understand that, because you're quite right, Senator, that someone could well have made a donation that was perfectly legal, to a legal cause. I want to assure them that at no time did the RCMP give their names to financial institutions.

I also want to point out that on June 9 the Bank of Canada released its annual financial system review, and it actually found that the degree of confidence in Canada's financial institutions and system is at the highest level ever. I am not, in any way, challenging—

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** Your time is up, senator.



[English]

**The Joint Chair (Hon. Gwen Boniface):** Thank you very much.

We'll now move to Senator Carignan for five minutes.

[Translation]

**Hon. Claude Carignan:** Thank you, Madam Chair.

Minister, you did say that cabinet made the decision to declare the state of emergency.

Didn't you?

**Hon. Chrystia Freeland:** Yes, that's correct.

**Hon. Claude Carignan:** On what date was that decision made?

**Hon. Chrystia Freeland:** I'll verify that information because I want to give you an accurate answer.

**Hon. Claude Carignan:** Was the decision made during the February 13 meeting?

**Hon. Chrystia Freeland:** Yes, that's correct.

**Hon. Claude Carignan:** At what time was it made?

**Hon. Chrystia Freeland:** The meeting was held at 8:30 p.m.

**Hon. Claude Carignan:** You do know that the Ambassador Bridge was completely reopened by 8:30 p.m.

Wasn't it?

**Hon. Chrystia Freeland:** Yes, I know.

**Hon. Claude Carignan:** How did you react to the fact that you declared the state of emergency after the bridge had been cleared?

You knew at that point that the bridge had been cleared and that traffic had resumed. So it's possible to reopen a bridge by doing something other than declaring a state of emergency.

Isn't that so?

**Hon. Chrystia Freeland:** At that point, we had received information to the effect that people were working non-stop to block other roads between the United States and Canada. Constant efforts were being made to continue blocking roads; that's an important fact.

In addition, as you well know, the illegal occupation of Ottawa, our national capital, was under way when we made the decision.

**Hon. Claude Carignan:** When you made the decision in the evening of February 13, you knew that the Ambassador Bridge had been cleared. You knew that authorities had managed to clear the bridge using the tools at their disposal at that time.

● (1910)

**Hon. Chrystia Freeland:** I think what's important is that there was a constant risk at that point that new blockades would be established. I remember it was one blockade after another, and there really was a risk of constant blockades at the border. I also want to emphasize that the occupation of our national capital was serious.

**Hon. Claude Carignan:** I understand that, during the discussions you had with the American government, the United States offered to send you tow trucks.

Would you please confirm for us that they offered to send trucks to tow vehicles away?

**Hon. Chrystia Freeland:** When I spoke directly with U.S. government representatives, the main message was about the level of concern, which was very high.

**Hon. Claude Carignan:** Did the United States offer to send tow trucks, and did you accept its offer?

**Hon. Chrystia Freeland:** The discussion I had with them concerned trade between Canada and the United States. That was important for the officials I spoke to.

**Hon. Claude Carignan:** No one offered you any tow trucks?

**Hon. Chrystia Freeland:** I discussed the possibility of the United States sending us assistance. However, I can't tell you how important that was for the Americans I spoke to—

**Hon. Claude Carignan:** I understand.

**Hon. Chrystia Freeland:** It was a serious threat for them, and it was important for them to communicate with me—

**Hon. Claude Carignan:** We all agree on that, Ms. Freeland. That's important.

And the matter was resolved before the state of emergency was declared, and that's the beauty of it all.

However, my question concerns the tow trucks.

One minister told us that exchanges took place and that the U.S. government offered us tow trucks.

I'd like to know if you were involved in that discussion.

**Hon. Chrystia Freeland:** I've already answered that question.

The discussions I had concerned the economic impact, and I suggested that the Americans help us.

**Hon. Claude Carignan:** I see.

**Hon. Chrystia Freeland:** The discussions I had concerned the economy.

**Hon. Claude Carignan:** I'll try to ask another question that you've already answered.

As the Minister of Finance, you know the numbers.

Can you quantify the economic impact of the measures that were taken, of the blockades and the harmful impact they had other than by citing a report by the City of Ottawa three months later?

When you made the decision, did you have a figure in mind that would support that decision? I'd like to have a number.

You were asked the question in English, but I'm asking it in French.

**Hon. Chrystia Freeland:** I have many figures in mind. There were clearly harmful effects every day. However, I'd like to emphasize two other points.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Minister, I apologize for interrupting.

Senator Carignan, your time is up.

We'll move to Senator Harder.

**Hon. Peter Harder (Senator, Ontario, PSG):** Thank you, Madam Chair.

Thank you, Minister, for being here. It's helpful for you to be here in person. I thank you for that.

As you know, I'm a senator from Ontario and resident of Ottawa, so it won't surprise you that I'm asking you this: Why did it take you so long to come to the conclusion that this measure was necessary, given the impact on the border, the reputational impact, and the very real impact on business in Ottawa?

**Hon. Chrystia Freeland:** Senator Harder, it's a great question.

I know this is sort of an adversarial environment, but I'm going to be very candid. It was an agonizing time for many Canadians, and it was an agonizing time for everyone in government, because we had to balance some serious things against each other.

We did not invoke the Emergencies Act lightly. That's why it took some time. We would very much have preferred a situation where it was not necessary. I think every Canadian would prefer a government that would prefer not to have to invoke the Emergencies Act.

**Hon. Peter Harder:** Let me ask a follow-up question, then.

Did you and the government come to the view that police action, as it was at the time, was failing to come to terms with the occupations, either at the border or in Ottawa itself?

• (1915)

**Hon. Chrystia Freeland:** I think you even have senators in this group who have greater expertise in policing than I do.

Speaking as Minister of Finance, I will say that I had Canadian business leaders in touch with me, my officials and my political colleagues, constantly. They were gravely concerned. They shared with me the views of their clients and investors, in quite vivid terms. These were not people who hyperventilate. These were people who could really see, every day, their businesses being eroded and, therefore, the national economy.

I also took very seriously, Senator Harder, the points of view expressed by our American partners in conversation, as well as public statements by American politicians—politicians who want an excuse to impose protectionist measures on Canada. These blockades and illegal occupation were the perfect events designed to make it easier for American protectionists to close their market to us.

**Hon. Peter Harder:** Thank you.

I'd like to ask you about the funding of the occupation—the convoy.

What evidence, if any, do you have of cryptocurrencies being involved? Was there, in your view, any worry of illegal cryptocurren-

cies supporting what ultimately became an illegal convoy and illegal occupation?

**Hon. Chrystia Freeland:** As I said in my opening remarks, the RCMP reported, on February 19, that they shared 170 Bitcoin addresses with virtual currency exchanges.

Let me say two things, in general.

First, my primary concern about the illegal blockade and occupation was the economic impact—what we could actually see with our eyes, frankly. However, as it unfolded and as we took action, it became clear to me that some Canadian legislation had fallen behind the development of the financial sector. That's why we have actually put forward, permanently, some new authorities for FINTRAC to monitor this now not-so-new financial space.

**Hon. Peter Harder:** Do you have any evidence of money laundering through cryptocurrencies?

**Hon. Chrystia Freeland:** I am not going to speak to that. I think that's a question for the RCMP, really.

**Hon. Peter Harder:** Do I have time for another question?

**The Joint Chair (Hon. Gwen Boniface):** You have 15 seconds.

**Hon. Peter Harder:** Let me simply say, thank you for being here.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

We'll move to Senator White.

**Hon. Vernon White:** Thank you very much.

I apologize for coming in late. I'm not feeling great today.

Thank you very much, Minister, for being here.

We understand that there were no charges laid in relation to the freezing of assets. We also understand that the assets were released prior to any thorough investigation. That's according to the law enforcement authorities.

What other options to freeze these assets would have been considered, say, in the week or weeks prior to the invocation?

**Hon. Chrystia Freeland:** I have to say, Senator, I can't hear you with perfect clarity, but I think I got most of it. On the freezing of the accounts, I do want to be clear that as of February 24, all accounts that were frozen pursuant to the order were unfrozen. However, I also want to be clear that I understand that a number of accounts remain frozen pursuant to court orders and proceedings that are unrelated to measures taken under the Emergencies Act.

I think, Senator, you may also want me to comment on a point that we did think about, which is the possibility of court orders being used to freeze accounts.

• (1920)

**Hon. Vernon White:** Yes.

**Hon. Chrystia Freeland:** That's what I thought you were getting at.

That certainly is a power that exists. The concern was that the additional powers were needed to act more quickly. I believe that on March 6, the assistant commissioner of the RCMP, Michel Arcand, confirmed that the invocation of the Emergencies Act allowed the RCMP and financial institutions to act much more quickly. He confirmed that each frozen account in other circumstances would have required its own court order, which could have taken days to be brought forward. He also confirmed that, absent the Emergencies Act, the RCMP would not have had the power to coordinate efforts between themselves and the Ottawa Police Service.

**Hon. Vernon White:** I thank you for that, Minister, because, really, that's what I'm referring to. On February 17 a Mareva injunction was brought forward by a local lawyer and a group of business people that did exactly the same thing the Emergencies Act did, so, certainly, it should have been considered an option.

I don't think the RCMP actually ever discussed recommending the Emergencies Act a week prior when we had them before us. It will be interesting when we get them back.

Since the goal wasn't to seize the assets but only to freeze them, I guess my question really was why the government didn't take that step, and you've answered that, thank you.

Can you offer to us what options were contemplated, other than the invocation of the act, for some of the other assets required? An example would be aid to civil power by a police agency, in particular the RCMP, who use the civil power probably multiple times every year, typically for equipment. Was that considered in the absence of the invocation of the act? If it was, what made the government decide not to use it?

**Hon. Chrystia Freeland:** You know, Senator, when it comes to the powers that the RCMP felt they needed, I think it would be most appropriate to hear directly from the RCMP.

I have spoken about court orders and the much more time-consuming process to get a court order for each account, versus the approach that the Emergencies Act permitted.

In saying that, though, I do want to emphasize one thing, which is that I am really aware of the seriousness and the gravity of the authority that the Emergencies Act granted when it came to freezing bank accounts, so I want to pick up on something that you said. The point here was to freeze, to suspend. It was in no way to confiscate. I also want to point out that those accounts were unfrozen as of February 24. I further want to point out that the decisions were made by financial institutions themselves based on their reading of the act, and also based upon conversations with the RCMP.

These were not political decisions, and in no way were small donors focused on.

**The Joint Chair (Hon. Gwen Boniface):** Your time is up, Senator White.

**Hon. Vernon White:** Thank you very much.

**The Joint Chair (Hon. Gwen Boniface):** You will get a second round.

Committee members, if you're agreeable, we have time to do five minutes this next round, keeping in mind that only two senators will speak and that that would take us through eight o'clock, if that's all agreeable. Normally we would be doing four minutes at this point, but we have time, so we are good.

We will lead off with Mr. Brock for five minutes.

**Mr. Larry Brock (Brantford—Brant, CPC):** Thank you, Chair.

Minister Freeland, you will agree with me that the—

**Mr. Arif Virani (Parkdale—High Park, Lib.):** Madam Chair, on a point of order, I'm sorry to interrupt, but I believe if we don't have a four-minute round now, that will prevent one Liberal from asking a round of questions of Minister Freeland, which would be unfair, so we would prefer to keep to the four minutes as previously approved in the rules of procedure that we passed by motion at this committee.

**The Joint Chair (Hon. Gwen Boniface):** I believe Mr. Naqvi will have a chance to ask the question.

• (1925)

**Mr. Arif Virani:** There are three Liberals on the committee, Madam Chair.

**The Joint Chair (Hon. Gwen Boniface):** It's the same number of rounds.

**Mr. Arif Virani:** By going from four minutes to five minutes, you will eliminate the possibility of a third round, which eliminates the possibility for a third Liberal to asking questions.

**The Joint Chair (Hon. Gwen Boniface):** We don't normally have a third round, but if I'm hearing objections, we will go for four minutes.

Mr. Brock.

**Mr. Larry Brock:** Shall I restart my clock, Madam Chair?

**The Joint Chair (Hon. Gwen Boniface):** Yes, please.

**Mr. Larry Brock:** I'm ready now. Thank you.

**The Joint Chair (Hon. Gwen Boniface):** Go ahead.

**Mr. Larry Brock:** Minister Freeland, you will agree with me that the state-owned taxpayer-funded Canadian Broadcasting Corporation reported on February 10, 2022, that the GoFundMe donations to the convoy protest came from donors located outside of Canada.

Do you agree with that?

**Hon. Chrystia Freeland:** I don't have the report in front of me and I haven't memorized all CBC reports, but I'm prepared to believe you.

**Mr. Larry Brock:** In fact, they stated that the donations came from America, the United Kingdom, France, Germany, Australia, New Zealand and the Netherlands.

You would also accept that as fact?

**Hon. Chrystia Freeland:** I don't see the article before me, but you say that's what it says.

**Mr. Larry Brock:** They even claimed that the convoy might be Russian funded.

Do you recall that?

**Hon. Chrystia Freeland:** Again, you're reading from the article.

**Mr. Larry Brock:** Yes.

On March 21, 2022, the CBC, without any explanation, without apology and without any clarity retracted their story regarding the funding of the protest.

You are aware of that?

**Hon. Chrystia Freeland:** Again, I'm not speaking for the CBC. I'm speaking for the Department of Finance.

**Mr. Larry Brock:** I'm not asking you to speak for the CBC. I'm asking whether you were informed that the CBC retracted the story, the false story, about foreign funding and donations to the convoy.

**Hon. Chrystia Freeland:** Again, Mr. Brock, I don't believe that the CBC is being interrogated here. I believe it's the Government of Canada.

**Mr. Larry Brock:** Just answer the question, Minister Freeland. Were you aware, yes or no? It's a simple question.

**Hon. Chrystia Freeland:** I don't have the article before me, and I'm not here to answer questions about the CBC and its reporting.

**Mr. Larry Brock:** The Deputy Prime Minister, the most senior cabinet minister, is not prepared to accept whether or not the CBC retracted a false story?

**Hon. Chrystia Freeland:** I don't speak for the CBC, sir.

**Mr. Larry Brock:** You, as the most senior cabinet minister and the Deputy Prime Minister relied upon that initial story from the CBC and shared your concerns with Canadians regarding “terrorism funding” and “money laundering”—your words. Is that correct?

**Hon. Chrystia Freeland:** Let me be very clear. My principal concern when it comes to the illegal occupation and the illegal blockades is the economic harm that was done to Canada.

**Mr. Larry Brock:** Let me be very clear, Minister Freeland: Several times in the House you referred to terrorism funding and money laundering.

Are you saying you didn't use those words?

**Hon. Chrystia Freeland:** I am speaking here today and I am talking about the central motivation of our very serious actions.

**Mr. Larry Brock:** And I'm here to ask you questions, and I expect, unlike in question period, a response.

My question is do you recall using the words “terrorism funding” and “money laundering” in the House and reporting outside the House—yes or no, Minister Freeland?

**Hon. Chrystia Freeland:** I believe if we were in a court of law, where I think you once worked, that might be called badgering the witness, Mr. Brock.

**Mr. Larry Brock:** Chair...?

**The Joint Chair (Hon. Gwen Boniface):** Can we allow the question to be answered?

**Hon. Chrystia Freeland:** Thank you.

As I said, my core concern as Minister of Finance, and my central justification for these very serious measures that we put in place, as was clear in my opening statement—

**Mr. Larry Brock:** You're not answering the question. I'm going to move on.

**Hon. Chrystia Freeland:** —[*Inaudible Editor*] is the economic impact.

**Mr. Larry Brock:** You're not answering the question, and I will move on.

**Mr. Arif Virani:** Madam Chair, on a point of order, it's entirely possible that Mr. Brock doesn't like the answer he's hearing, but the witness is entitled to provide an answer. Could she be provided the opportunity to provide an answer?

**Mr. Larry Brock:** Madam Chair, the witness may not like the questions, but she's not entitled to establish her own facts in responding with an answer that is non-responsive and not relevant to the question.

**The Joint Chair (Hon. Gwen Boniface):** We'll move it back 20 seconds and allow you to ask your last question.

• (1930)

**Mr. Larry Brock:** Do you agree with me that the deputy director of FINTRAC, Mr. MacKillop, confirmed at committee that the convoy funding did not come from terrorism funding or money laundering, and the typical person who donated hundreds and thousands of dollars to the convoy...came from their own resources and posed no security threat? Do you accept that?

**Hon. Chrystia Freeland:** What I accept, Mr. Brock, is that the core threat was to the Canadian economy, to our reputation as a trading partner and investment destination. I made that clear in my opening remarks—

**Mr. Larry Brock:** Thank you for the non-response, Minister.

**Hon. Chrystia Freeland:** —and that is my view.

**Mr. Larry Brock:** Thank you for the non-response, Minister—very helpful.

**The Joint Chair (Hon. Gwen Boniface):** We'll move to Mr. Naqvi.

**Mr. Yasir Naqvi (Ottawa Centre, Lib.):** Thank you very much, Chair.

Thank you, Minister, for being here today.

Minister, as you know, I represent the riding of Ottawa Centre, which has been referred to as perhaps ground zero of the occupation, right outside this building. It was not just Wellington Street. It was beyond Wellington Street, in all the surrounding neighbourhood that is around Parliament Hill. It impacted hundreds of businesses, not to mention the Rideau Centre, which I'm sure many of us have frequented. It's one of the largest shopping malls in this city, employing thousands of people. On the eve of reopening after the mandate of closure by the provincial government, they were forced to shut down for three straight weeks.

We saw a real impact. In fact, my office fielded many questions from workers and from business owners who were seeking help—one, to end the blockade and occupation, and two, to give them financial support that would sustain them through that period.

Can you speak to, from your analysis, the specific economic harm that you were seeing of that ongoing occupation and, if you had not ended that occupation by way of invoking the Emergencies Act, the harm it would have had on Ottawa's economy? Can you also talk about what was happening at Windsor and the impact on our economy across Canada, at the Pacific crossing, Coutts and other border crossings as well?

**Hon. Chrystia Freeland:** Thank you for the question, Mr. Naqvi.

I do want to say to you, as the member of Parliament for Ottawa Centre, that I think you and your constituents really were among the hardest-hit people by this illegal blockade and occupation. Senator Harder asked me why it was allowed to go on for so long. I know from conversations we've had that many of your constituents asked you that question as well. I think it's a really legitimate question.

I'd like to say to them, through you, that I really regret, deeply and profoundly, what they went through. I hope they will understand that the reason we acted carefully and thoughtfully, after the passage of time, was that we truly viewed this as a measure of last resort. These were actions that I firmly believe were the right thing to do. I believed it then. I believe it now, in hindsight. But they were actions that needed to be, and were, taken carefully and thoughtfully.

On the specific economic impact to the city of Ottawa, as you know well, the City of Ottawa has presented a report calculating just the direct effect to the city itself. They put that cost at \$37 million. The Retail Council of Canada has calculated that losses just to the Rideau Centre, to which you referred, and the sales there were \$3 million a day.

I've already cited Larry Andrade of Deloitte, who calculated that the damages suffered by businesses and employees during the occupation of Ottawa ranged from \$150 million to \$207 million. That was just Ottawa, so this was a very, very serious impact. And you yourself know very well the psychological and personal impact it had on so many people.

• (1935)

**The Joint Chair (Hon. Gwen Boniface):** Mr. Naqvi, your time is up.

Members, we now move to three minutes.

Go ahead, Mr. Fortin.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

Ms. Freeland, I'd like to make a brief preliminary remark.

Earlier you told Mr. Brock that a judge would feel he was harassing you or the witness. Personally, I think a judge would tell you that that's enough and that you should answer the questions put to you. We'd thank you for that.

We're wasting our time here. You've been testifying for nearly an hour, but you're going around in circles. We asked you what was done before the Emergencies Act was invoked, but you didn't answer the question. You skated around it. We asked you why you waited so long, but you skated once again. Senator Carignan asked you if the United States had offered to send in tow trucks, and again you skated around the question. That's really disappointing, Minister.

I don't know how we're going to carry out the mandate the House of Commons has given us. We need information and documents, not a figure skating performance. With all due respect, I wish you would answer our questions.

I'm going to ask you one last time: can you tell us in 30 seconds what was attempted before the Emergencies Act was invoked?

**Hon. Chrystia Freeland:** You've previously spoken with many of my colleagues and with officials from other departments.

**The Joint Chair (Mr. Rhéal Fortin):** I'd like you to answer the question, Minister.

Can you answer the question, yes or no? Do you know what was done before the Emergencies Act was proclaimed?

**Hon. Chrystia Freeland:** I was answering the question.

With your permission...

**The Joint Chair (Mr. Rhéal Fortin):** You're still skating. I have a minute and a half left. I know you can skate for a minute and a half, but, as you can understand, that's a bit exasperating.

If the situation arose again tomorrow morning and there were roadblocks on Wellington Street, what would be done differently to prevent the situation from going on as long as the last time? Do you have a quick answer for us on that?

**Hon. Chrystia Freeland:** I hope the measures we took to address the illegal blockades ensure that those events don't happen again.

**The Joint Chair (Mr. Rhéal Fortin):** You hope that, and we all hope it too. What I understand is that there's no plan to change the situation.

One of your colleagues told us that, if it had to be done again, authorities would have intervened sooner and prevented the truckers from blocking Wellington Street.

What do you think of that? Why weren't they prevented from settling in last winter?

**Hon. Chrystia Freeland:** You're asking a question about the measures that the Ottawa police took and what it did and didn't do? That has nothing to do with a decision by the federal government or the Minister of Finance.

**The Joint Chair (Mr. Rhéal Fortin):** That was your answer to the earlier question, Ms. Freeland. You said you had been involved in discussions and that the state of emergency was declared as a last resort because it was necessary.

If it was necessary, and as a last resort, that's because you tried something else before that, or else, with all due respect, you didn't do much of anything.

If it was done as a last resort, what actions were taken as a first resort? What did you try first?

**Hon. Chrystia Freeland:** Mr. Fortin, once again, with all due respect, you asked a specific and detailed question about the measures the Ottawa police took, not about the powers of the Department of Finance.

**The Joint Chair (Mr. Rhéal Fortin):** Ms. Freeland, you'd win a medal if this were a skating competition.

Thank you.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Your three minutes are up.

Mr. Green, you have three minutes.

**The Joint Chair (Mr. Matthew Green):** Thank you.

I have to say that I find astounding and perhaps somewhat a little bit embarrassing that the City of Ottawa was able to provide more quantitative economic impact analysis of the occupation than our federal government has of the borders across the country, but I digress.

On February 17 you stated that you spoke directly with the heads of major banks and the director of FINTRAC. Did the banks or FINTRAC express their support or opposition to any of the temporary measures in the order?

**Hon. Chrystia Freeland:** On February 17, the order was in place. I'm looking at my timeline. I believe that my conversation with the bank CEOs was on—

**The Joint Chair (Mr. Matthew Green):** Madam Minister, please. I just need an answer. Did they provide any opposition to the directions? Yes or no.

**Hon. Chrystia Freeland:** I want to be precise and not seem to confirm a date that is false.

**The Joint Chair (Mr. Matthew Green):** That's fine, fair enough. You're referencing notes. Can you share the notes from the conversations you had with them with the committee?

**Hon. Chrystia Freeland:** These are not notes from the conversation. This is a personal timeline of conversations—

• (1940)

**The Joint Chair (Mr. Matthew Green):** Did you have notes from the meetings with the heads of banks and FINTRAC, yes or no?

**Hon. Chrystia Freeland:** Let me say something that I think is appropriate for me to share concerning the meetings that I had with the CEOs of the major banks and that is two things.

First of all, before the invocation of the emergency measures, I spoke to Canadian business leaders, including some bank CEOs.

**The Joint Chair (Mr. Matthew Green):** I've already confirmed that. I just want to know, do you have notes?

**Hon. Chrystia Freeland:** They were concerned about the Canadian economy. When it comes—

**The Joint Chair (Mr. Matthew Green):** Do you have notes, yes or no?

**Hon. Chrystia Freeland:** When it comes to the conversations I had with the bank CEOs after the invocation of the emergency measures, at that point their job was to act in accordance with the law we had passed—

**The Joint Chair (Mr. Matthew Green):** Madam Chair, listen, everybody watching this committee right now can see that you're just refusing to answer a very basic question. It's to the point of almost being contemptible, quite frankly.

I'm asking you a basic question: Do you have notes pertaining to those high-level meetings, yes or no? I'm not asking for the content now.

**Hon. Chrystia Freeland:** I'm not sure it's very appropriate to call a fellow MP contemptible—

**The Joint Chair (Mr. Matthew Green):** I said it's "almost" to the point of contemptible. That's my observation, based on my experience.

**The Joint Chair (Hon. Gwen Boniface):** I'll just remind you that when you both talk at once, it's difficult, so keeping in mind the time, Minister, would you please respond?

**Hon. Chrystia Freeland:** Yes.

I think that I have spoken about the content of those conversations. It was entirely appropriate for me and my deputy minister to have both individual conversations and group meetings with the CEOs of the main banks. They spoke to us about—

**The Joint Chair (Mr. Matthew Green):** Do you have notes? Do you have notes?

**Hon. Chrystia Freeland:** I'm speaking to you now about the content of those conversations.

**The Joint Chair (Mr. Matthew Green):** I'm asking you if you took notes.

**The Joint Chair (Hon. Gwen Boniface):** The time is up.

**The Joint Chair (Mr. Matthew Green):** That is unreal.

Madam Chair, just...you know—

**Ms. Rachel Bendayan:** On a point of order, Madam Chair, I don't believe the member has the floor any longer.

**The Joint Chair (Hon. Gwen Boniface):** We're moving to Senator White.

**Hon. Vernon White:** Thank you very much.

Thanks again for being here, Minister.

**Mr. Larry Brock:** Point of order, Madam Chair.

**The Joint Chair (Hon. Gwen Boniface):** Yes, go ahead.

**Hon. Vernon White:** Freeze my time, please.

**Mr. Larry Brock:** Freeze the senator's time, please.

I disagree with my colleague Ms. Bendayan in denying the right of Mr. Green to raise a point of order. I think a point of order can be raised at any point in time.

**The Joint Chair (Hon. Gwen Boniface):** I would agree with you, but he didn't flag it as a point of order.

**Mr. Larry Brock:** Those were his words at the end before he was cut off.

**The Joint Chair (Hon. Gwen Boniface):** I did not hear that.

Mr. Green, did you want to go ahead? I did not hear—

**The Joint Chair (Mr. Matthew Green):** No. At this point, you know what? I just anticipate that we're going to have to call the witness back to have an opportunity to actually get some answers. We're now over an hour into this, and I don't think we've gotten any answers, so I'll leave it at that. It's not even a point of order at this point.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Senator White.

**Hon. Vernon White:** Thank you very much.

My clock will start, I guess.

Minister, again, thanks for being here.

I was disappointed that you referred to this as an “adversarial” session, because I see it as fact-finding and within the legislation. That's just a statement, because I don't believe it should be adversarial.

There were a couple of areas, though, that concerned me when we were walking through the blockade. I live in the city of Ottawa and I'm the senator for here.

One was the fact that the mayor was negotiating an agreement with people who we had agreed were committing a criminal act. Did that play into the decision of the federal government to invoke the Emergencies Act, the fact that a contract was signed by the mayor and I think Madam Lich in relation to allowing them to fortress around Parliament Hill in exchange for a release of other property?

**Hon. Chrystia Freeland:** Thank you for your question, Senator, and I don't think it's appropriate for me here tonight to seek to pass

judgment on the actions of the appropriate authorities in Ottawa, but what I will say, which is known by us all, is that the authorities had not succeeded, at the time that the Emergencies Act was invoked, in ending the illegal blockade and occupation, and from my perspective as finance minister, that was a serious problem for Canada, for our economy. So certainly, had they succeeded in ending the occupation, then it may have been possible to behave differently, but they didn't.

• (1945)

**Hon. Vernon White:** But to be fair, I think we are passing judgment. We've heard.... I think Senator Harder views it as “a failure of policing”, and I think everybody would agree that it was a failure of policing—unless our plan was to be where we were.

So I think we are passing judgment, and the truth is, we had a mayor who was negotiating. I just ask the question because I can tell you that I emailed, texted and called every minister and every member of Parliament on the government side who would take that call or read that email saying that I can't believe the mayor has just negotiated with criminals.

Did it play into the need to do something because obviously others were ensuring something else was at play that should not be occurring...?

**Hon. Chrystia Freeland:** What I will say to you, senator, is that I do agree; I agreed at the time, and I agree with you today that it is not appropriate to negotiate with people who are doing something illegal.

**Hon. Vernon White:** Thank you very much.

**Hon. Chrystia Freeland:** That is not the right way for the government to behave.

**Hon. Vernon White:** I have one more quick question, albeit it may require a longer answer.

Obviously, the province had already invoked their emergency act. Obviously, there is something missing provincially in their legislation that did not help or assist the police in bringing the blockade to an end.

Can you tell us—and I hope that we'll get the Solicitor General of Ontario in front of us—what is missing from their legislation that forced us to have to invoke the federal legislation instead?

**The Joint Chair (Hon. Gwen Boniface):** I'm sorry, but Mr. White's time is up.

**Hon. Vernon White:** Thanks.

**The Joint Chair (Hon. Gwen Boniface):** I'm sorry.

[Translation]

**Hon. Claude Carignan:** Ms. Freeland, the Minister of Public Security told us that the government invoked the Emergencies Act on the advice of the police.

Is that true?

**Hon. Chrystia Freeland:** Personally, I received no such advice.

**Hon. Claude Carignan:** Did the Minister of Public Security inform you that the police had suggested invoking the Emergencies Act?

**Hon. Chrystia Freeland:** We had many group discussions, but I don't remember any such discussion.

**Hon. Claude Carignan:** As I understand it, you don't remember the Minister of Public Security telling you that the police had asked you to invoke the Emergencies Act.

Is that correct?

**Hon. Chrystia Freeland:** Personally, I don't remember any such discussion.

**Hon. Claude Carignan:** Then do you remember who suggested that you invoke the Emergencies Act?

**Hon. Chrystia Freeland:** I want to be very clear: that was a collective cabinet decision.

**Hon. Claude Carignan:** Yes, but there's always someone who has the brilliant idea, who pulls the rabbit out of a hat and says, "We should do this." Who pulled it out first?

**Hon. Chrystia Freeland:** Just a moment, please.

We made a collective decision at that point, and today it seems I'm personally responsible for it. That was my opinion when we decided it was the right thing to do, and that's also the case now.

**Hon. Claude Carignan:** Was it you who had the idea?

**Hon. Chrystia Freeland:** We had a lot of discussions, but I think it's important for the government...

**Hon. Claude Carignan:** What I want to know is whether it was you who had the idea to invoke the Emergencies Act.

**Hon. Chrystia Freeland:** Senator, it was a very serious decision, a political decision.

**Hon. Claude Carignan:** I understand that.

**Hon. Chrystia Freeland:** It was a political decision, but I'm not trying to evade responsibility for it.

**Hon. Claude Carignan:** In that case, who had the idea?

**Hon. Chrystia Freeland:** I'm prepared to say that I agreed with the decision when we made it, and that's still the case today. We did the right thing.

**Hon. Claude Carignan:** I understood long ago that you approved of the decision.

Who had the idea? Who suggested it to you?

**Hon. Chrystia Freeland:** It was an emergency and we discussed it at length.

**Hon. Claude Carignan:** All right, but who suggested that you freeze bank accounts?

**Hon. Chrystia Freeland:** Once again, we discussed that at length. Senator Harder and Mr. Fortin asked me why it took so long to resolve the situation. We had a lot of discussions in the department and many conversations with other colleagues. We wondered every hour of every day...

• (1950)

[English]

**The Joint Chair (Hon. Gwen Boniface):** Minister, I apologize. Senator Carignan's time is up.

Colleagues, can we go with one minute each if we'd like to do another round and wrap up?

If we're agreeable to that, we'll start with Mr. Motz.

**Mr. Glen Motz:** Thank you very much, Madam Chair.

Minister, I share the frustration of many of my colleagues around this table. We've danced for 90 minutes, and we don't have any answers at all, actually.

It appears that you refer to that binder a lot. In its entirety, can you present it to the committee, yes or no?

**Hon. Chrystia Freeland:** I make no apology for preparing carefully for appearances like these.

**Mr. Glen Motz:** Can you present that binder to the committee, please?

**Hon. Chrystia Freeland:** I believe in doing my homework. These notes are for my own personal use.

**Mr. Glen Motz:** Well, can you present them to committee, yes or no?

Obviously that's a no.

Did you sign the memorandum to cabinet proposing the declaration of the emergency?

**Hon. Chrystia Freeland:** I don't recall precisely who signed it, but I hope I did, and I would be happy to have signed it.

**Mr. Glen Motz:** Thank you.

**The Joint Chair (Hon. Gwen Boniface):** Thank you, Mr. Motz.

Mr. Virani.

**Mr. Arif Virani:** Thank you.

Minister Freeland, I'm going to go fairly quickly.

The freezing of the accounts actually occurred by operation of the regulation, not just on February 24 when the invocation ended, but as soon as the illegal activity ceased. So if somebody stopped being part of an unlawful blockade, their account would be unfrozen. That's the operation of the regulation, correct?

**Hon. Chrystia Freeland:** Yes, it is. In fact, the RCMP issued a statement, which I brought here, so I could refer to it—

**Mr. Arif Virani:** I only have one minute, Minister Freeland, but that's terrific. Thank you.

The restrictions on property were about cutting off the supply chains that were allowing the convoy to continue for week after week. Is that correct?

**Hon. Chrystia Freeland:** That's right.

**Mr. Arif Virani:** In fact, the mere invocation of the regulation and the threat of things such as one's truck insurance being revoked were enough to actually incentivize people to cease their unlawful behaviour and leave the blockade. Is that correct?



**Hon. Chrystia Freeland:** That is what was reported by law enforcement authorities, certainly.

**Mr. Arif Virani:** You talked about reputational risks to Canada, and I know you and Minister Ng have worked very hard on things such as the American “build back better” bill and the EV tax credits. When we have issues such as supply disruptions on the Ambassador Bridge affecting the auto industry, does that have a direct impact on your ability to stop U.S. protectionist measures, such as “build back better”?

**The Joint Chair (Hon. Gwen Boniface):** Minister, yes or no?

**Hon. Chrystia Freeland:** It absolutely does.

**Mr. Arif Virani:** Thank you.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Mr. Fortin, you have one minute.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

Ms. Freeland, we knew in advance that the convoy was headed for Parliament Hill. There was also a blockade on the Ambassador Bridge. The trucks were coming and the police were concerned.

At some point, did a member of cabinet or you yourself speak to the police and tell them that measures had to be taken to secure Parliament?

**Hon. Chrystia Freeland:** Mr. Fortin, as you very well know, it isn't normal...

**The Joint Chair (Mr. Rhéal Fortin):** You have 20 seconds left, Minister.

**Hon. Chrystia Freeland:** —and it isn't right—

**The Joint Chair (Mr. Rhéal Fortin):** You don't know?

**Hon. Chrystia Freeland:** —for the Minister of Finance to contact Ottawa police officers to...

**The Joint Chair (Mr. Rhéal Fortin):** As I understand it, Minister, you never did anything to prevent the roadblock.

Is that correct?

**Hon. Chrystia Freeland:** No, it's not.

**The Joint Chair (Mr. Rhéal Fortin):** What did you do to dismantle the roadblock apart from invoking the Emergencies Act?

[English]

**The Joint Chair (Hon. Gwen Boniface):** Mr. Fortin, your time is up. I apologize.

Mr. Green.

**The Joint Chair (Mr. Matthew Green):** Minister of Finance, ultimately, the buck stops with you. Madam Minister, in your testimony, I think you let it slip. You said the RCMP “instructed”, and then you said “consulted with” the banks on which accounts to freeze.

Who would have made the decision? Would it have been the RCMP or the banks?

**Hon. Chrystia Freeland:** I was clear that there were two routes. Under the order, the banks, using their internal processes, acted so as to be certain that they were complying with the order.

**The Joint Chair (Mr. Matthew Green):** Were any of the accounts—

**Hon. Chrystia Freeland:** The order also permitted the RCMP to communicate directly with the banks and to share with them information to comply with the order.

**The Joint Chair (Mr. Matthew Green):** Were any of the accounts linked to ideologically motivated violent extremist groups?

**Hon. Chrystia Freeland:** Again, it was not the job of the Department of Finance to be involved—

• (1955)

**The Joint Chair (Mr. Matthew Green):** Did you receive any debriefs?

**Hon. Chrystia Freeland:** —in choosing which accounts which should be frozen or not frozen. That's a—

**The Joint Chair (Mr. Matthew Green):** Did you receive any debriefs?

**Hon. Chrystia Freeland:** —very important point, and I want to lean in hard on that particular point.

**The Joint Chair (Mr. Matthew Green):** You can lean as much as you want. Did you receive a debrief?

**The Joint Chair (Hon. Gwen Boniface):** Mr. Green, your time is up.

Moving to Senator White, you have the floor.

**Hon. Vernon White:** Thank you very much.

I'll quickly repeat my previous question that had no time for a response.

The province also invoked their emergency act. Can you tell us what was missing from their legislation that required the invocation of the federal legislation?

Thank you very much.

**Hon. Chrystia Freeland:** Thanks for repeating that question.

You asked me also, Senator, what are the lessons going forward for what should be in provincial legislation. I think that's for the province to figure out, but we do have a good working relationship with the province. One of the lessons I took from this, which we have acted on already, is the need to modernize and to bring into the 21st century the authorities of FINTRAC. That is something that is a lesson learned and something we have acted on already.

**Hon. Vernon White:** Thank you for that. To be fair though, our job is to make recommendations, I would hope, at the end. Those recommendations could be for the city, the province, and whether or not they accept them is a different story.

Thank you, Madam Chair.

**The Joint Chair (Hon. Gwen Boniface):** Thank you, Senator White.

Lastly, we'll move to Senator Carignan.

[*Translation*]

**Hon. Claude Carignan:** Minister, you said you didn't know if the police had advised invoking the Emergencies Act, that no one ever told you. You made a decision without requesting the opinion or advice of the police.

**Hon. Chrystia Freeland:** My duty in the discussions I had with my colleagues was to convey information and express our concerns about the economy.

**Hon. Claude Carignan:** I understand that. I've sat in cabinet as well.

**Hon. Chrystia Freeland:** That's the issue I discussed.

**Hon. Claude Carignan:** I know how it works because I've sat in cabinet. You made a decision and you voted on it. You decided to invoke the Emergencies Act without knowing the police's position on that decision.

**Hon. Chrystia Freeland:** The Minister of Justice had a duty to inform us of the powers we had at our disposal. An important point that we haven't discussed is the fact that the Minister of Justice informed us about the Canadian Charter of Rights and Freedoms.

[*English*]

**The Joint Chair (Hon. Gwen Boniface):** Senator Carignan, I apologize, but your time is up. I've been generous.

[*Translation*]

**Hon. Claude Carignan:** Your apologies should be directed to the public, not to me.

[*English*]

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Let me express, on behalf of the committee, our thanks to Minister Freeland for joining us.

Colleagues, we'll take a break for a few minutes as we move to Minister Blair.

• (1955) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (2005)

**The Joint Chair (Hon. Gwen Boniface):** The meeting is resumed.

We have with us today until 9:30, the honourable Bill Blair, Minister of Emergency Preparedness. He is joined by his official, Jacqueline Bogden, deputy secretary to the cabinet, emergency preparedness and COVID recovery.

Welcome, Minister. You have five minutes for opening remarks. The floor is yours.

**Hon. Bill Blair (Minister of Emergency Preparedness):** Thank you very much, Senator.

First of all, let me begin by expressing my very sincere thanks to this committee for the invitation and the opportunity to speak before you today.

Madam Chair, the Emergencies Act invocation on February 14 was the first use of this statute since it was created in law in 1988. The decision to invoke the Emergencies Act was a significant decision for any government to make and, as such, it deserves close examination and scrutiny. I am grateful for the hard work of this committee to perform that important role on behalf of all Canadians.

The responsibility for maintaining public order in Canada, enforcing our existing municipal bylaws, provincial statutes and the Criminal Code is the responsibility of the police of jurisdiction. They also have the important responsibility of upholding the Charter of Rights and Freedoms to facilitate lawful, peaceful protest. In Ontario, these authorities and that responsibility are well defined within the Ontario Police Services Act. For the use of this committee—I know, Madam Chair, that this is something you're very familiar with—I've brought, in both official languages, a copy of the Ontario Police Services Act, which I hope will be helpful to this committee.

As the events of the convoy and the protests unfolded, initially with rolling convoys across Canada and then the establishment of an encampment of protesters in the City of Ottawa, we saw the fortification of that encampment with heavy trucks and trailers. What we then witnessed were targeted blockades, which effectively blocked vital trade corridors and cut off the movements of goods and essential services to our manufacturing sector and the movement of essential goods and services throughout the country. Those blockades, and the impact of those border blockades in particular, were particularly impactful.

I know previous witnesses have articulated for this committee what some of those impacts were. I have also received correspondence from my ministerial colleagues in Alberta, from the premier in Manitoba and from others across the country, articulating some of the huge challenges that those blockades represented and the threat to the economic security of those provincial jurisdictions and municipalities across the country. We've also had extensive reports from the private sector in manufacturing about the enormous impact those blockades were having.

Throughout the course of this event, we observed in many jurisdictions—including right here in Ottawa—that law enforcement was unable to resolve the serious and harmful behaviours that were taking place in a timely and effective way. For example, the police were unable to remove the heavy trucks that were blocking many of the streets in Ottawa and on municipal and provincial roadways in Ottawa, Windsor, Emerson in Manitoba, Coumts in Alberta and on the Pacific Highway in British Columbia.

In order to determine why the police were having this difficulty, I had conversations and consulted directly with the police leadership and the mayor here in Ottawa, for example. I asked the chief of police in Ottawa if he could advise me why they were unable to tag and tow the vehicles. In my experience—I spent many years in policing—the tagging and towing of those vehicles seemed like a logical step. However, the chief advised me, and I accepted his explanation, that he did not believe it could be done without provoking violence, nor could it not be done safely by his bylaw enforcement officers. I then spoke to him about towing the vehicles off the street, and he advised me that notwithstanding the fact they had a number of service contracts with towing companies in the national capital region, none of those towing companies were willing to come to remove those vehicles. Chief Sloy's advice was that they were concerned for their safety or for their ongoing business relationship with the trucking industry. In any event, they would not respond.

I heard similar information, by the way, in my conversations with Minister McIver in Alberta, who identified that they were unable to secure tow trucks to remove the vehicles from the Coutts highway. He asked, and we examined, whether or not there were any other towing vehicles that were available to the Canadian government. We examined what was available to the Canadian Armed Forces, for example, and were advised that they did not have appropriate vehicles for that purpose and they were unable to assist. That problem persisted.

I also had conversations with the commissioner of the RCMP about the challenges the RCMP were facing in the removal of those blockades on the highway in Coutts. I asked why the Alberta Traffic Safety Act wasn't being utilized to direct traffic off those roadways or to remove the vehicles that were blockading. I was advised by the commissioner that they had information about and were conducting an investigation into the presence of firearms at that particular blockade. She was, quite understandably, very concerned about the safety of her officers engaging in that activity, but ultimately I was advised that until they were able to—subsequently through investigation—make arrests and seize those weapons that those circumstances did not allow them to use their authorities as existed under municipal, provincial and federal statutes.

● (2010)

As a consequence, those blockades persisted for a considerable period of time, over two weeks in Alberta and over seven days in Windsor. Throughout those occupations, we were also advised that there was a strong likelihood of further blockades at points of entry like the Blue Water Bridge in Sarnia, the Pacific Highway in Surrey or the Peace Bridge in Fort Erie. There was strong information being received from our officials, that was advising of the intent of these blockades to return to places that they had previously blocked or to go to new points of entry because it had been a very effective tactic.

**The Joint Chair (Hon. Gwen Boniface):** Minister, I'm sorry. I'm going to have to cut you off there so we can get to questions. Thank you very much.

We'll start with Mr. Motz. This is the five-minute round.

Mr. Motz.

**Mr. Glen Motz:** Thank you, Madam Chair.

Thank you, Minister, for being here.

Minister, you have just explained to us that you had extensive contact with law enforcement officials leading up to the invocation of the Emergencies Act and yet when my colleague Mr. Fortin asked the previous witness, Minister Freeland, about speaking to the police, she said that it would be very inappropriate for a cabinet minister to do so.

Which is it?

**Hon. Bill Blair:** To be very clear, I was meeting on a regular basis—I'd established a table of consultations with the three levels of government, a tripartite table, with the City of Ottawa, including the mayor—with our provincial counterparts and with my officials. It was during a meeting with the mayor of Ottawa to talk about how we could assist the City of Ottawa to restore order, peace and safety to the city of Ottawa that I had a conversation with his chief of police.

**Mr. Glen Motz:** I take it then that Minister Freeland was mistaken in her statement.

Let me get to another question for you, sir.

Your government will undoubtedly assert cabinet confidences over the documents that we've asked for, but as the president of the Queen's Privy Council, will you release these confidences of the Queen's Privy Council?

**Hon. Bill Blair:** Can you be specific on what confidence you're referring to, sir?

**Mr. Glen Motz:** We're talking about the documents that we've asked for. This committee, as you know, has asked for all of the documents used to make the decision to invoke the Emergencies Act. We've had ministers here before, ministers Lametti and Mendicino, who have made it very clear that they're invoking lawyer-client privilege as well as cabinet confidence with respect to the release of that information.

I'm asking you, as president of the Privy Council, whether you would consider releasing those confidences.

● (2015)

**Hon. Bill Blair:** Mr. Motz, I believe there are processes in place to determine what documents should be and are appropriately released. There are issues of lawyer-client privileges, for example. Those are areas that are well understood and respected, and I am aware that the Canada Evidence Act, in section 38, also describes quite clearly how it would be determined whether information related to other confidences could be made available.

I am respectful of those processes, Mr. Motz, and I respect the law.

**Mr. Glen Motz:** Thank you very much.

Minister, when you were the chief of the Toronto Police Service during 2010, you had nearly 20,000 extra police officers at your disposal during that G20 summit. That support was provided to you—funded and organized—by the federal government.

Here in Ottawa, we had former police chief Sloly, who testified at committee, and we heard in the media that he was asking the federal government for just 1,800 officers, about a tenth of what was provided to you in Toronto.

Why didn't you focus on getting him those resources instead of conjuring up unprecedented use of extraordinary powers in the Emergencies Act?

**Hon. Bill Blair:** Just to be very clear, the planning for the G20 in Toronto was a process that was actually led by the RCMP and that took place over several months at considerable expense to the federal government at that time. All of those officers that you quoted—not all of them, frankly—were available for public order in Toronto, but that was a planned event as opposed to this spontaneous disruption of public order in Ottawa.

By the way, Mr. Motz, I think you're aware that there were officers—

**Mr. Glen Motz:** No, I would disagree with that.

You do know that this was planned weeks in advance. The Ottawa Police Service and officials of Ottawa were all involved in planning where they should be and where they should park. You were aware of that, right?

**Hon. Bill Blair:** If I may, Mr. Motz, I think you're aware that police services from across Ontario, the RCMP and OPP all had been providing, from the very outset of this event, police resources to the City of Ottawa to assist in maintaining public order, but there clearly was a lack of success in actually resolving the issues that were taking place in this. They were unable to move those vehicles, particularly at the border crossings, although the OPP and other police services were at Windsor—

**Mr. Glen Motz:** Thank you, Minister. It's my question time. I believe in fact you did state on February 13 to the national media that the lack of enforcement in the nation's capital was “inexplicable”.

Now, you were at the centre of discussions for invoking the Emergencies Act. Before the decision to declare this public order emergency, were you briefed that it was being proposed upon the recommendation of law enforcement?

**Hon. Bill Blair:** I'm not aware of any recommendation from law enforcement. Quite frankly, this was a decision of government. It's a decision of the government, although I think we have, quite appropriately, a responsibility to consult with our officials and to consult with various jurisdictions and others who have authority as to the challenges.

As you'll recall, with the act—

**Mr. Glen Motz:** If I'm hearing you correctly, then, the law enforcement did not provide advice or recommendations to invoke the act, as Minister Mendicino has been telling the country for the last few months.

**Hon. Bill Blair:** I appreciate the opportunity to provide clarity to your observation, if I may, Mr. Motz—

**The Joint Chair (Hon. Gwen Boniface):** I'm sorry. Mr. Motz's time is up.

**Hon. Bill Blair:** That may come at a later time.

**The Joint Chair (Hon. Gwen Boniface):** Mr. Naqvi.

**Mr. Yasir Naqvi:** Well, the time has come. Why don't you provide that clarity?

**Hon. Bill Blair:** Thank you very much.

The consultations I was having with law enforcement were with respect to the performance of their duties under the authorities that existed under the municipal bylaws, under provincial statutes and under the Criminal Code. They were clearly having difficulties in effecting the lawful purpose of restoring public order in the city of Ottawa, protecting the people of Ottawa and opening up those vital trade corridors that were being blockaded. Law enforcement was clearly having difficulties in doing that, and I needed to understand why. I asked them a number of questions about how they were performing their duties and what impediments they were encountering to do their job.

One of the considerations government has to consider before invoking the act is to ensure that no other law of Canada can be applied to these circumstances. I think it was absolutely essential and appropriate to consult with law enforcement to see why they weren't able to effect this lawful purpose so that we could, based on the information they provided, make decisions about what would enable them to do the job of restoring order, restoring peace, opening up those trade corridors and ending what was clearly a national emergency.

● (2020)

**Mr. Yasir Naqvi:** That's a very good point you're raising, because I've been curious about this. When you look at the order and the regulations under the Emergencies Act, it's a very precise set of powers, almost “surgical” in scope; I've used that word for it.

How did you go around as a government, as a cabinet, deciding what powers were needed to put an end to the occupation here in Ottawa and the blockades at border crossings?

**Hon. Bill Blair:** I think it's a very important question. We looked very carefully at what was taking place in Ottawa, in Windsor, in Coutts, Alberta, and across the country. We made a determination, based on information that we were receiving from our officials and from local law enforcement, about the challenges they were facing.

You'll notice in those provisions, for example, that we had heard from many jurisdictions that they were virtually unable to get the tow trucks they needed to remove those large heavy trucks that were being used in the blockade. Those vehicles anchored that blockade and made it almost impossible for the police to effect a peaceful resolution of those demonstrations because of the presence of the vehicles, and yet they had no ability to remove the vehicles. We added a provision in the legislation that allowed us to actually exercise some control and commandeer those vehicles from the tow truck companies. I think they were actually grateful that we did that, because it enabled them to do their job without fear of reprisal.

So we put that provision in there. It's an extraordinary measure. I want to be very clear that we were working closely with the Province of Ontario, which, as you'll recall, a few days earlier had invoked their own emergencies act with a number of very important measures. But they did not address that problem that law enforcement was facing, so we did it within our act.

There were also issues with respect to the need to designate certain spaces for effective action in order for the police to take effective action to protect those spaces. For example, we have the International Bridges and Tunnels Act that protects the Ambassador Bridge, but it didn't apply in these circumstances, because the blockades were set up on a municipal roadway. We needed the ability to exercise control over that space and to designate that space as a place to be protected under the Emergencies Act. That wasn't covered under any other federal or provincial or municipal statute.

**Mr. Yasir Naqvi:** Can you speak to us also about the timing of the invocation, not only in terms of dealing with the occupation here in Ottawa and the blockades but also in terms of a preventive element? I think you alluded to possible convoys to other border crossings also being in the government's mind when they were invoking these powers.

**Hon. Bill Blair:** Yes, sir. First of all, there was a very clear nexus between the demonstrations and the blockades that were happening here in Ottawa through fundraising and other activities, and frankly, auxiliary and spokes of the protest. We were seeing these rolling convoys, and they were popping up at a number of points of entry. Those points of entry, really, in my mind, elevated this to a very significant threat to national security, because that's critical infrastructure. Those transportation corridors, those vital supply lines, the connection to manufacturing in Ontario and other parts of the country, those are critical infrastructure issues in this country.

We believed it was necessary to end the blockades in Ottawa and to provide better protection to all of those points of entry because of the problems that law enforcement had encountered in keeping them open.

We had some success. For example, as a result of an RCMP investigation, a number of individuals were arrested for very serious crimes. The blockade was removed at Coutts, but it persisted at Emerson and the Pacific Highway. It took seven days to open the corridor at Windsor, but we were receiving strong intelligence, and frankly, the protesters were being quite vocal that they were going to roll on to the Blue Water Bridge at Point Edward. They were going to go to the Peace Bridge. They were threatening, and we believed that those points of critical infrastructure were also at risk. Preventive measure were taken to discourage that, and to do it in a

way that did not necessitate the use of an overwhelming force, but rather to create strong disincentives to the continued disruption and taxing of critical infrastructure, constituting a national emergency.

**The Joint Chair (Hon. Gwen Boniface):** Minister, I'm sorry, but Mr. Naqvi's time is up.

We'll move to Mr. Fortin.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

Good evening, Mr. Blair.

Thank you for your testimony, Mr. Blair. You may be one of the clearest witnesses we've had so far, for which I'm delighted.

We agree that the convoy that blocked Wellington Street in Ottawa had been expected for some time. An article published in *Le Nouvelliste* on Friday, January 20 of this year, one week before the convoy arrived, stated:

...next Friday, the truckers will meet before dawn at the border crossings at Saint-Théophile in Chaudière-Appalaches, Stanstead in the Eastern Townships and Saint-Bernard-de-Lacolle in Montérégie, then join up on Autoroute 40 in Vaudreuil, west of Montreal, and head for Ottawa.

Angry truckers will also be coming from other Canadian provinces that same day. If all goes to plan, the protest in Ottawa should peak around noon.

The newspapers predicted at least a week in advance that a large convoy of trucks from across Canada and even the United States would be arriving in Ottawa.

You were a minister at the time. What happened in cabinet? Did someone say that something should be done or that what was coming should be prevented?

● (2025)

[*English*]

**Hon. Bill Blair:** I think it's an important point of clarification regarding responsibility. First of all, lawful and peaceful protests take place every day in this country. Canadians have, under the Constitution and Charter of Rights and Freedoms, the right to engage in lawful and peaceful protest. In every case, it is the responsibility of the police jurisdiction to police that event and to facilitate that lawful and peaceful protest, and also to maintain public order and ensure that the rule of law and public safety are maintained.

I was aware of the police jurisdiction, because it was a publicly announced event, but I don't believe, Mr. Fortin, that the police had a full appreciation of its nature. This wasn't just a protest, with great respect, but a blockade. It was an encampment, and it was fortified by these big trucks. When they came, in my conversations with the police forces, this did not meet their expectations of what was going to transpire. They were prepared to police a protest, but this evolved very quickly into something more than a protest. It became an occupation.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** I apologize for interrupting, Minister. I don't mean to be rude, but our speaking time is limited.

Am I to understand that when cabinet saw the convoy headed for Parliament Hill, in Ottawa, that it decided not to get involved because it was the responsibility of the Ottawa Police Service?

Cabinet never considered what it could do to stop the convoy from coming.

Is that really true?

[English]

**Hon. Bill Blair:** Like all Canadians, I have opinions, but I am also very mindful that my responsibility, as a cabinet minister, is not to direct the police in any way—certainly the police jurisdiction, who are governed by provincial statute and not by the federal government.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** We are, after all, talking about Ottawa's Parliament Hill. A week earlier, the truckers said they would be coming to blockade Parliament and you said it was a matter for the City of Ottawa police.

Is that right?

[English]

**Hon. Bill Blair:** If I may, it is ultimately the responsibility of the police of jurisdiction, but they have every ability.... They do, frequently. There are strong collaborative relationships that I'm aware of—because I've been part of them in the past in a different role—of collaboration between all orders of policing at the municipal, provincial and federal level. They work together and support each other.

I will tell you, Mr. Fortin, I do not believe it appropriate for the government or a politician to give direction to the police on how to police this event. We make sure that they have the resources and authorities that they require, but it's their job to make those decisions.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** What would happen if it were to occur again, Mr. Blair?

Let's suppose that Friday, this week, the newspapers were to report that in a week, lots of trucks would be coming to blockade Wellington Street and Parliament.

Are you saying that you would let the Ontario Provincial Police and the Ottawa Police Service take care of it and that you wouldn't get involved?

Don't you have some kind of plan to prevent that from happening? Am I correct in saying that no measures would be taken and that it would be the same as last February?

[English]

**Hon. Bill Blair:** No. Let me be very clear.

First of all, I am personally confident that law enforcement and those security officials responsible for Parliament Hill have learned some lessons from what has transpired. They saw the difficulty that they encountered here. I have some confidence that they'll respond appropriately.

I will also tell you that I'm aware there are important discussions taking place within Parliament and PROC, for example. There is other work taking place to look at how we can perhaps deal with the entire capital hill precinct in a more effective way.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** Steps are being taken and the committees are looking into the matter to ensure that we will be better prepared in future, but at the government level, nothing has yet been planned.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Mr. Fortin, I apologize. Your five minutes is up.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

Thank you, Mr. Blair.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Mr. Green, you have five minutes.

**The Joint Chair (Mr. Matthew Green):** Thank you.

Minister, you're with us today as the Minister for Emergency Preparedness. When did you first become aware of the security threat, and when did preparations officially begin?

● (2030)

**Hon. Bill Blair:** First of all, we were aware, Mr. Green, that there was going to be a protest. That protest quickly manifested itself into something much more than a lawful, peaceful protest. It took on elements of criminality and occupation, and there was the presence of those vehicles.

Our officials continued to update us on a very regular basis on the efforts of law enforcement to properly resolve it.

**The Joint Chair (Mr. Matthew Green):** Minister, when did you first become aware that there was a security threat? We have public reports that the integrated terrorism assessment centre was providing briefings on the potential for ideologically motivated extremists. There are emails that have been made available between the National Capital Commission and the Ottawa police that were back and forth about the nature of this.

As the Minister for Emergency Preparedness, when did you first become aware that this could be a security threat? When did you begin your preparations?

I'm looking for a date, sir.

**Hon. Bill Blair:** I don't have that date in front of me. At the very earliest stages of this protest—then occupation—through the work of our officials, I was being regularly briefed. I have the benefit of briefings from our officials, and they were apprising us of their work. They were not seeking operational direction at that time, but I was receiving information about security concerns related to—

**The Joint Chair (Mr. Matthew Green):** Would you be willing to share those briefings with this committee sir, for clarity? We could perhaps contemplate them in camera.

**Hon. Bill Blair:** Unfortunately, Mr. Green, those were verbal briefings to me. I can only provide you with my recollection.

**The Joint Chair (Mr. Matthew Green):** Don't you take notes? As a former police officer for decades, don't you take detailed notes on your meetings?

**Hon. Bill Blair:** I've always been very careful with any notes or papers with respect to matters of significant confidence.

I received the benefit of verbal briefings from officials, but I do not take and carry notes from those meetings.

**The Joint Chair (Mr. Matthew Green):** Do your staff take or carry notes, sir?

**Hon. Bill Blair:** Again, I don't have that information. I have no notes with respect—

**The Joint Chair (Mr. Matthew Green):** You don't know if your staff take notes on your behalf at meetings? You don't know that, sir?

**Hon. Bill Blair:** What I can tell you is I have no notes from those briefings. I attended those briefings—

**The Joint Chair (Mr. Matthew Green):** I understood that. I'm now asking you if your staff took notes.

**Hon. Bill Blair:** I'll inquire, but I do not believe, frankly, that my staff have access to some of those confidential briefings that I am privileged to attend.

**The Joint Chair (Mr. Matthew Green):** Okay. It wouldn't be in the binder that you have before you. None of those briefings or records of those detailed documents are in there. Being able to refer to your notes to refresh your memory as you would have when you were—

**Hon. Bill Blair:** Unfortunately, Mr. Green, I've gone through this book quite extensively. None of those notes to which you refer are contained therein.

**The Joint Chair (Mr. Matthew Green):** In a more official capacity, the report to the Houses of Parliament under the Emergencies Act consultations outlined your participation in several discussions in advance of the declaration. Is it your position that there are no notes pertaining to those discussions under the official consultations of the Emergencies Act?

**Hon. Bill Blair:** No. It's my position that I did not carry personal notes from any of those consultations or discussions. I can only

speak to my own actions and notes that would be in my possession. I can't confirm for you—

**The Joint Chair (Mr. Matthew Green):** You're the minister of your department, sir. You have staff. Respectfully, they are responsible to you, so then I would ask, given that you're not taking personal responsibility, will you take ministerial responsibility to provide this committee with any notes that were taken by anybody at the meetings pertaining to the Emergencies Act consultations leading up to the invocation?

**Hon. Bill Blair:** Respectfully, Mr. Green, I take full responsibility for my job as a minister and for my own conduct, and as I've advised you—and I've advised you quite forthrightly—I attended a number of briefings. I did not personally take notes at those briefings, and I don't have those to share with you. I do have a recollection of those briefings, which I am prepared, as appropriate, to share.

**The Joint Chair (Mr. Matthew Green):** You heard my question, correct?

**Hon. Bill Blair:** But your question was based on quite frankly a premise that was incorrect, so I feel a need to correct that. If you want to modify your inquiry now—

**The Joint Chair (Mr. Matthew Green):** I'll do it by way of a motion at a further date in a more formal way.

Were there any military people involved in the operations pertaining to G20, sir?

**Hon. Bill Blair:** To the best of my knowledge, no—

**The Joint Chair (Mr. Matthew Green):** There was no military involvement—

**Hon. Bill Blair:** I'm assuming you're referring to the G20 meetings in 2010 that took place in the city of Toronto.

**The Joint Chair (Mr. Matthew Green):** That's correct.

**Hon. Bill Blair:** Certainly not in any policing function or any function where there was direct contact with the public....

• (2035)

**The Joint Chair (Mr. Matthew Green):** I'm sure you're aware of aid to civil authorities—

**The Joint Chair (Hon. Gwen Boniface):** Your time is up. Can you hold that until the next round?

**The Joint Chair (Mr. Matthew Green):** I sure can.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Mr. Fortin, will you take the chair?

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** Yes.

[English]

It's a good thing I take notes.

**Voices:** Oh, oh!

[Translation]

Ms. Boniface, please go ahead.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Thank you very much.

Minister, I want to revisit the provincial role. We come from similar backgrounds, so I was somewhat perplexed at the role of the province and what their emergency act provisions provided that weren't available in such a way that the federal act was required.

I'm trying to understand exactly what was the role of the province in their own emergency order.

**Hon. Bill Blair:** I have a note in front of me. I'll read part of it to you, if that's all right, Senator.

First of all, on February 11, the Premier of Ontario declared a province-wide emergency, as they put it, as a result of "interference with transportation infrastructure" and "other critical infrastructure" occurring across the province. In that, they made orders with respect to 400-series highways, airports, hospitals, etc., and an order prohibiting a number of activities, including travelling to and from critical infrastructure.

I think that, rather importantly, the emergency order did not create any arrest authority. It did not address the issue of the tow trucks. It did not allow us to designate certain spaces for certain activities by the police that were necessary in order to protect those places. It did not pertain to any financial measures to address some of the challenges that our financial tracking officials were facing in dealing with this effectively.

There were a number of areas that the province felt appropriate to issue their order, and they did, and, by the way, it included a number of fines that to the best of my knowledge weren't actually utilized. But I believe there were additional authorities that were required by law enforcement in order to bring about a peaceful resolution of that event and to address what we believed very sincerely was a significant threat to national security and therefore an emergency, so we brought those measures that were neither available in current legislation nor available in the Ontario emergency declaration.

**The Joint Chair (Hon. Gwen Boniface):** Thank you for that.

It still perplexes me what they chose.

I'm going back to a question by one of my colleagues on the preparations for the G20 meetings. You indicated that the time frame was much shorter in terms of what we had. Would it be fair to say, as you reflect on it, that the situation here in Ottawa particularly was at a point of overwhelming the capacity of the local and provincial police?

**Hon. Bill Blair:** I think that's a fair assessment. I think it was very clearly beyond the capacity of the Ottawa Police Service to do it on their own. They reached out very early. I had a number of conversations with law enforcement leaders across the province as well, who were sending resources to help, but I think it did exceed their capacity.

I think the police understood their responsibility to try to resolve this peaceably. They expressed to me a very sincere concern that their actions could result in a violent response and they were doing their very best to avoid that violence. We also gave consideration to those circumstances that they described in determining that we would be able to enact certain measures that would prove to be a

significant disincentive to the continued occupation of Ottawa and those critical points of entry at our borders.

That was also part of, frankly, my thinking on the measures that we were required to bring forward for how we could help law enforcement bring about a peaceful resolution of this matter.

**The Joint Chair (Hon. Gwen Boniface):** I appreciate that.

The integrated command was in place for some time. Was there any point where you or others in Public Safety or elsewhere in government considered putting the RCMP solely in charge of the operation here in Ottawa?

**Hon. Bill Blair:** It certainly wasn't available to us under the current legislative authority governing policing in Ottawa and in Ontario. I think that who's actually in charge is very clearly articulated.

As well, it's not a federal responsibility, if I may respectfully point out. The authority, with respect to providing adequate and effective policing services, is first of all with the local police services board. Ultimately, it's the responsibility of the solicitor general for the Province of Ontario.

I had a number of conversations with the Solicitor General and with other police leaders about the assistance that was being provided in this jurisdiction and in other places. We were talking about, for example, the bridge at Windsor. Actually, I know the commissioner of the OPP, as you do. He's a very experienced and capable police leader. I have a great deal of respect for and confidence in the leadership of all of the police services that were coming to help, but they were facing challenges where their existing legal authorities—municipal, provincial and federal—did not allow them to bring about a peaceful resolution.

Based on that information, we made decisions as to what needed to be done in order to facilitate that peaceful resolution.

• (2040)

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

I think my time is up.

**The Joint Chair (Mr. Rhéal Fortin):** Yes, it was exactly on time. I guess you probably check it yourself.

**The Joint Chair (Hon. Gwen Boniface):** Senator Carignan, you have five minutes.

[Translation]

**Hon. Claude Carignan:** Thank you, Madam Chair.

Minister, your colleague from the Department of Public Safety told us that he had invoked the Emergencies Act on the advice of the law enforcement agencies.

Were you there? Did you hear advice from the police?

Did you hear representatives from the police requesting that the Emergencies Act be used?

[English]

**Hon. Bill Blair:** No, sir.



Quite frankly, I would have been quite surprised if the police had actually made a policy recommendation or asked for any legislative authority. My conversations with law enforcement—and I had a number of them directly with them—were to ask about the challenges they were facing. There were issues of resource, but they were unable to effect their lawful purpose.

[Translation]

**Hon. Claude Carignan:** It was because of the tow trucks. It's all about the tow trucks. The police were unable to tow the vehicles away.

Is that correct?

[English]

**Hon. Bill Blair:** I think the tow trucks are a good example. I asked the chief here, and I also asked the RCMP, why they weren't tagging and towing those vehicles. In my experience, that's a very common thing for the police to do and they would do it in other jurisdictions, but the chief in Ottawa expressed to me what I believe to be a sincere concern that to do so would have been provocative and potentially would have led to violence. He also expressed a very sincere concern that it would be unsafe for his officers to enforce those laws.

[Translation]

**Hon. Claude Carignan:** In what way did the Emergencies Act facilitate the towing of the vehicles that were in Ottawa?

What additional power in the Emergencies Act or in the order made it possible for the law enforcement agencies to tow the vehicles?

Under the current legislation, a police officer may, without calling upon the Emergencies Act, require tow truck drivers to do their work. If a driver refuses, a criminal charge can be brought. The Criminal Code already gives officers the power to require that vehicles be towed.

What difference did the Emergencies Act make?

[English]

**Hon. Bill Blair:** Police services in every jurisdiction across the country have contracts with tow truck companies. They don't own the tow trucks themselves in the vast majority of jurisdictions. They have contracts. Part of those contracts is that those companies have the types of vehicles that are required to remove big tractor trailers.

Unfortunately, in every jurisdiction.... I'll share a letter that I have here—I brought copies of it—that I received from my ministerial counterpart in Alberta, Minister McIver. He said, I think very importantly, “Despite our best efforts to resolve this ongoing issue, the Royal Canadian Mounted Police...have exhausted all local and regional options to alleviate the week-long service disruptions at this important international border.” They were asking for help.

[Translation]

**Hon. Claude Carignan:** If you don't know whether the police, the law enforcement agencies, advised the use of the Emergencies Act, do you know who advised the government to do so?

[English]

**Hon. Bill Blair:** No. First of all, sir, the police did not advise me that the Emergencies Act should be used. The police were very clear about the challenges they faced.

**Hon. Claude Carignan:** I heard that. I got it.

**Hon. Bill Blair:** Good, sir.

There were a number of discussions among colleagues. I will tell you that based on the conversations I had and what I learned about the challenges that law enforcement was having, I did not—

[Translation]

**Hon. Claude Carignan:** Was it you who had the idea of invoking the Emergencies Act?

[English]

**Hon. Bill Blair:** I'm sorry?

[Translation]

**Hon. Claude Carignan:** Was it you who had the idea of invoking the Emergencies Act?

[English]

**Hon. Bill Blair:** Quite frankly—and I will acknowledge to you that I wasn't suggesting that the Emergencies Act be invoked—I believed that it was necessary for us to examine all of the legal options that were available to us to determine whether or not the emergency that existed met the legal threshold. I thought that was an important thing to examine, as was looking at whether there were authorities that at the time were not available in any existing law in Canada to assist the police and whether those measures were available to us then.

Another important consideration was whether they would be effective in helping to bring about a peaceful resolution to this event.

• (2045)

[Translation]

**Hon. Claude Carignan:** Who suggested freezing the bank accounts?

[English]

**Hon. Bill Blair:** I have no recollection of that recommendation.

If I can make just a further point... It's an issue of semantics, but there was no recommendation that there should be a seizure.

**Hon. Claude Carignan:** [Inaudible—Editor]

**Hon. Bill Blair:** No, it's an important clarification, if I may, sir, because the ability to freeze an account is—

**Hon. Claude Carignan:** Minister, if I froze your account for three days, perhaps you would say it was a seizure.

**Hon. Bill Blair:** With great respect, sir, “seizure”, I think, is well articulated in both criminal and civil law in Canada with respect to forfeiture.

**Hon. Claude Carignan:** Yes.

**Hon. Bill Blair:** That would account for a seizure. Freezing those assets—

**Hon. Claude Carignan:** I think the Supreme Court would disagree with you.

**Hon. Bill Blair:** But respectfully, in law there's a very significant difference between freezing an asset and seizing an asset, and there are very different legal procedures. There are very important and complicated legal processes—

[Translation]

**Hon. Claude Carignan:** I won't contradict you on that. But I can certainly tell you that when a bank account is frozen, that constitutes a seizure, according to the Supreme Court.

[English]

**The Joint Chair (Hon. Gwen Boniface):** Senator Carignan, your time is up. Thank you.

Senator Harder.

**Hon. Peter Harder:** Thank you very much, Chair.

Thank you, Minister, for being here.

Minister, I just want to thank you for your candour not only tonight but throughout the event as well. I note, for example, that early in the process of observing the occupation, you said that the police needed to do their job. Tonight you acknowledged that law enforcement was unable to bring a peaceful resolution to this.

That observation we enjoyed here in Ottawa for several days. Why did it take so long for the government to form a view that action had to be taken?

**Hon. Bill Blair:** First of all, we believed action had to be taken, but we also believed it was the responsibility of the police of jurisdiction. Frankly, I, as you can imagine, have great respect for the institution of policing and the delineation of responsibilities in Canadian law.

So we gave every opportunity and offered every support and resource to try to assist the police in bringing about that effective resolution, but they made it very clear that they were not successful and could not be successful without help.

They didn't tell us how to deliver that help, but they told us the problems they were having.

**Hon. Peter Harder:** When the Ontario government developed their emergency order, did they consult with you as to what that order should include?

**Hon. Bill Blair:** I was aware that they were considering it, but they didn't ask me personally. I was not personally consulted on that.

**Hon. Peter Harder:** What was included or excluded was, in a sense, their own decision.

**Hon. Bill Blair:** Of course it was their decision and their authority, and I was not consulted on what they would put in their act.

**Hon. Peter Harder:** There's an interesting simultaneous set of circumstances with the order being imposed and a change of police leadership in the police of jurisdiction.

How do you assess the role of the Emergencies Act and the change of police leadership in leading to what was a very successful police action?

**Hon. Bill Blair:** Senator Harder, that's a difficult question.

I think the actions we took in invoking the Emergencies Act and the measures that were introduced were necessary. Frankly, I think the principle of strict necessity is an important one. I believe very clearly that a state of emergency existed and that there was a very real threat to our national security, particularly in critical infrastructure, as a result of the actions of these protests and occupations.

I also believe that providing those new authorities did a number of things. I think it provided the police with the tools and resolution of challenges that they hadn't up until that point been able to overcome, but I also think it sent a very clear message to those who were engaged in that unlawful activity that the game was over and that there were going to be consequences for their continued actions. We saw that. We witnessed that. A lot of them just packed up and left. With respect to those who didn't, the police still had a job to do and they went out and did it. By the way, I will take this opportunity to commend them for the very professional way in which they did it.

**Hon. Peter Harder:** I agree with that.

I have one last quick question. I just want to confirm with you, both from your police experience and then your ministerial role, that in your view it would be inappropriate for the police to ask the government to invoke the act. It is not for them to ask government what emergency measures ought to be invoked by the government.

• (2050)

**Hon. Bill Blair:** No, I do not believe that would have been an appropriate thing for law enforcement to ask, and they did not ask. What they did is honestly answer our questions about the challenges they were facing. That information did inform, ultimately, our decision—

**Hon. Peter Harder:** It is an obligation to consult—

**Hon. Bill Blair:** —but it wasn't based on their request. Yes, exactly.

**Hon. Peter Harder:** Thank you.

**The Joint Chair (Hon. Gwen Boniface):** Thank you, Senator Harder.

We'll move to Senator White.

**Hon. Vernon White:** Thank you very much, Madam Chair, and thanks to the minister for being here today.

I have a couple of quick questions.

We talked about the invocation of the provincial emergency act, and the fact that I think maybe your words summarizing it had little or no impact. Did you have any discussions with them about going back to the well and adding some tools that you felt were missing from their original invocation?

**Hon. Bill Blair:** No, Senator, I did not have that conversation with the province.

**Hon. Vernon White:** Do you believe they should have had the discussion? Obviously, it didn't work. Proportionality is an important part of an emergencies act, whether it's provincial or federal. Obviously, their tools weren't proportional to the challenge if they weren't actually having an impact on the challenge. Do you believe they should have given more consideration to the fact that it had little or no impact on the actual removal of the blockades?

**Hon. Bill Blair:** I believe that they acted in good faith, and they took the steps necessary and invoked the authorities that they believed were within their authority to enact under provincial legislation. I also believe there were a number of things that perhaps weren't available to the province that became our responsibility.

I would point out—and I know you're already aware of it Senator, as is this committee—that there were consultations with the premiers across the country, including with the Premier of Ontario, before we invoked our federal legislation and the Emergencies Act.

I think it was really a determination of a proportional and appropriate use of authorities at various levels of government. I think we had a shared commitment to bringing about a peaceful resolution, and we were both prepared to take whatever actions would enable that to happen.

**Hon. Vernon White:** Thank you for that.

In our discussions with the RCMP, we were told there was a plan in place to remove the convoy. In fact, we were told by the deputy commissioner that they believed that the plan would succeed in removing the convoy, blockade, or “fortressing”, as I've called it, in the downtown core.

Did you have an opportunity to review that plan prior to the invocation of the act?

**Hon. Bill Blair:** I did not engage, myself, in the operational responses of the police. I actually have a great deal of respect for the operational integrity and independence of the police to make the determination. They are governed by the rule of law, by the Charter of Rights and Freedoms, and my expectation is that their response would be effective and proportional.

What we did witness is that for a number of weeks the law enforcement response, not just here in Ottawa, but particularly here in Ottawa, had not been able to resolve those blockades of critical infrastructure in this country in a timely way. The blockades in Windsor, for example, went on for seven days. Ultimately, the police were successful in removing that blockade, but at an enormous cost not just to the economy of Canada, but to people. Workers who were idled when their plants were cut lost their hours. They lost their ability to support and feed their families

There was a very real impact by those blockades for those Canadians.

**Hon. Vernon White:** If I may, Minister, prior to invoking the Emergencies Act, wouldn't we have wanted to see what their plan was going forward? Obviously, their plan for the first number of weeks didn't work, but we were told by the RCMP, which is a federal agency, that they actually had a plan that they felt was going to work just days prior to the invocation. Do you know if the Minister of Public Safety, to whom there is a more direct link with the RCMP, had reviewed that plan to see whether or not...? In other

words, did they believe this plan would be unsuccessful and that they needed to do something else? Do you know if anyone in the government saw that plan?

**Hon. Bill Blair:** I can only speak for myself, Senator. What I can tell you is that I did not see any evidence of a plan that would effectively end these illegal blockades and the enormous impacts they were having on this community and Canadians right across the country. I did not see evidence of a plan to effectively deal with that.

One of the most important things, and I keep on coming back to it, is that people say, “Well, getting the tow trucks there to remove those vehicles is a trivial matter”, but it was not. In fact, with those trucks—you referred to it as a “fortress” in this community—a somewhat fortified encampment was taking place at our borders. The inability of law enforcement to have those trucks removed from those locations very significantly impeded their ability to end those occupations and to remove that threat. Therefore, it was something that we felt we needed to do.

There were a number of other measures that similarly were necessary to designate certain spaces for law enforcement action, for example to deal with particular situations where people were bringing children into those areas, which made law enforcement's job really difficult and dangerous.

• (2055)

**Hon. Vernon White:** If I may add, because the chair is going to stop me, did you express concerns with the mayor of Ottawa, who was negotiating with people who had become involved with criminal activity, to allow them to take certain land and further fortress it to give up other land?

**Hon. Bill Blair:** First of all, I did not have any conversations with the mayor about his negotiation.

However, I would make the observation that as a result of... When I saw the document of what had been agreed to and what they had allowed in order to get the blockades and the protest activity out of certain areas, and to limit those only to Wellington Street and the Sir John A. Macdonald Parkway, it struck me as a bit of a challenge for law enforcement officers in their response, because that could be interpreted as the mayor's giving the protesters permission to be in that place.

**The Joint Chair (Hon. Gwen Boniface):** Minister, I'm afraid the time is up. I apologize.

**Hon. Vernon White:** Thank you very much, Madam Chair.

Thank you, Minister.

**The Joint Chair (Mr. Matthew Green):** I have a quick point of order. I'm looking at the Zoom screen, and it appears that perhaps the clerk and the French interpreter may still have their mikes on, which might be causing us some of the feedback. There's no mute icon on their screens, unless there's no mike attached to it.

**The Joint Chair (Hon. Gwen Boniface):** I understand there's no mike attached.

**The Joint Chair (Mr. Matthew Green):** What about with the French interpreter? It doesn't appear that there is a mute.... There's some feedback coming. I've done two and a half years on Zoom, and I've never had this type of cross-feedback.

**The Joint Chair (Hon. Gwen Boniface):** Continue Mr. Green, and we'll look into it while that's taking place.

We'll now go the next round. I'm looking for direction from the committee. We can have four minutes for some members, and three minutes for others. We do have enough time. Instead of doing the one-minute round at the end, we could go for five minutes. If members want to share their time with others, they can do so. I spoke to some, but I'm just making sure everybody would be agreeable to that.

**Mr. Arif Virani:** Madam Chair, I'd prefer to stick to the rules that we've established for this committee, which is that the next round should be a four-minute round.

**The Joint Chair (Hon. Gwen Boniface):** That is the motion on the floor, so it's my understanding that we have to conform to the motion.

We'll go to Mr. Brock, for four minutes.

**Mr. Larry Brock:** Good evening, Minister Blair. I want to sincerely thank you for attending today.

As an observation, and in line with Senator Harder's comments, I really want to sincerely thank you for your candour and your willingness to respond appropriately to every question that has been put to you. You have been non-evasive, and you have been giving us substantive answers.

The whole process is to get to the truth, to determine whether or not there was a legal justification for the invocation of the act. Unlike the Deputy Prime Minister, who wasted 90 minutes of precious committee time, I sincerely thank you.

I wish to start off, however, describing my bewilderment and astonishment that someone with your experience in government, someone with your experience in policing for several decades, and someone who has participated in the invocation of emergency powers that have never been used in the history of this country, would not take notes. I find that absolutely incredible.

I want to ask you very clearly, in any discussion with cabinet or your officials in your department, are you telling this committee that you did not keep any notes? There was no note-taking by you, regardless of the number of meetings?

**Hon. Bill Blair:** Mr. Brock, that's, in fact, true. I do not keep notes.

**Mr. Larry Brock:** Thank you.

I'm going to present to you a series of questions that in my view have seriously undermined the confidence of Canadians in this government as to the rationale behind the invocation of the act. I'm going to ask you whether you agree or disagree.

Minister Mendicino has been under fire as of late in the House and in the press because he has made it abundantly clear that it was on the advice of non-partisan law enforcement that the invocation of the act was established. We now know that neither the RCMP

nor the Ottawa police asked the government to invoke the act, despite those claims.

Do you agree or disagree?

• (2100)

**Hon. Bill Blair:** Because I do want to be very candid and forthright with this committee, the police did not ask me—

**Mr. Larry Brock:** Thank you.

**Hon. Bill Blair:** If I may—

**Mr. Larry Brock:** No, you answered my question.

I have limited time, sir. With all due respect, I have limited time.

**Hon. Bill Blair:** To be very clear, it's an important question you've asked, sir.

They provided me with the information that I acted upon and that I believed to be true, which informed my subsequent decision of support for the Emergencies Act.

**Mr. Larry Brock:** Thank you, Minister.

Minister Mendicino also falsely claimed and misled Canadians into believing that the “freedom convoy” protesters attempted to set fire to an Ottawa apartment after locking residents inside, which according to Ottawa police was not true.

Do you accept that?

**Hon. Bill Blair:** In part.

**Mr. Larry Brock:** Thank you.

**Hon. Bill Blair:** First of all, I'm aware that it was not related to the protest. I don't ascribe any other motive to anyone else.

**Mr. Larry Brock:** Thank you.

Despite reports of illegal guns in the cabs of some truckers protesting in Ottawa, no gun charges have been laid to date.

Despite claims by Minister Mendicino that women were threatened with sexual assault by protesters, no sexual assault charges have been laid to date.

Do you accept that?

**Hon. Bill Blair:** If I may provide a clarification, I was advised by the RCMP that in their investigation of part of the blockades that were taking place in Alberta, they did have reliable information and intelligence that there were fire arms present. They subsequently conducted an investigation, and they've laid charges.

That matter is now before the court, and I'm not going to comment because it's inappropriate to do so, but in that case there were firearms present, and they represented a significant threat to public safety and to the police conducting the investigation.

**Mr. Larry Brock:** That was in Alberta.

There were no guns found in Ottawa.

**Hon. Bill Blair:** Again, that's information better provided to you by the police.

I don't have all the particulars of their investigations, and I'm not going to comment. It's not appropriate to do so.

**The Joint Chair (Hon. Gwen Boniface):** Thank you, Mr. Brock.

**Mr. Glen Motz:** I have a point of order, Chair.

This minister just inferred again that the guns found in Coutts were somehow protesters', and that is not true. The RCMP has made it very, very clear that it's not true—

**Ms. Rachel Bendayan:** I have a point of order, Madam Chair. I don't believe there is debate—

**Mr. Glen Motz:** I am not done.

**Ms. Rachel Bendayan:** That is not a point of order. What is the point of order? Is it relevance, because otherwise—

**Mr. Glen Motz:** I am not done.

**Mr. Larry Brock:** Let him finish before you assess that.

**The Joint Chair (Hon. Gwen Boniface):** Can I be the chair, please?

Mr. Motz—

**Mr. Larry Brock:** It's not a debate. Out of respect, allow him to finish the point of order.

**The Joint Chair (Hon. Gwen Boniface):** Mr. Brock, we will allow Mr. Motz to speak.

**Mr. Glen Motz:** Thank you, Madam Chair.

I think it's important that this committee hear accurate information. Canadians do want accountability and transparency, but to suggest, even remotely, or infer that the firearms at Coutts were somehow related to the protesters, as we all know, is false—

**Ms. Rachel Bendayan:** On a point of order, Madam Chair, the witnesses testimony stands—

**Mr. Glen Motz:** —and the RCMP has made that clear—

**Ms. Rachel Bendayan:** —and this member is not raising a point of order, Madam Chair.

**Mr. Glen Motz:** The RCMP has made it clear that it was a criminal organization that had no ties to the protesters, so don't suggest anything otherwise.

**The Joint Chair (Hon. Gwen Boniface):** We'll leave it at that.

Ms. Bendayan, please go ahead.

**Ms. Rachel Bendayan:** I would like a ruling on the point of order, Madam Chair.

**The Joint Chair (Hon. Gwen Boniface):** It's not a point of order.

Go ahead.

**Mr. Arif Virani:** Madam Chair, I'd like to speak to the same point of order.

**The Joint Chair (Hon. Gwen Boniface):** I just indicated it's not a point of order, and I asked Ms. Bendayan to go ahead.

**Mr. Arif Virani:** I would ask that the speech-making, then, be struck from the record, because you can't bootstrap your time by raising non-existent points of order to voice your disagreement with a witness's testimony. It's inappropriate, and I think Mr. Motz is beyond that.

**Mr. Glen Motz:** When a statement is false, you have to correct it. Otherwise, what are we doing in the House?

**The Joint Chair (Hon. Gwen Boniface):** Can we go ahead, Ms. Bendayan?

**Mr. Arif Virani:** I guess we can agree to disagree on what a false statement is, Mr. Motz, but thanks for raising a non point of order.

**Ms. Rachel Bendayan:** Madam Chair, if we are open to questioning the legitimacy of statements made, then Mr. Motz, earlier, impugned a statement of Minister Freeland's, which was entirely incorrect. He mis-characterized her testimony—if we are free to make those interventions.

● (2105)

**The Joint Chair (Hon. Gwen Boniface):** I would ask us to proceed.

Go ahead, Ms. Bendayan.

**Ms. Rachel Bendayan:** Thank you, Madam Chair.

Minister Blair, thank you very much for your testimony today.

I would ask for your views on a letter dated February 5 from the Government of Alberta. I recall seeing this letter, which was made public and reading it into the record of the House. It says, in part, that the RCMP “have exhausted all local and regional options to alleviate the week-long service disruptions”. They were asking the federal government for urgent assistance.

Do you recall that letter, Minister?

**Hon. Bill Blair:** I do recall the letter and, to help this committee, brought copies for all the members, if you'd like me to table it.

**Ms. Rachel Bendayan:** I would. I was not aware. Please do so.

Do you have any other such letters or communications from other provinces? If you have anything else you'd like to table with the committee, I would certainly be open to that.

**Hon. Bill Blair:** I have a letter that I think is relevant, as well. It is dated February 11 and was written to the Prime Minister. I have a copy of it, because it was also copied to me. It's from the Premier of Manitoba, who talks about the critical trade corridor, and the order and constant movement of traffic as an indispensable link and supply chain relied upon by all Manitobans.

**Ms. Rachel Bendayan:** Thank you, Minister, and thank you for providing us with those copies.

What were you hearing from provinces and municipalities prior to the invocation of the Emergencies Act? I'm specifically looking to understand whether what was being requested was possible to provide, at the federal level, without invoking the Emergencies Act. Were they asking for things that, in your opinion, we needed to provide through the Emergencies Act and the regulations and powers exercised under it?

**Hon. Bill Blair:** Thank you.

If I may say, one of the things the minister from Alberta was asking for was.... He was trying to get access to tow trucks. They couldn't get them from the towing companies in Alberta. They just wouldn't come, for a number of reasons that he articulated to me. He asked if the Canadian Armed Forces had appropriate vehicles that were fit for the purpose of removing and towing up to 70 vehicles off the Coutts highway, so we inquired. That's one of my responsibilities, because I respond to requests for assistance.

We inquired with the Canadian Armed Forces. They advised they did not have appropriate vehicles for that purpose. Minister McIver, quite respectfully, was not the only one facing the enormous difficulty of getting those vehicles removed. They were being used to anchor those protests. It really was a significant challenge for law enforcement and illustrative of some of the challenges being asked of us.

We responded, through one of the measures of the Emergencies Act, by making it available to basically commandeer those vehicles and make sure they were available for the purposes they were required for.

**Ms. Rachel Bendayan:** I understand you're quite familiar with the swearing-in of RCMP officers. Can you tell us how the invocation of the Emergencies Act assisted us in providing personnel to support?

**Hon. Bill Blair:** That's correct.

I've been involved in this a number of times. As a police officer, I used to come up to Ottawa to help with big protests up here, too. We've always faced a challenge. Police officers coming from anywhere else across the country, particularly RCMP officers, are not sworn in as constables for the province of Ontario and are therefore unable to enforce certain laws and provisions in this jurisdiction.

In order to facilitate the movement of police officers from across Canada so they could come to Ottawa to help with these measures, a section in the Emergencies Act allowed those RCMP officers to act as police officers here in the province of Ontario, or anywhere else in the country where they required that authority.

**Ms. Rachel Bendayan:** Earlier in your testimony you mentioned threats of blockades reappearing. I understand that police stated publicly that they intercepted a convoy of individuals headed from Ottawa to re-blockade the Ambassador Bridge. Were you aware of that?

**Hon. Bill Blair:** This was information—

**The Joint Chair (Hon. Gwen Boniface):** Minister—

**Hon. Bill Blair:** —that we were receiving from intelligence sources: that there was a very serious concern among law enforcement—

**The Joint Chair (Hon. Gwen Boniface):** Minister, I'm sorry. Ms. Bendayan's questioning is finished. I apologize. Thank you.

We'll move to three-minute rounds now.

Mr. Fortin.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

I've had a quick look at the letters you've just given us, Minister. They are dated February 5, 2022. One is from the Premier of Manitoba and the other from the Premier of Alberta. They appear to have been overwhelmed by the situation.

When you invoked the Emergencies Act, a document concerning consultations with the premiers about the emergency measures was appended.

Did you read that document at the time?

• (2110)

[*English*]

**Hon. Bill Blair:** Yes, sir. I did.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** The document indicates that the Premier of Alberta said on Twitter that the Alberta government was opposed to the invocation of the Emergencies Act. That was on February 14, 2022.

It also indicates that the Premier of Manitoba said that the situation varied considerably from one province and territory to another. With respect to this declaration, she said she was not yet convinced that the Emergencies Act should be invoked in Manitoba. Given the immense scope of this never-before-invoked act and the signal that would be sent by using it, she felt that it would not be constructive to use it in Manitoba.

So, on February 14, 2022, the respective premiers of Manitoba and Alberta told you that they did not need the Emergencies Act.

But the government invoked it anyway. Don't you find that somewhat surprising?

[*English*]

**Hon. Bill Blair:** Well, frankly, no, Mr. Fortin, I'm not surprised by it.

What I can tell you is that there is a requirement under the Emergencies Act that consultation take place with the ministers. That consultation did take place. I only—

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** But you clearly didn't follow their recommendations.

I apologize for interrupting, Mr. Blair. I'm being very rude, but we don't have much time.

[*English*]

**Hon. Bill Blair:** Of course.

[*Translation*]

**The Joint Chair (Mr. Rhéal Fortin):** When the police cleared Wellington Street in Ottawa, there was nothing magical about it. No army tanks, helicopters or emergency response teams were deployed. We didn't see anything like that. The police arrived calmly and slowly, and cleared the protesters. After that, the tow trucks towed all the vehicles away.

I personally didn't see anything that would lead me to think it all happened thanks to the Emergencies Act. It looked to me like a straightforward police operation, such as you might have carried out during the G20 Summit or other events.

Can you explain to me how this clearing of Wellington Street depended on the powers conferred by the Emergencies Act?

[English]

**Hon. Bill Blair:** Yes, sir. I think there were some very important provisions that were made available to the police that supported their resolution of that event.

For example, they were able to get tow trucks for the first time. They weren't previously—

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** I'm sorry, Minister. I'm not interested in knowing what it was possible to do, but rather what was actually done.

Were emergency measures used to clear Wellington Street? It didn't look like it when we watched what was happening on TV.

[English]

**The Joint Chair (Hon. Gwen Boniface):** *Merci*, Mr. Fortin. I apologize. I've been generous with the time.

Mr. Green, you have three minutes.

**The Joint Chair (Mr. Matthew Green):** Thank you.

Minister, I've talked in the past about the juxtaposition between the different styles of policing. I've referenced what's gone on with the Wet'suwet'en and "lethal overwatch". We've talked about the G20.

In your opinion, how would you care to comment on the juxtaposition? How do you explain to Canadians that the folks who were protesting the G20 were met with riot gear, kettling and mass suppression of their charter rights and that the folks who were in Ottawa here essentially had the red carpet laid out? They were provided with provisions for off-site accommodations, and there was oftentimes actually the appearance of almost a collaboration between the police and the occupiers.

Can you comment on the juxtaposition of those two states of policing in Canada?

**Hon. Bill Blair:** It's a very important question. Thank you, Mr. Green.

I think it's important for us to understand the principle of proportionality in the response of the police. As I've said, it is the responsibility of the police to uphold the charter, to facilitate lawful peaceful protest, and when that protest becomes unlawful, then they also have the responsibility to uphold the law but to do it in a way which uses minimal force—

**The Joint Chair (Mr. Matthew Green):** I'll stop you there. Thank you for that.

**Hon. Bill Blair:** Your question requires a more fulsome answer. You can stop me if you like.

**The Joint Chair (Mr. Matthew Green):** You can provide it to us in writing, if you would like to, at the end. I have two minutes left.

Chief Sloly said there may not be a police solution to the demonstration, and has since stated that our institutions and police service were unprepared for the convoy.

Do you agree with that assessment by the former chief of police?

**Hon. Bill Blair:** I accept Chief Sloly's assessment that he was unprepared for what took place in Ottawa.

**The Joint Chair (Mr. Matthew Green):** As the minister responsible for emergency preparedness, what responsibility do you take for the unpreparedness for a mass movement protest in the nation's capital?

**Hon. Bill Blair:** I would point out that Chief Sloly is accountable to his police services board and through the—

**The Joint Chair (Mr. Matthew Green):** I'm talking about you, sir.

**Hon. Bill Blair:** Again, sir—

**The Joint Chair (Mr. Matthew Green):** As the minister responsible for emergency preparedness, ostensibly, you would have protocols in place for blockades on major ports of entry and for the nation's capital.

What responsibility do you take for the lack of preparedness leading to the events that occurred during the occupation?

• (2115)

**Hon. Bill Blair:** What we saw is that they didn't set up on federal land. They went to a municipal land. I think they were exploiting—

**The Joint Chair (Mr. Matthew Green):** Wouldn't you appoint protocols for the country as the minister responsible for emergency preparedness under anti-terrorism protocols or all of the other things that came after Bill C-51? Are you saying that within your mandate letters, it is not your responsibility to be prepared for and to have a national plan for a state of emergency?

**Hon. Bill Blair:** There is, but not—this was not a terrorist event. To be very clear, Mr. Green, this was not a terrorist event. This was an illegal blockade—

**The Joint Chair (Mr. Matthew Green):** It was an emergency.

**Hon. Bill Blair:** It was a criminal offence. In many of those places, it is the responsibility of the police of jurisdiction and we support them.

**The Joint Chair (Mr. Matthew Green):** Didn't it meet the threshold for your responsibility? It wouldn't meet the threshold for it being under your responsibility as an emergency. Is that what you're stating today, on the record?

**Hon. Bill Blair:** It evolved into a situation that constituted an emergency. It wasn't an emergency in its initial days. It was an enormously challenging and difficult public order problem for the police of jurisdiction here in Ottawa.

**The Joint Chair (Mr. Matthew Green):** You're the minister of emergency preparedness—

**Hon. Bill Blair:** As it manifested itself at borders, it became a more significant—

**The Joint Chair (Mr. Matthew Green):** —and we were unprepared.

**Hon. Bill Blair:** It elevated to the level of...it elevated at our borders to an issue of a national security threat and a threat against critical infrastructure.

**The Joint Chair (Hon. Gwen Boniface):** The time is up.

**The Joint Chair (Mr. Matthew Green):** Will you acknowledge that you weren't prepared, sir?

**The Joint Chair (Hon. Gwen Boniface):** Mr. Green, your time is up.

Go ahead, Senator White.

**Hon. Vernon White:** I'm going to jump right into it, because you made a statement that it allowed for the use of RCMP officers and other officers from other services, but there is another alternative that we can swear them in as.

I'm sure you have been involved in the swearing in of RCMP officers for G8 and G20 events. Here on every Canada Day, I think we swear in 700 or 800 RCMP officers so that they can perform the same duties as a municipal police officer.

Is that correct?

**Hon. Bill Blair:** Yes. It takes time, Senator. That was the challenge. It takes time, and we were trying to facilitate a quick response for the needs of the city of Ottawa and the jurisdiction.

**Hon. Vernon White:** That's perfect. Thanks for that. I didn't want to leave it out there that there was only one option.

Can you tell us, in your 37 years of policing, give or take a couple of years, have you ever seen any event like this? You policed in Toronto, the biggest city in the country. Have you ever seen anything like this?

**Hon. Bill Blair:** I've policed an awful lot of protests in my life, Vernon. I was the public order commander in Toronto for about nine years. Of course, I was the police chief there for 10 years. I also helped in other jurisdictions in public order events.

I think there were some very unique challenges in the circumstances that arose here. I've never seen a situation where trucks were used in this way, to essentially create a blockade or a fortress that made the movement of people.... Moving people around in a protest is a relatively straightforward activity. It's difficult at times, but it's doable. Those trucks made it particularly challenging.

The targeted actions that were taking place at our border clearly intended to cause maximum harm to Canadians and the Canadian economy, and it represented a significant challenge because of the jurisdictions that were overlapping and conflicting.

**Hon. Vernon White:** Quickly, we had legislation come from the other place into the Senate with regard to protests in relation to health officials, nurses and hospitals. There was consideration given in our legal committee to adding something to make it illegal to use vehicles to participate in those protests.

Is it time for us to pass legislation in this country to make it illegal to use vehicles in those protests?

**Hon. Bill Blair:** I think it's a very important conversation we should have here in Parliament. There are a number of considerations that need to be fulsomely examined.

Certainly, the use of vehicles was complicated in these circumstances. We also have to give consideration to taking the steps that are necessary—this is part of my responsibility—to ensure that the critical infrastructure, including manufacturing in those essential trade corridors, has the necessary authorities that can be used to protect them.

**Hon. Vernon White:** Thank you, Madam Chair. I'm finished.

**The Joint Chair (Hon. Gwen Boniface):** Thank you, Senator.

Senator Carignan.

[*Translation*]

**Hon. Claude Carignan:** Thank you, Madam Chair.

Minister, Senator White was just talking about the RCMP's plans to remove the barriers. On February 12, 2022, the Ottawa Police Service released the following notice:

All available officers were deployed last night. We have a plan to end this unlawful occupation and await the necessary reinforcements to do so.

On February 12, 2022, the Ottawa Police Service said that it had a plan.

Were you informed of this plan?

● (2120)

[*English*]

**Hon. Bill Blair:** We were from open sources. I of course read the media and watch the TV as everyone else does, but I had not seen the particulars of a plan, and, frankly, the situation that existed here in Ottawa and in other places in Canada required more than just more people. It required the ability to deal with some very difficult issues that they were confronted with.

[*Translation*]

**Hon. Claude Carignan:** A plan was also needed.

[*English*]

**Hon. Bill Blair:** Of course.

[*Translation*]

**Hon. Claude Carignan:** You didn't speak to representatives of the Ottawa Police Service for information about their plan.

Is that right?

[*English*]

**Hon. Bill Blair:** Again, Senator, respectfully, that is an operational activity of the police of jurisdiction, and it's not appropriate for me to engage in any...on that.



[Translation]

**Hon. Claude Carignan:** Did you know that the Ottawa Police Service towed some vehicles and trucks on February 10, 2022?

[English]

**Hon. Bill Blair:** There were some very small vehicles—cars.

[Translation]

**Hon. Claude Carignan:** No, I mean trucks.

[English]

**Hon. Bill Blair:** How were they removed, sir? Could you clarify that?

[Translation]

**Hon. Claude Carignan:** Are you aware that the Ottawa Police Service towed some trucks on February 10, 2022?

[English]

**Hon. Bill Blair:** I'm not aware of that, sir.

[Translation]

**Hon. Claude Carignan:** Okay.

So you didn't speak to representatives of the Ottawa Police Service about their plan. On February 12, 2022, they said they had a plan. On February 10, 2022, it had been possible to tow some trucks. On February 13, 2022, the blockade at the Ambassador Bridge was dismantled, vehicles were towed away and the bridge was reopened. On February 13, 2022, at 8:30 a.m., there was a cabinet meeting and cabinet concluded that there was no option other than invoking the Emergencies Act to put an end to the occupation.

[English]

**Hon. Bill Blair:** To be very clear, the blockade at the Ambassador Bridge, for example, took seven days to clear, and there were strong indications and evidence that it was the intention of the blockaders to return to that bridge and other bridges.

We weren't going to play whack-a-mole with this, because if it was going to take seven days to clear, the hourly impact, economic and personal, for Canadians of those blockades was enormous and significant, and we wanted to make sure that we ended that threat conclusively and forever.

[Translation]

**Hon. Claude Carignan:** My understanding is that you did not know there was a plan, you didn't receive a notice from the police, and you were informed about their plan. From high up in your tower, you decided that the Emergencies Act had to be invoked.

Is that correct?

[English]

**Hon. Bill Blair:** Senator, to be very clear, I was aware of the work that the police were doing, but I was not briefed on their plan nor should I be.

[Translation]

**Hon. Claude Carignan:** Who was it?

We get the impression that members of cabinet don't speak to one another. No one was informed by the police that they had a

plan and that they could tow the vehicles. It looks like cabinet was completely disconnected from reality.

[English]

**Hon. Bill Blair:** Senator, to be very clear, your characterization is incorrect. The police did not at any time tell me that they were prepared to resolve this effectively and that they had the tools to do so.

**The Joint Chair (Hon. Gwen Boniface):** Minister, I'm sorry, but I have to cut you off there.

We have six speakers. We have one minute each. We'll start with Mr. Motz.

**Mr. Glen Motz:** Thank you, Madam Chair.

Minister, the protest in Coumts, Alberta, was resolved the day before the Emergencies Act was invoked. Police in Coumts addressed the situations there without the measures provided in the Emergencies Act. Further, we know that the blockade at the Ambassador Bridge in Windsor was also cleared by law enforcement prior to the invoking of the Emergencies Act.

Given what we know already, was invoking the Emergencies Act truly justifiable given the threshold that has to be met, that it can be used only if no other law in Canada will suffice?

**Hon. Bill Blair:** Thanks for the question.

The resolution in Coumts coincided with the culmination of a police investigation involving the seizure of firearms and a number of people involved in a very serious series of events that resulted in charges now before the court.

We also had indicated that we were taking action and, I think, probably rational people took the advice and left that jurisdiction. Mr. Motz, to be clear, the dismantling of the blockade in Coumts did not end the threat in Alberta or anywhere else in Canada. These blockaders made very clear their intention to continue to disrupt our border.

**The Joint Chair (Hon. Gwen Boniface):** Minister, thank you. I'm going to have to cut you off there. I apologize again.

Mr. Virani, you have the floor.

**Mr. Arif Virani:** Thank you, Minister.

I have four really quick questions.

With respect to something Mr. Fortin raised, isn't it correct that with the invocation of the Emergencies Act, as you indicated, the mere fact of having invoked these powers was incentive for some people to leave the illegal blockade; thus, that reduced the size and number of blockaders, which then made eventual clearing easier because there were fewer people to clear out?

● (2125)

**Hon. Bill Blair:** I believe that's very obviously true, yes, sir.

**Mr. Arif Virani:** With respect to a question from Mr. Brock, my understanding is that when the eventual clearing of people was being undertaken—yes, they did it peacefully and they should be saluted. I agree with you on that, but at least one point in time, blockaders attempted to remove a revolver or a firearm from some of the police that were doing the removal. Is that your understanding as well?

**Hon. Bill Blair:** I don't have any information on that, Mr. Virani.

Sometimes that can be a difficult job, but I think the police did it very well.

**Mr. Arif Virani:** Ms. Boniface asked you about the difference between the provincial declaration and the federal declaration. My understanding is that the provincial declaration had power only to deal with trucks that were plated in Ontario or licensed for insurance in Ontario, but the declaration didn't have jurisdiction over trucks that would be plated or insured in Alberta. Is that correct?

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Mr. Fortin, you have one minute.

[Translation]

**The Joint Chair (Mr. Rhéal Fortin):** Thank you, Madam Chair.

Minister, I read the two letters you gave us. The respective premiers of Manitoba and Alberta asked the federal government to take action, but nowhere does it say you were asked to invoke the Emergencies Act. You were asked for assistance in the form of providing equipment and staff to tow the vehicles.

Once again, when we look at the appendix we spoke about earlier, it's clear that three provinces asked for the Emergencies Act to be invoked. These were Ontario, British Columbia, and Newfoundland and Labrador. The other provinces were all against it.

On what exactly did you base the decision to invoke the Emergencies Act, Minister? The provinces didn't want it, and the police were not asking you for it.

What were your grounds for deciding to invoke the Emergencies Act?

[English]

**Hon. Bill Blair:** We were relying on assessments that a national emergency existed and that it represented a significant threat to the interest of Canadians.

**The Joint Chair (Mr. Rhéal Fortin):** Who told you that?

[Translation]

Where did the idea that it was a national emergency come from?

[English]

**Hon. Bill Blair:** I was aware that, for example, our borders were being blocked. In Ontario, that was \$400 million worth of trade every day. Auto factories were being idled right across the province. Literally thousands of workers were being sent home.

In my opinion, sir, that rises to the level of a national security threat against critical infrastructure, which is manufacturing and transportation, and we needed to act.

**The Joint Chair (Hon. Gwen Boniface):** Mr. Fortin, thank you.

Mr. Green, you have the floor.

**The Joint Chair (Mr. Matthew Green):** Thank you.

Minister, can you please provide the committee with any documentation that there were plans to resume the blockades or conduct blockades at other border crossings?

**Hon. Bill Blair:** I don't have that documentation; I was briefed on that.

I believe as well, Mr. Green, and—

**The Joint Chair (Mr. Matthew Green):** Did you receive a briefing document on that?

**Hon. Bill Blair:** I received a verbal briefing, but I've also read a number of open source reports on the same subject. There was a very sincere, legitimate concern that these blockades would return.

**The Joint Chair (Mr. Matthew Green):** It was yes-or-no question.

Do you believe that the response of the convoy and the occupation in Ottawa was a failure of policing, yes or no?

**Hon. Bill Blair:** I believe it was unsuccessful. That's the language I would use; it was unsuccessful. They weren't able to resolve it.

**The Joint Chair (Mr. Matthew Green):** Do you believe that your preparation and emergency preparedness was a failure?

**Hon. Bill Blair:** I'm well aware of my responsibility, sir. Frankly, making sure that the Ottawa Police Service were effective in their response to dealing with a public order event in their city is not my responsibility. When they went into difficulty, I did feel a responsibility to help in every way I could.

**The Joint Chair (Hon. Gwen Boniface):** Thank you.

Go ahead, Senator White.

**Hon. Vernon White:** Thank you very much.

Thanks, Minister, again.

This thing went on for weeks. I'm not sure that the Canadian public understands how difficult it is for police officers to start wearing through the 12 or 14-hour day, day after day, and why at some point something had to occur. Whether it's the Emergencies Act or something else is a discussion we'll have, but something had to happen to alleviate that. The fact that it was growing would have an impact on policing.

**Hon. Bill Blair:** Senator, I think it's more than fair to acknowledge that this was an extremely challenging event for all of the officers who were involved here in the city of Ottawa, in Windsor and right across the country. It's a difficult job we asked them to do. It had gone on for days. We know that the police officers were facing criticism from both sides of that protest, from people who were being really significantly impacted, from the citizens they are sworn to protect and serve, as well as from the protesters who have certain rights, but those rights were well exceeded to the point of criminality.

It was a very difficult thing for the police officers to respond to.

Part of my conversation with the police chief in Ottawa was about his concern for his officers and the impact this event was having on them.

• (2130)

**The Joint Chair (Hon. Gwen Boniface):** Thank you very much.

The final question goes to Senator Carignan.

[*Translation*]

**Hon. Claude Carignan:** Minister, you spoke with the Ottawa police chief on all the matters that you've presented here, but you never held a discussion about his plan to clear downtown Ottawa. That's unbelievable! I have trouble believing you.

You reaffirmed that you didn't have any discussions with representatives of the Ottawa police service about its plan to clear Wellington Street.

Is that correct?

[*English*]

**Hon. Bill Blair:** Senator, I was a police officer for 39 years and a police chief in Toronto. I know the difference of responsibility. I have great respect for the authority and responsibilities of the police chief.

[*Translation*]

**Hon. Claude Carignan:** Yes, but you had a decision to make as the minister...

[*English*]

**Hon. Bill Blair:** I know it's inappropriate for me to advise, or direct, that police chief in any way. I relied on briefings I was receiving from our federal [*Inaudible—Editor*] RCMP about a plan—

[*Translation*]

**Hon. Claude Carignan:** I wasn't asking whether direction had to be given to the Ottawa Police Service, but rather whether they had a plan to clear downtown Ottawa.

If you had asked, you would have been told by the Ottawa Police Service that they indeed had a plan to clear the downtown area and that you had nothing to worry about. Then you would have been able to wait and wouldn't have had to declare a state of emergency.

On February 10, 2022...

[*English*]

**The Joint Chair (Hon. Gwen Boniface):** Senator Carignan—

[*Translation*]

**Hon. Claude Carignan:** ...1,550 fines had already been issued and 25 arrests made.

[*English*]

**Hon. Bill Blair:** Senator, if I may, I will respond very quickly. I based my judgment on the facts, and the facts were whether or not they had a plan. It had proven to be singularly ineffective in resolving the situation.

[*Translation*]

**Hon. Claude Carignan:** I suppose you too were monitoring the situation on television.

Is that right?

[*English*]

**The Joint Chair (Hon. Gwen Boniface):** Senator Carignan, your time is up.

On behalf of all members of the committee, let me take the opportunity, Minister Blair, to thank you for being here.

**The Joint Chair (Mr. Matthew Green):** Madam Chair, just as a point of order, I want to put on the record a comment with regard to a word I misspoke. I believe the record will show that I insinuated that the Deputy Prime Minister was contemptible. That was not the intended word I wanted to say. I want to apologize for that. It should have been "contemptuous", for the record, "almost...contemptuous".

Rather than have to stand up in the House, and do that apology, I thought I would do that now, and allow the record to be corrected. I did not suggest she was contemptible.

**The Joint Chair (Hon. Gwen Boniface):** Duly noted.

Thank you.

I'll go back to thanking Minister Blair for joining us, on behalf of all committee members.

The meeting is adjourned.





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