



March 18, 2019

Mr. Anthony Housefather, Member of Parliament for Mount Royal
Chair, Standing Committee on Justice and Human Rights

Mr. Chair,

We write to you ahead of tomorrow's meeting of the House of Commons Standing Committee on Justice and Human Rights to consider next steps for its work on Remediation Agreements, the Shawcross Doctrine and the Discussions between the Office of the Attorney General and Government Colleagues related to SNC Lavalin.

As Committee Members, we approached our work with an open mind and cognizant of the importance of the issues being discussed. We note that the Opposition Parties rushed to judgement even before hearing all the relevant information. As Liberal members, we set out to hold meetings to provide context and to hear different perspectives from those most closely involved. We are confident that we have made an important contribution to Canadians' understanding of this important issue.

The Committee has heard from principal witnesses in this matter, including the Hon. Jody Wilson-Raybould, PC, MP, who appeared at our Committee for nearly four hours on February 27th, 2019. We welcomed her request for an unprecedented 38-minute opening statement. During her testimony, she described in great detail her perspective of events we were examining. We have also heard from other key witnesses, including the Clerk of the Privy Council, the Deputy Minister to the Minister of Justice and Attorney General, and the Prime Minister's former Principal Secretary. Three of these individuals were identified in the initial Globe and Mail story, which prompted these meetings. We have also heard from other subject matter expert witnesses.

Tomorrow will be the 11th meeting over 5 weeks where the Committee has discussed this topic. We heard 13 hours of comprehensive testimony from 10 different witnesses. Canadians can judge for themselves the facts, perspectives and relevant legal principles.



Traditionally, Cabinet Confidence and Solicitor-Client privilege would have prevented several of these witnesses from disclosing much of what they did divulge to the Committee. In fact, since 1987, there have only been four other instances where Cabinet Confidence was waived. In contrast to the waiver that was put forward by the current government, none of those cases included a waiver of solicitor-client privilege.

We appreciate that the Government took the extraordinary step of waiving these confidences, so that witnesses could speak directly to the issues under consideration by our Committee. The waiver covered the period during which the Hon. Ms. Wilson-Raybould, PC, MP, was Attorney General and Minister of Justice. It is important to note that the waiver applied equally to witnesses who appeared before the Committee. In fact, we offered an opportunity for the Clerk and Deputy Minister to appear a second time because the first time they appeared the waiver was not in place, and we wanted to give these witnesses a full opportunity to speak under the waiver.

This waiver was broad in scope. No witness was prevented from providing evidence on any relevant information during the period covered by the waiver, which was the focus of the Committee's review. As with the waiver, the Terms of Reference for this Committee applied equally to each witness. The Committee specifically agreed to hold meetings on discussions between the office of the Attorney General and Government colleagues with respect to the prosecution of SNC Lavalin. No witnesses testified to material facts that occurred after January 14th. Events which took place once the Hon. Ms. Wilson-Raybould, PC, MP, was Minister of Veterans Affairs had nothing to do with allegations of inappropriate pressure.

Our work at the Justice Committee complements other processes currently underway to examine these issues. For example, the Office of the Ethics Commissioner is currently conducting a review of the matter and we look forward to reviewing any public report. We were encouraged to hear that the Hon. Anne McLellan has been appointed to provide the government with advice on whether the roles of Attorney General and Minister of Justice should be held by the same person. We are confident these ongoing processes and reviews will benefit from the perspectives that have been shared by the many witnesses at our Committee.



As Committee members, we have achieved our objectives with respect to these meetings. Following the testimony of all witnesses, we believe that all rules and laws were followed. Canadians now have the necessary information to arrive at a conclusion. As Parliamentarians, we respect the work of the Conflict of Interest and Ethics Commissioner and believe the ongoing study by this independent Officer of Parliament is now the appropriate way forward.

Sincerely,

Handwritten signature of Randy Boissonnault in black ink.

Randy Boissonnault, MP
Edmonton Centre

Handwritten signature of Iqra Khalid in black ink.

Iqra Khalid, MP
Mississauga-Erin Mills

Handwritten signature of Ali Ehsassi in black ink.

Ali Ehsassi, MP
Willowdale

Handwritten signature of Ron McKinnon in black ink.

Ron McKinnon, MP
Coquitlam-Port Coquitlam

Handwritten signature of Colin Fraser in black ink.

Colin Fraser, MP
West Nova