



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Special Joint Committee on the Declaration of Emergency

EVIDENCE

NUMBER 017

Thursday, November 3, 2022

Co-Chairs:
The Honourable Gwen BonifaceMr. Matthew GreenMr. Rhéal Fortin



Special Joint Committee on the Declaration of Emergency

Thursday, November 3, 2022

• (1835)
[English]

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

Welcome to meeting number 17 of the Special Joint Committee on the Declaration of Emergency, created pursuant to the order of the House of March 2, 2022, and of the Senate on March 3, 2022.

Today's meeting is taking place in a hybrid format, pursuant to the House and Senate orders. Should any technical challenges arise, please advise me, as we may need to suspend for a few minutes to ensure that 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.

For our first panel this evening, by video conference, we have with us, from the Ottawa Police Service, Steve Bell, interim chief and Patricia Ferguson, acting deputy chief.

You have five minutes for opening remarks.

Chief Bell, the floor is yours.

Chief Steve Bell (Interim Chief, Ottawa Police Service): Good evening. Thank you to the chair and committee members for inviting me here today.

My name is Steve Bell, and I'm the interim chief of the Ottawa Police Service. I'm here tonight with acting deputy chief Patricia Ferguson. I'm pleased to be here to answer any questions that you may have.

As has been said many times, the “freedom convoy” occupation was an unprecedented event in our city's history. Our service has learned many lessons from this experience, and we are fully committed to co-operating with committees and inquiries seeking to do the same.

I recently testified before the Public Order Emergency Commission. During my testimony, I outlined the four primary ways that the Ottawa Police Service leveraged powers made available to us through the Emergencies Act.

First, the most important power conferred under the act was authority to establish an exclusion zone. This enabled us to stop movement into the downtown core and create a more stabilized environment in advance of the operation that successfully and safely cleared the core and restored order in our city.

Another key element of the act was the power to freeze financial accounts. This assisted us and our policing partners, primarily the

Royal Canadian Mounted Police, in incentivizing convoy participants to leave voluntarily.

Third, the act removed the requirement for out-of-province officers and RCMP officers to be sworn in before engaging in policing duties within our jurisdiction. Given the large number of external police officers who assisted our operations, removing the process of swearing them in freed up precious time and resources.

Finally, the federal emergency declaration facilitated our access to tow trucks, since we were given authority to compel companies to provide tow trucks and drivers to assist in clearing the downtown core.

We're committed to continue to learn from the past in order to ensure public safety and community well-being moving forward. Since February, we have made significant changes to our policing and intelligence operations, and we've seen major successes, particularly in the “Rolling Thunder” event in April, as well as Canada Day, this past year.

I welcome another opportunity to assist in understanding both what occurred this past winter and how we can prevent such events in the future.

Thank you for your time, and I look forward to your questions.

The Joint Chair (Hon. Gwen Boniface): Thank you very much, Chief Bell.

We'll now move to a round of questions, starting with Mr. Motz.

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

Thank you for being here, Chief and Deputy Chief.

I'm intrigued by your belief that the Emergencies Act dealt with four main or key areas. I'll get to those in a minute.

As I understand it, Chief, you had an operational plan in place.

Chief Steve Bell: That is correct.

Mr. Glen Motz: That operational plan was in place in advance of the Emergencies Act's being invoked.

Chief Steve Bell: I'm going to need to turn that over to Deputy Ferguson—

Mr. Glen Motz: It's just a yes or no. You had an operational plan—

Chief Steve Bell: We had an—

Mr. Glen Motz: —that was in place prior to the invocation.

Chief Steve Bell: That's correct. We had an operational plan that we were continuing to build on—

Mr. Glen Motz: Right.

Chief Steve Bell: —that was executed after the Emergencies Act.

Mr. Glen Motz: Right.

As I take it, when you do an operational plan like that, it's a moving target. It's flexible. You have to adjust, which you've done.

Were you confident, prior to the invocation of the Emergencies Act, that the plan you had developed was going to be successful in moving the protesters?

Chief Steve Bell: Again, I'm going to turn that over to Deputy Chief Ferguson for a response.

Mr. Glen Motz: Just a basic yes or no is fine.

Deputy Chief Patricia Ferguson (Acting Deputy Chief, Ottawa Police Service): Yes, we were confident.

Mr. Glen Motz: Thank you.

You were confident that that operational plan would certainly work.

Do you believe, Chief Bell, that you had the support and confidence of the Government of Canada in that plan, and through the protests?

Chief Steve Bell: To execute the plan, I absolutely believe we had the support and confidence, at least in the branches of government we were dealing with. We were integrated with the RCMP and the OPP at that time, and I absolutely believe we had confidence.

Mr. Glen Motz: Did you ever ask the federal government whether they were meeting or were going to meet with the protest leaders?

Chief Steve Bell: No, that wouldn't have been a question I asked directly.

Mr. Glen Motz: In your experience, do you believe that it would be normal for individuals who had a disagreement like this over whatever it might be—in this case, a political disagreement or a mandate disagreement—and they were seeking to have a conversation with government...? Do you think it would be beneficial for that to have occurred between government officials and protest leaders?

Chief Steve Bell: I do know that we were actively engaged through our PLT groups in negotiating and having discussions. In terms of what asks were directly made or what responses were made from the federal government, I can't comment. I wasn't involved in—

● (1840)

Mr. Glen Motz: No, I'm not asking that, Chief.

I'm asking if you believe that, in the normal course of human interaction, actually having interaction rather than calling people names and dividing Canadians on an issue, and just listening to them.... Would that have been beneficial in a circumstance like this?

Chief Steve Bell: As police leaders, we try to negotiate all the time. Whether it was beneficial or not, I can't speak on either party—

Mr. Glen Motz: That's the key. Human nature is pretty basic, isn't it? People like to be heard, and I would certainly support that.

You didn't ask the Government of Canada to invoke the Emergencies Act, did you?

Chief Steve Bell: No, we never made a direct request for the invocation of the act.

Mr. Glen Motz: Do you think that the Emergencies Act was necessary for you to clear out the protesters with your operational plan? You both indicated that you believed it was not.

Now, I want to push you on the exclusion zone. You said that the Emergencies Act helped you put the—

Ms. Rachel Bendayan (Outremont, Lib.): I have a point of order, Madam Chair.

I would like to apologize to my colleague for interrupting his line of questioning, but I understand that members are requested in the House at this time.

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

We were trying to sort out what was going on. There is a requirement to be in the House.

Our apologies to the witnesses. We will suspend.

Mr. Glen Motz: Hold on.

It's a quorum call. Under the rules of Parliament, a quorum call does not require committees to cease.

The Joint Chair (Hon. Gwen Boniface): Would anyone else like to comment on that?

Ms. Rachel Bendayan: Could I request that you suspend for one minute, so we can sort this out?

The Joint Chair (Hon. Gwen Boniface): Okay, let's suspend for two minutes.

● (1840)

(Pause)

● (1840)

The Joint Chair (Hon. Gwen Boniface): We will resume.

We'll go back to Mr. Motz.

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

I apologize to the witnesses.

Chief Bell, you indicated tonight in your testimony that the Emergencies Act helped you to develop an exclusion zone, yet you've previously stated that other statutory or common-law authorities exist that might have authorized the creation of that exclusion zone without the invocation of the Emergencies Act.

Do you still believe that?

Chief Steve Bell: Yes. What I've stated in the past is that the Emergencies Act gave us a very stable legal framework in order to create an exclusionary zone that did not put all of the onus on an individualized basis on the officers on the front line to make a determination of whether someone could enter an area or not. The act was extremely beneficial—

Mr. Glen Motz: That's fair enough, Chief.

I'm sorry, but we all know you can set up an exclusionary zone anywhere. We do it at crime scenes all the time. There was a fence around Parliament Hill. Without the authority of the Emergencies Act, you can set up an exclusionary zone. We all know you can.

Anyway, my time is up. Thank you for your testimony.

The Joint Chair (Hon. Gwen Boniface): Your time is up. Thank you.

Mr. Naqvi, you have five minutes.

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

Thank you, Chief, and thank you, Deputy Chief, for being here today.

Let's start from what was happening in downtown Ottawa during the three-week period. Would you classify that you had a public order challenge on your hands during the three weeks of occupation that was taking place in downtown Ottawa?

• (1845)

Chief Steve Bell: Yes, for sure, and I think we openly stated on many occasions that the activities that were occurring in that area were unlawful and extremely difficult for us to manage as a police service.

Mr. Yasir Naqvi: You said that the activities that were taking place were unlawful. Would you also characterize them as unpeaceful?

Chief Steve Bell: Yes, I would.

Mr. Yasir Naqvi: Can you share with us—and I know you've spoken about this before—the impact of that unlawful, unpeaceful occupation on the residents of the downtown core and the businesses that are located in the downtown core?

Chief Steve Bell: We've been actively engaged in working to rebuild public trust with our community members, and the thing that we hear repeatedly, time and time again, is that that period of time left them with a lack of a feeling of safety and security within their homes. It impacted them as business owners to be able to conduct business. It created fear during that time but also fear within that community, or at least with many residents of that community, that has lasted long beyond the end of February.

Mr. Yasir Naqvi: Would you agree—and I think you've said this before—that the impact was disproportionate to those who are vulnerable, marginalized, members of the indigenous community, the 2SLGBTQI+ community and racialized communities in the downtown core?

Chief Steve Bell: Yes, I would absolutely agree with that. That's one of the culturally richest areas of our community, and those were groups who were targeted, marginalized and most deeply affected by this.

Mr. Yasir Naqvi: Would you also agree that during that period there were clear signs of hate symbols like Nazi flags, Confederate flags, posters, etc. that could be extremely challenging and traumatizing for members of the community who lived in the downtown core?

Chief Steve Bell: What I would say is that there were examples of those. There were investigations conducted around those. They weren't everywhere all the time, but there were definitely those examples of hate-based symbols that were seen on a regular basis, reported to us and followed up by us.

Mr. Yasir Naqvi: Last week I asked the clerk of our city, Mr. Kanellakos, about the volume of 311 calls during that three-week period, and he said it almost doubled. Do you have any sense of the volume of 911 calls during the period of occupation?

Chief Steve Bell: Through the chair, I can get you the specific numbers. I know we do have access to those.

What I can tell you is that there was an extremely elevated number of calls. Most problematic for us was the number of 911 calls we received that were specifically intended to disrupt our 911 systems.

Mr. Yasir Naqvi: Thank you for reminding me of that. I had forgotten that there was a concerted effort to choke up the 911 system. That could have been extremely dangerous for the rest of the community in Ottawa. Am I correct?

Chief Steve Bell: That is correct. There were calls that did choke up our system. What I think is also important to recognize in that is the hardship our members suffered through that. There were people on the end of those calls in our communications centre who received those and who were greatly impacted by their conversations and interactions with the people who were calling in.

Mr. Yasir Naqvi: Very quickly, I just want to confirm again—and you mentioned this in your opening comments—that the Ottawa Police Service did use the powers that were granted in the Emergencies Act, and that helped you put an end to that occupation.

Chief Steve Bell: We did leverage the authorities in the act and utilize them in ending the occupation, yes.

Mr. Yasir Naqvi: Thank you, Madam Chair.

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

We'll now move to Madame Normandin.

You have five minutes.

[*Translation*]

Ms. Christine Normandin (Saint-Jean, BQ): Thank you very much, Madam Chair.

I thank our two witnesses.

I'd like to ask them about the tow trucks since they mentioned them in their opening remarks.

I understand that Transport Canada had prepared a plan during the crisis that would have allowed the trucks that were blocking the streets of Ottawa to be moved without the need for emergency measures.

Is that correct?

[English]

Chief Steve Bell: I'm unfamiliar with that plan. I'm not saying it doesn't exist, but I've never heard of that before.

[Translation]

Ms. Christine Normandin: So you are saying that, to your knowledge, if there was a plan, it was not shared with the police.

• (1850)

[English]

Chief Steve Bell: It was not sent in any area that I would have or did receive.

[Translation]

Ms. Christine Normandin: From your side, were there any questions as to what recourse would be available to get the trucks moved without the need for emergency measures?

[English]

Chief Steve Bell: Absolutely. What I can tell you is that in the very early days into this, how to leverage and access tow trucks was discussed as part of the planning. We looked at different options. As you have heard in testimony through the Emergencies Act inquiry, there have been several instances describing the great lengths to which we went to try to access tow trucks.

That was identified as one of the key challenges for us, and with the invocation of the act, that barrier was removed for us.

[Translation]

Ms. Christine Normandin: I understand that this is a barrier that was lifted, but, more specifically, did you analyze the possibilities of getting the trucks moved without even using, for example, tow trucks?

Did you analyze legal means, for example?

[English]

Chief Steve Bell: There were extensive conversations about alternative measures to actually move trucks. Those were considered, absolutely.

[Translation]

Ms. Christine Normandin: Why were these measures not put in place, if they were studied?

[English]

Chief Steve Bell: By the time we executed our plan, the Emergencies Act had been invoked and we were able to access the tow trucks that were necessary under the provisions of that act.

[Translation]

Ms. Christine Normandin: If I understand correctly, plans were in place that could have caused the trucks to leave without the need for emergency measures, but they were not attempted because the Emergencies Act was invoked first.

[English]

Chief Steve Bell: I'm sorry, but I'm not sure I understand the question. There was discussion and there were plans around how

we could have alternate means to move vehicles. A range of options were considered.

Ultimately, the plan that was built was around tow trucks, and the Emergencies Act contained provisions for us to access those tow trucks.

[Translation]

Ms. Christine Normandin: I will rephrase my question.

You had a plan to move the trucks that did not require the invocation of the Emergencies Act, but it was not implemented because it was invoked first.

Does it make sense to say that you had not yet exhausted all resources, since you had not yet tried all possible measures before the Emergencies Act was invoked?

[English]

Chief Steve Bell: The plan we built ultimately to remove the trucks was based solely on accessing tow vehicles. Other, smaller operations that had been considered would use different means to remove the vehicles, but given the scale and scope of the operation we were mounting, it was identified that it was necessary to leverage tow vehicles.

With the invocation of the Emergencies Act, any barriers that existed were removed.

[Translation]

Ms. Christine Normandin: As I understand it, there were still measures available before resorting to the Emergencies Act.

[English]

Chief Steve Bell: There would be several different options. One of them was that the protesters could have driven out of the area on their own and left. We could have looked at accessing different ways to drive the vehicles out. There were several options. They were just determined to be unrealistic for us to use in the period during which we were undertaking the large-scale operation.

[Translation]

Ms. Christine Normandin: You also talked about accounts being frozen under the Emergencies Act. When was the first account frozen?

[English]

Chief Steve Bell: That's going to be a question.... As I indicated, most of those investigations were done by the Royal Canadian Mounted Police. It was a tool leveraged primarily by them, so that would be a question better directed to them, because I'm not sure of the date when that first occurred.

The Joint Chair (Hon. Gwen Boniface): Thank you, Madame Normandin. Your time is up.

We will now go to Mr. Green.

You have five minutes.

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

Mr. Bell, I'm going to put some questions to you in a rather rapid way. I would ask that you try to provide answers in a succinct manner to the best of your ability.

I want to begin with testimony from the former Chief Sloly, who stated that based on his intelligence in the early stages of the procession towards the convoy and the ultimate occupation, they estimated that it would be for only a couple of days. It would be about a weekend.

Was that assessment based on information you would have provided to him, given your responsibilities for gathering intelligence?

• (1855)

Chief Steve Bell: That was information that was widely known through our entire executive and from assessments that had been made by our intelligence groups going through the intelligence reports that existed. It was our assessment that it was predominantly going to be a shorter period of time, predominantly a weekend.

The Joint Chair (Mr. Matthew Green): Ultimately, sir, you would have signed off on the final assessments as the senior executive responsible for intelligence. Is that correct, yes or no?

Chief Steve Bell: I didn't sign off on any assessments. The information...and great credit to the Ontario Provincial Police. They did the prep—

The Joint Chair (Mr. Matthew Green): That suffices, sir. I'm going to move on to the next question.

In the January 29 intelligence assessment prepared by Sergeant Chris Kiez, there is pretty significant editorialization—in fact, plagiarization of Rex Murphy. I want to give you the opportunity to respond to this. It's quite stark. I want you to tell us, in your opinion, to what extent this intelligence assessment was relied upon in the decision to allow trucks onto Wellington Street.

Did you feel that you actually had the real expertise and resources to accurately and professionally assess the public safety risk?

Chief Steve Bell: The intelligence assessment that you're referring to was actually first issued on the 28th. What I can tell you is that it was an overall threat assessment. It was an overarching document. Beyond that, there was continual information sharing, intelligence sharing between our intelligence unit—

The Joint Chair (Mr. Matthew Green): But on that particular document, sir—

Chief Steve Bell: —and our planning team that actually helped—

The Joint Chair (Mr. Matthew Green): But on that particular document, sir, respectfully, the last paragraph of page four reads like a convoy manifesto.

It talks about the struggling of the middle class. It talks about people rising up who otherwise wouldn't be protesting. It seems to be almost a stark warning about things to come. Here's my question for you. Given the sensitive nature of intelligence, would you not agree that you would have to have unbiased information that is based on actual fact, and not the editorialization of people like Rex Murphy, in order to make adequate threat assessments?

Would you not agree with that basic statement?

Chief Steve Bell: It was one of the pieces that helped contribute to the ultimate threat assessment that went into the operational plan. It wasn't the only document that was leveraged.

The Joint Chair (Mr. Matthew Green): Okay, so moving on within that assessment, there is reference to persons of interest who “in some cases had access to firearms”—I'm referring to page 9 now—and some persons of interest had “made comments on open source that they intend[ed] to bring their firearms”, etc.

In at least two cases, persons of interest outside of Ottawa, and often outside of Ontario, had been met by police who seized firearms in the interest of public safety when comments about firearms had been made on open-source media.

Could you verify the extent of your intelligence that there had in fact been confiscation of firearms for the intended purpose of continuing on through the convoy to the occupation?

Chief Steve Bell: I can't confirm that because that would have been done as an intelligence update that would feed into this document by other jurisdictions.

The Joint Chair (Mr. Matthew Green): Can you confirm that it was in your report and you would have read that as a threat assessment?

Chief Steve Bell: Absolutely, the threat of firearms and the threat of violence was—

The Joint Chair (Mr. Matthew Green): Can you confirm, sir, that you had intelligence that people had been stopped along the way and had their weapons seized?

Chief Steve Bell: As you indicated, it is in the intelligence and threat assessment.

The Joint Chair (Mr. Matthew Green): This is my last question. The interview summary for Superintendent Pat Morris of the Ontario Provincial Police said that the OPP's provincial operations intelligence bureau, in the Hendon report, dated February 9, identified that they had become “concerned about instances where information about police action became available to protestors.” Recently, organizers actually indicated that they had leaks.

At what time did you become aware that there were leaks between the Ottawa police and convoy organizers?

Chief Steve Bell: What I can tell you is that right from the outset of any information we received during the occupation and beyond, we initiated investigations. The information that was presented yesterday at the Emergencies Act inquiry was net new information to us that we had not yet investigated. We've already, as of last night, initiated an internal investigation, and we will be reaching out to Mr. Wilson to get more information so that we can follow up on that. We've been really clear through—

The Joint Chair (Hon. Gwen Boniface): Mr. Bell, the time is up. I apologize.

Mr. Green, can you take the chair?

• (1900)

The Joint Chair (Mr. Matthew Green): Yes, Senator.

You have five minutes and the floor is yours.

The Joint Chair (Hon. Gwen Boniface): Thank you very much, both of you, for attending.

Chief Bell, I'll address the questions to you.

You refer to a plan involving all three agencies that was in place as the Emergencies Act came into effect. Can you tell me when that plan was actually finalized, and how that sits in relation to the actions and the act coming into effect?

Chief Steve Bell: I am going to turn that one over to Deputy Chief Ferguson.

The Joint Chair (Hon. Gwen Boniface): Okay.

Deputy, welcome.

D/Chief Patricia Ferguson: Thank you and good evening, Madam Chair.

I can tell you that the plan was developed and expanded upon once we had the integrated team set up. I think it's fair to say that, on or around February 15, the plan was ready to move forward.

The Joint Chair (Hon. Gwen Boniface): Who was involved in that plan? Which agencies?

D/Chief Patricia Ferguson: That was the RCMP, the OPP and the Ottawa Police Service. We had other players who were working on separate components of the plan, the public order plan and some of the other traffic and MTO plans.

The Joint Chair (Hon. Gwen Boniface): In that planning stage, what would be the time frame it took to put that plan into place?

D/Chief Patricia Ferguson: There were several iterations. We were trying to evolve with the situation that was unfolding on our streets and trying to determine what powers we would have and what we could leverage, and resources, as you've probably heard, were a major barrier for us.

In the time that it took for members to arrive, the SOW plan was working solidly to establish how many officers we were going to need and in what capacity we were going to be deploying them.

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

When the Emergencies Act was invoked, how were those tools then worked into the initial plan?

D/Chief Patricia Ferguson: I think our plan was fairly solid prior to the act being invoked. What it allowed us to do was to really allow officers on the ground decision-making powers instead of having to look at it on a one-on-one and case-by-case basis. That exclusion zone allowed our officers to be able to act confidently in preventing people from entering and reducing the footprint by not allowing anybody further to come in.

The Joint Chair (Hon. Gwen Boniface): When the operation took place, Chief Bell, were you in charge for the OPS side?

I'm just trying to figure out who played what role.

Chief Steve Bell: As of the 15th, I became interim chief, and the operation was starting to be executed on the 17th.

The Joint Chair (Hon. Gwen Boniface): When the Emergencies Act was announced and you started.... I mean, I was watching it. It was clear that you were going to make a move in the next day or two or three.

What is your assessment of the impact on those who stayed and those who went? How did the invocation of the act affect those who chose to leave? Was it coincidental, or did the act itself, in your view...? I mean, some of them decided to move as a result of it.

Chief Steve Bell: In my assessment, I don't think it's straight from one point to another. I think that, as we went along, the Emergencies Act gave us some of the basis of the plan we executed. As we began to execute the plan and as components like the financial restraint of bank accounts came into effect, we started to see people move. We've heard through testimony that people identified that they now knew it was over, and they moved.

I don't think the Emergencies Act definitely moved people right away, but it was a key component that ultimately had some people leave the area before there was police intervention.

The Joint Chair (Hon. Gwen Boniface): From the time the act was announced until you moved on the operation—I commend all agencies on the operation on that particular day—can you tell me how much the crowd had shrunk?

Chief Steve Bell: I wouldn't have an accurate number of how much the crowd had shrunk. I can tell you that the vehicle footprint did not shrink during that point. It was very static at that point. We were coming into a weekend, and it didn't allow it to grow like it had on every other weekend.

The Joint Chair (Hon. Gwen Boniface): I think I'm getting waved that my time is up.

Thank you, Mr. Green.

We'll now move to Senator Carignan. You have five minutes.

• (1905)

[*Translation*]

Hon. Claude Carignan (Senator, Quebec (Mille Isles), C): Thank you, Madam Chair.

My question is about the exclusion zone.

In your opinion, it was the Emergencies Act that made this exclusion zone possible. Have I got that right?

[*English*]

Chief Steve Bell: What I indicated is that it created a very stable legal framework for us to have an expanded exclusionary zone. There were provisions being put in that would have, on a case-by-case, corner-by-corner basis, leveraged common law, which hadn't traditionally been leveraged for that reason, to create the ability for officers to make determinations to exclude people or vehicles from entering an area.

What the Emergencies Act did was to give us a very stable legal framework.

[Translation]

Hon. Claude Carignan: There is already a provincial emergency measures act. Mayor Watson had declared a state of emergency. He told us last week that his decree in relation to emergency measures was symbolic, as there was no real power associated with it.

In your opinion, could Mayor Watson's decree of emergency measures have allowed him to establish an exclusion zone?

[English]

Chief Steve Bell: No. As Mayor Watson indicated, there are limited abilities or powers or authorities under a municipality that is declaring a state of emergency. They are predominately around procurement, and they would not have given us any legal authority to create an exclusion zone in the way that one was created through the Emergencies Act.

[Translation]

Hon. Claude Carignan: In your opinion, Mayor Watson's decree did not allow for an exclusion zone.

Did you hold any legal consultations in this regard?

[English]

Chief Steve Bell: No. It's just my imperfect knowledge of what a municipality is allowed to do as they declare an emergency.

[Translation]

Hon. Claude Carignan: All right.

Did you know that the mayor's decree could also allow him to requisition equipment or force people to provide it, including tow trucks?

[English]

Chief Steve Bell: No, I did not.

[Translation]

Hon. Claude Carignan: You said that you had looked at several options in relation to tow trucks. Yet you didn't give any details about them.

What options did you look at?

[English]

Chief Steve Bell: There were different options that we looked at. One of them was accessing tow vehicles through private companies. One of them was looking to amass a number of municipally held or government-held tow vehicles. That didn't prove to be fruitful for us because there just weren't enough that we could use. Another option was to actually have people drive vehicles out of the area. That was identified to be problematic because some of the vehicles had been disabled in a way that would have made it difficult or impossible to drive them out.

[Translation]

Hon. Claude Carignan: Chief Bell, did you know that as a peace officer you have the power to force a towing company to tow a vehicle and if they refuse, you can charge them with obstruction?

[English]

Chief Steve Bell: I can't find them guilty of obstruction. We could look to—

[Translation]

Hon. Claude Carignan: I have 30 years of experience as a lawyer, and I know that only a judge can decide to quash an obstruction charge.

What I am saying is that a towing company can be charged with obstruction if they refuse to tow a vehicle.

[English]

Chief Steve Bell: We wouldn't be able, under the Criminal Code, to lay a charge against a tow truck company. It would have to be against an individual person, driver or owner. We didn't get to the point where we ever looked at initiating criminal investigations and ultimately doing the investigation, laying a charge and then having it go through a court—

• (1910)

[Translation]

Hon. Claude Carignan: Did you consider forcing the truckers—

[English]

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

[Translation]

Hon. Claude Carignan: Thank you.

[English]

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

Hon. Jane Cordy (Senator, Nova Scotia, PSG): Thank you very much, Chair, and welcome, Chief and Deputy Chief.

It's been argued that there were difficulties in relationships between the Ottawa police and.... Do you agree with this assessment, and if so, did these difficulties slow down the implementation of solutions to deal with the protest?

Chief Steve Bell: I think it's really important to identify that this was a stressful time. It was a stressful time for everyone in our city and a stressful time for our organizations.

I do believe that we worked with our partners in a good and increasingly progressive way to get to the ultimate outcome that we had. At the end of the day, we had a very strong integrated planning team and a very strong unified command system that actually allowed us to use resources from across the country to execute the plan.

Hon. Jane Cordy: Was leadership acting in unity? We certainly heard about incidents of the chief and the police board not working together. Were there problems in that area?

Chief Steve Bell: Again, I would go back and say that this was an extremely stressful time for everyone involved. There were always some challenges for people in trying to work together to move ahead. I don't believe that ultimately it impacted our progress, but it was a stressful and difficult time.

Hon. Jane Cordy: Other people have spoken about the tools that were available, and you said—or I believe you said, and certainly many people have said—that the tools were in place, but did organizational and planning difficulties make it more challenging to use the tools that were available?

Chief Steve Bell: No, I actually think the tools that were there were heavily leveraged in the plan that we ultimately executed. I think the tools provided by the province and by the federal government in both their emergency acts were utilized for us to successfully execute the plan.

Hon. Jane Cordy: We also heard yesterday that convoy leaders were receiving information about police tactics and the plans that the police departments had, including the Ottawa police, the provincial police and even the RCMP. We heard that information was being given to the convoy leaders about what was planned. Did you believe this was happening or did you know of situations where it was happening?

Chief Steve Bell: What I can tell you is that right from the very early days of the convoy, it was something that we were concerned with. At every turn, as we received information to initiate an investigation, we did.

We have engaged in discipline for some of our members as a result of conduct during this period. It was not directly as attributed to the planning that we heard about, but more around donating money to the cause. I can tell you that this information through Mr. Wilson was new to us yesterday. As I indicated earlier, as of last night I have initiated an investigation to follow up on those comments.

Hon. Jane Cordy: Thank you.

That was going to be my next question. I was going to ask whether you were going to be doing an internal investigation, so I'm pleased that it's happening.

Getting back to the money, you said that accounts were frozen, but we did hear yesterday that envelopes of money were in fact being passed out to people, and they were significant amounts of money—not \$25 or \$50, but significant amounts of money. This was money that came from programs like Adopt-a-Trucker, which I only heard about yesterday.

Was this accurate? Did you know about the money being passed out? I think you referenced it earlier in an answer. Was there any attempt to stop the flow of this money?

Chief Steve Bell: I'm unfamiliar with the information around envelopes being handed around. One of the things that concerned us in the early days and was identified through intelligence was the crowdsource funding, initially through GoFundMe. We were engaged in conversations to have GoFundMe stop the flow of that money. Then with GiveSendGo, we actually, as a lead agency with the Ministry of the Attorney General, initiated a restraint order against that.

At every opportunity to investigate the flow of money, we engaged in that.

• (1915)

Hon. Jane Cordy: Thank you very much. I know my time is up, so thank you.

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

Senator Patterson, you have five minutes.

Hon. Dennis Glen Patterson (Senator, Nunavut, CSG): Thank you, Madam Chair, and thank you to the witnesses.

Chief Bell, you've talked about the large problem of the trucks being downtown and the difficulties of moving them out, but I would like to look at this from a preventative aspect and ask you this. You knew, and I think the whole country knew, that the trucks were rolling across the country and heading to Ottawa. Does the Ottawa Police Service not have access to large concrete barriers that can be pinned to the roads?

Chief Steve Bell: Yes—well, the city does, and we could access those, yes.

Hon. Dennis Glen Patterson: Those have been used before to block streets in certain situations.

Chief Steve Bell: That is correct.

Hon. Dennis Glen Patterson: I guess my question is, why weren't those put in place in locations like Wellington Street to stop those big trucks from coming into the parliamentary precinct?

Chief Steve Bell: What I can say is that now, through the experience that we had at the end of January and the beginning of February, we've taken a very different stance on how we allow vehicular-based demonstrations, protester events into the downtown core. We just do not allow them.

I can tell you that, up until this occurrence in our city—and it was the first across the country—we had never, as a policing organization, not allowed people to come into a downtown core area in vehicles. We had facilitated several vehicle-based protests in the past. This was the first experience of this kind for any police agency across the country. I would say it has dramatically changed how policing agencies look at and manage vehicle-based protests.

Hon. Dennis Glen Patterson: Thank you.

We heard witnesses from the City of Ottawa in our panel a week ago. I asked the same question, and the senior city official said that as far as that request or that idea of deploying concrete barriers was concerned, it was the Ottawa Police Service that rejected using the barriers on the grounds that they would impede traffic.

Do you recall that request and the decision that was made by the Ottawa Police Service not to go along with that idea?

Chief Steve Bell: No, I don't recall that request.

Hon. Dennis Glen Patterson: Okay, thank you.

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

We'll now move to four minutes. We start with Mr. Brock.

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

Thank you, witnesses, for your attendance today.

I have a question for Chief Bell.

To invoke the Emergencies Act requires an emergency that arises from threats to the security of Canada that are so serious as to be a national emergency. As you know, Chief Bell, “threats to the security of Canada” has the same meaning as assigned by section 2 of the CSIS Act.

My question is for you and the deputy chief. During the entire period of this occupation and thereafter, there was absolutely zero evidence of any espionage or sabotage against Canada. Would you agree with that?

Chief Steve Bell: I have no information around that. We did not conduct any investigations into that.

Mr. Larry Brock: There's no evidence of foreign-influenced activities within or relating to Canada that were detrimental to the interests of Canada and that were clandestine or deceptive or involved a threat to any person. Is that correct?

Chief Steve Bell: I don't personally have any knowledge of that.

Mr. Larry Brock: There were no activities within or relating to Canada directed toward and in support of the threat or use of acts of serious violence against persons for the purpose of achieving a political, religious or ideological objective within Canada. Is that correct?

There was no evidence.

• (1920)

Chief Steve Bell: I think that one is more open to debate. We did see acts of violence that occurred during the convoy.

Mr. Larry Brock: You saw acts of violence that resulted in four Criminal Code charges. There was no serious violence by way of aggravated assault, assault causing bodily harm, attempted murder or murder. That is serious violence. You're a police officer. I'm a former Crown attorney.

Would you agree with me, sir?

Chief Steve Bell: We did not lay any of those charges, no.

Mr. Larry Brock: Thank you.

Lastly, there's no evidence of any activity directed toward undermining by covert unlawful acts that were intended to lead to the destruction or overthrow by violence of the constitutionally established system of government in Canada. There's no evidence of that.

Chief Steve Bell: We did not investigate or lay any charges in relation to that.

Mr. Larry Brock: Thank you.

My colleague, Glen Motz, indicated, and you confirmed, that you did not request the Government of Canada to invoke the federal Emergencies Act.

Chief Steve Bell: That's correct. There was no direct request made from the Ottawa Police Service.

Mr. Larry Brock: Were you ever consulted by the federal government on its invocation?

Chief Steve Bell: That would be a difficult question for me to answer, as I only became the interim chief at a point at which the

act had been invoked. Those conversations would have occurred with former Chief Sloly, if they did occur.

Mr. Larry Brock: Thank you.

The Minister of Public Safety, Marco Mendicino, on 13 occasions in the House of Commons, in committee and in the press and media, confirmed that law enforcement asked for the invocation of the Emergencies Act.

Would you agree with me, sir, that both statements—your statement that you did not ask the government and Minister Mendicino's multiple statements that law enforcement asked for it—cannot be accurate and true at the same time?

Chief Steve Bell: I don't know what conversations would have been had between the former chief and the federal government. What I can say is that the Ottawa Police Service never made a direct request for it.

Mr. Larry Brock: My point is that both statements can't be true at the same time. Would you agree with me that Minister Mendicino has lied to Canadians and perpetrated that lie on numerous occasions?

Chief Steve Bell: I don't think I can make that statement.

Mr. Larry Brock: Further, Minister Mendicino indicated that we got advice from our law enforcement that we met the threshold to invoke the Emergencies Act. You will confirm that you did not indicate that, did you?

Chief Steve Bell: No, but again, I was not involved in those discussions prior to the invocation of the act.

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

We'll move to Ms. Bendayan. You have four minutes.

Ms. Rachel Bendayan: Thank you, Deputy, and thank you, Chief.

I would like to begin by recounting a story I told previously in this committee.

I was in Ottawa for the three-plus weeks of the occupation. On several occasions, I was walking down the street and ran into OPS officers, and they were often either watching altercations between citizens or merely watching the huge trucks that were blocking all of downtown Ottawa. On several occasions I asked them why they were not enforcing the law, including the highway safety act, and I was told on more than one occasion that it was because they had instructions from their higher-ups not to do so.

Were those instructions provided by the OPS—by you, Deputy, since you were there at the time?

D/Chief Patricia Ferguson: I can tell you that for a large period of time during the first few weeks, it was a very volatile and agitated situation out on the road. Police officers have discretion in any situation when they feel intervention will worsen the situation or make it more violent for people around or for themselves if they're going to be putting themselves or other members of the public at risk—

Ms. Rachel Bendayan: So Ottawa police were not enforcing the law.

D/Chief Patricia Ferguson: That's not what I'm saying. We were allowing our officers to exercise discretion and potentially enforce the law at a later stage, gathering evidence while they were standing there taking information on plates, on people around, and collecting evidence in that way, and charges could have been laid later.

Ms. Rachel Bendayan: Later.

The testimony here this evening from both of you has been to the effect that you had a plan that was ready to move forward on February 15. That is one day after the invocation of the Emergencies Act.

Respectfully, what in God's name was the OPS doing for the three weeks prior to February 15, during which our nation's capital was under siege?

• (1925)

D/Chief Patricia Ferguson: I can tell you that after the first weekend, we were situating ourselves with what the situation now was and determining what the best course of action was—

Ms. Rachel Bendayan: For three weeks?

D/Chief Patricia Ferguson: It's no surprise to you, I'm sure, that we were overwhelmed by the number of people who had arrived in our city. Our staffing levels at that stage were not measured to be able to answer in a way that we finally ended up needing to.

We took all sorts of steps in terms of negotiation with some of the protesters. We took steps to identify where our main areas of concern were, and we evolved and began developing plans at that point in time.

For a plan of this size to take place, it takes a number of weeks, and eventually it took 2,200 officers, which we did not have ready here in our city to be able to deal with that.

Ms. Rachel Bendayan: Thank you.

Chief Bell, you confirm that there was no plan prior to February 15 and prior to your arrival.

Chief Steve Bell: I don't believe I indicated there was no plan there. I said that when I arrived, there was a plan that was built and ready to be executed—

Ms. Rachel Bendayan: Why wasn't it executed?

Chief Steve Bell: It was executed starting on the 17th—

Ms. Rachel Bendayan: That was after the Emergencies Act was invoked. Why wasn't a plan executed prior to the invocation of the Emergencies Act, Chief Bell?

Chief Steve Bell: I believe you heard Deputy Ferguson say that as we went through, we were in the process of building plans. We did build plans. We were very clear about our resourcing needs and the needs to bring people in to help us assist in the execution—

Ms. Rachel Bendayan: Did the OPP respond to your resource requests in an effective manner?

Chief Steve Bell: I believe they did, as we moved through the process—

The Joint Chair (Hon. Gwen Boniface): I'm sorry. Ms. Bendayan may get another round. Thank you.

We'll move to Madame Normandin.

[Translation]

Ms. Christine Normandin: Thank you, Madam Chair.

Chief Bell, I'd like to go back to your opening remarks. You named four things that the Emergencies Act made possible, namely the establishment of an exclusion zone, the ability to freeze funds, the removal of the oath requirement and the ability to requisition tow trucks.

Is this correct?

[English]

Chief Steve Bell: That is correct.

[Translation]

Ms. Christine Normandin: Thank you.

Let me come back more specifically to the issue of the funds that were frozen. You said that it helped you, because people started to leave on their own when the Emergencies Act was invoked. That was one of the impacts of the act and the announcement that funds could be frozen.

[English]

Chief Steve Bell: That is correct.

I also indicated that most of the work around the freezing of the accounts was done through the coordination of the Royal Canadian Mounted Police.

[Translation]

Ms. Christine Normandin: You did mention that this measure had been useful.

Are you able to tell me how it was not helpful, but necessary to freeze the funds?

[English]

Chief Steve Bell: Again, I will refer you to the Royal Canadian Mounted Police, who were responsible and more active in the financial restraint component.

I think it's important to remember that at that point we were part of a unified team, a unified command system, so I'm speaking of the overall impacts that we saw through the Emergencies Act with all of our partners.

[Translation]

Ms. Christine Normandin: I'm reminding you of the answer you gave me.

I asked you when the first account was frozen. You replied that you did not know. Is this correct?

[English]

Chief Steve Bell: That is correct.

[Translation]

Ms. Christine Normandin: You mentioned that the possibility of freezing funds had been a deterrent to protesters.

Can you tell me how many people were targeted by this measure?

Proportionately, how many of the protesters were at risk of having their accounts frozen, which would have deterred them from staying put?

[*English*]

Chief Steve Bell: Again, I don't directly have that information. That portion of the plan was executed largely by the RCMP.

[*Translation*]

Ms. Christine Normandin: You say that freezing the protesters' funds helped resolve the situation.

Would I be wrong if I said that what you are saying is purely speculative, given that you have no idea how many accounts were frozen, nor do you know who this measure was aimed at?

• (1930)

[*English*]

Chief Steve Bell: I know it's information that we received back from the ground, from our police liaison team members. I would say that would be corroborated by some of the witness testimony that we're hearing this week at the Emergencies Act inquiry, where members who were on the ground, members of the occupation and the planning team, as well, have indicated that it did have an impact.

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

I will go now to Mr. Green. You have three minutes.

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

I want to redirect to some of the initial conversations on threat assessment.

Certainly we have discussed that weapons had been seized from persons of interest. To your knowledge, how many persons of interest and how many weapons have been seized, based on the information report and your threat assessment?

Chief Steve Bell: I'm sorry; I don't have that information. I can—

The Joint Chair (Mr. Matthew Green): You will recall, of course, that in the first couple of weeks of February, at the Coutts blockade in particular, police officers were feared to be the target of an armed attack. Are you aware of that?

Chief Steve Bell: I am.

The Joint Chair (Mr. Matthew Green): Were you updated, and was that included in your threat assessments?

Chief Steve Bell: The information we were gathering was through joint intelligence-gathering with all of our national partners as that went on and as the occupation unfolded. I think it's important to remember that the Coutts blockade occurred and began after the Ottawa one had been established.

The Joint Chair (Mr. Matthew Green): I also want to reference that in your January 29 intelligence assessment by Sergeant Kiez, he has, "Individuals and/or groups that could potentially pose a threat during the Convoy". It's on page 6 of the threat assessment. He lists ISIS and the Islamic State and international threats, yet there's no reference to the Coutts groups that were targeting police within your own intelligence assessments. I find that incredible.

Could you comment on how you would have not had that information included in your threat assessments, when in the very next paragraph, sir, you have the threat level of "Medium", meaning there is "the intent and capability to commit an act of terrorism in Canada", in italics. It says, "ITAC assesses that a violent act of terrorism could occur." It's right there.

How do you have that disconnect?

Chief Steve Bell: I don't know that it's a disconnect.

As you indicated, the intelligence that you're referencing, the information that came as a result of the Coutts takedown, was much later than when this intelligence assessment was authored. It was a week or two after that.

The Joint Chair (Mr. Matthew Green): Okay. In your opinion, do you accept that there was a medium threat?

Chief Steve Bell: It's not for me to accept it. The threat level is identified through an integrated terrorist assessment centre. It's determined by our national security experts and provided to us.

The Joint Chair (Mr. Matthew Green): Sir, you indicated on March 7 that you were "implementing new actions and measures, including...continuing internal investigations relating to inappropriate police member conduct". Does that include potential leaked information or sympathies that had been uncovered through the operational planning for the convoy?

Chief Steve Bell: Yes. As I indicated—

The Joint Chair (Mr. Matthew Green): How senior would that have gone in your ranks?

Chief Steve Bell: Every investigative lead that we were provided, we followed up on. I can't comment on the investigations as they unfolded. I can let you know that as there was discipline or hearings to be held around them, we did hold those, and—

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

Thank you, Mr. Green.

Senator Carignan, you have three minutes.

[*Translation*]

Hon. Claude Carignan: Thank you, Madam Chair.

My question is again for Chief Bell.

About February 7, an injunction was issued by the Superior Court at the request of a citizen. I was surprised that a citizen had to ask for this. One of the issues was to stop the incessant honking, which violated just about every municipal bylaw.

How did you enforce this injunction, and what were the effects?

[*English*]

Chief Steve Bell: I will turn it over to Deputy Chief Ferguson to talk about any efforts we made in terms of enforcement around the injunction.

What I can let you know is that, as that injunction was being heard, the Ottawa Police Service was party to it at the end, in terms of the enforcement provisions around it.

As we heard before, enforcement was a big challenge for us as we went through this. The injunction did provide further tools, some of which we utilized, but based on the resources, based on the complexity of the scenario that existed within the footprint of the “red zone”, as we called it, enforcing laws was very challenging and sometimes very dangerous for our members.

I can turn it over to Deputy Ferguson for any further enforcement measures that we did take.

• (1935)

D/Chief Patricia Ferguson: Thank you, Chief.

I think it was a tool that was used when it was safe to do so. The increased fines certainly were, I believe, helpful to our members.

When the injunction was passed, we did see on the ground a decrease in the amount of honking that was going on. There did seem to be a little bit more moderation, I would say, in the behaviour of the truckers as a result.

[Translation]

Hon. Claude Carignan: How do you explain the fact that the City of Ottawa applied for an injunction 10 days later, around February 13 or 14, and it was a resident who applied for it on February 7 or 8?

You did not join [Technical difficulty—Editor] the city in its application or support these injunctions?

[English]

The Joint Chair (Hon. Gwen Boniface): Senator Carignan, your screen froze.

Can you repeat your question? We have stopped your time.

[Translation]

Hon. Claude Carignan: All right. Excuse me.

How do you explain the fact that it took the City of Ottawa so long to seek an injunction itself, especially since the [Technical difficulty—Editor] citizen's injunction had had an effect? As we heard in testimony, the noise of the horns was terrible, and I don't doubt that, but it took a citizen to seek an injunction, on February 7.

How do you explain the City of Ottawa's decision to apply for one only on February 13?

[English]

D/Chief Patricia Ferguson: As the chief indicated, we were part of some conversations around injunctions and the benefits such a tool would have. Ultimately it was a decision by the City of Ottawa as to whether they were going to seek that or not, and obviously they did, several days after our young lady received hers.

[Translation]

Hon. Claude Carignan: Did you have a plan—

[English]

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

If Mr. Green could take the chair, I'll do the next question.

The Joint Chair (Mr. Matthew Green): Senator, the floor is yours.

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

Chief Bell, I have three minutes here, and there are a couple of things I'd like to get clear, if I may.

First of all, the province declared an emergency. What effect did that have or what assistance did that provide to you?

Chief Steve Bell: The EMCPA that was declared by the province gave tools around commercial vehicles, movement of vehicles into the city or movement in towards protests. It was one of the layers and building blocks that we utilized in our plan.

The Joint Chair (Hon. Gwen Boniface): From the perspective of how it impacted the occupation itself, can you tell me whether or not it flagged...? Did people leave? I'm trying to get to the point of whether or not these “layers”, as you call them, had any effect.

Chief Steve Bell: Absolutely. One of the key things we were trying to manage at the time was the influx that we continually saw of people into the downtown core. The EMCPA specifically gave abilities to deter or divert people from coming into the downtown core and to arrest them if their intention was to come into our area. Although it didn't actually help remove them, one of the key struggles we had was creating a stable and safe environment so we could execute the large plan that you saw.

The Joint Chair (Hon. Gwen Boniface): Yes, I understand.

A gentleman by the name of Dean French initiated some negotiations, according to the mayor's testimony last week. Are you aware if any of your members were involved in those negotiations, and what was the intent of the negotiations?

Chief Steve Bell: Our members were not directly involved in any of those negotiations, to my knowledge. I believe there was an initial introduction that was made between our police liaison team members through to the city manager, Steve Kanellakos, and organizers of the convoy, but we weren't directly involved in any interactions with Mr. French.

• (1940)

The Joint Chair (Hon. Gwen Boniface): Whatever Mr. French's instructions were, you were not involved in consultation or input into those instructions.

Chief Steve Bell: That's correct. We were not involved in those negotiations.

The Joint Chair (Hon. Gwen Boniface): Okay. Can you tell me from an intelligence perspective what your concerns may have been with counterprotests, particularly from the residents who were, I think, quite clearly getting to the end of their rope?

Chief Steve Bell: Initially, we didn't have concerns with counterprotests. People who live in Ottawa are very used to demonstrations and protests.

The Joint Chair (Hon. Gwen Boniface): Not like this one, though.

Chief Steve Bell: No, absolutely, not like this one.

What we were concerned about, as it progressed, was the intervention of citizens with members of the occupation as they moved around the city, and that was very concerning to us.

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

Colleagues, we have enough time to do one more round. If we're agreeable, we'll start that with Mr. Motz. To be clear, we'll go to Mr. Motz and Mr. Virani for four minutes each, and then to Madame Normandin, Mr. Green, Senator Cordy and Senator Patterson, who will each have three minutes.

We'll start with Mr. Motz for four minutes.

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

Chief, I want to take you back to a comment you made about the exclusion zone. You said that the Emergencies Act was the only tool you had to invoke that, yet a mere three hours after the Emergencies Act was rescinded by the government, the Ottawa Police Service found other authorizations to bar people from the downtown area. You put out a bulletin saying that for public safety interests, an area that used to be known as the secure area downtown was no longer accessible to the public, so I wanted to remind you that there are other authorities that you could have used for exclusion zones.

You indicated, sir, that you had an OPS plan in place and that you required—and I think Deputy Ferguson said the same thing—manpower. You required resources.

When did the Ottawa Police Service ask for those resources? I know that Chief Sloly probably asked for them early on, but you would know that. Whom did you ask?

Chief Steve Bell: To start with the first part, I don't believe I ever stated that it was the only tool. I think what I said was that it created a very stable legal framework for us to be able to enact or to execute—

Mr. Glen Motz: Right. I remember what you said. What I'm saying is that at one point, with another issue, you invoked another authority to keep people out of the downtown core a mere three hours afterwards. That's irrevocable.

How many officers did you ask for, when did you ask for them and whom did you ask for them?

Chief Steve Bell: I'm going to turn that over to Deputy Chief Ferguson.

D/Chief Patricia Ferguson: Thank you.

For the first weekend, we had a number of public order units that were here in town assisting us. Then, beyond that, on an ongoing basis, there was a very public request for 1,800 officers, which I think you saw our chief declare at the police services board meeting.

Mr. Glen Motz: Right. The impression that's left is that the invocation of the Emergencies Act was necessary to swear in these individuals. We all know that, in circumstances like the ones you were

facing as a police service, you could have had 500 officers in a room and you could have sworn them in all at once, so the Emergencies Act was not necessary. Other agencies have done that in the past.

Chief, I wanted to ask you this. We were led to believe that in the early stages especially, and during a majority of the blockade or protest downtown, there was less crime in the affected, blockaded area than you're normally used to—in fact, significantly less crime.

Is there any truth to that, yes or no?

Chief Steve Bell: I would like to go back to the comment that was made around the swearing in of the—

Mr. Glen Motz: I asked the question. Was there more or less crime in the downtown core in the area where the blockade was?

Chief Steve Bell: I don't have the actual statistics for you, but I can provide those for you.

Mr. Glen Motz: But you know there was less crime.

Chief Steve Bell: No, I do not know there was less crime.

Mr. Glen Motz: Okay, well, it was reported widely that there was a lot less crime in the downtown area.

Given your experience, Chief, you know that there are extremists who would attach themselves to a protest to leverage that protest for their own nefarious purpose. Is that correct?

● (1945)

Chief Steve Bell: That it can happen is correct, yes.

Mr. Glen Motz: There is some evidence—in fact, there is significant evidence—to suggest that that's exactly what happened at Coutts—confirmed by the RCMP—and also potentially here in Ottawa. Is that correct?

Chief Steve Bell: I'm not familiar with the information around Coutts. I can tell you that there were fringe elements involved in the protests in Ottawa, but I can also tell you that there were a large number of people involved in occupying our streets, engaged daily in illegal activities.

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

We'll move to Mr. Virani.

Mr. Arif Virani (Parkdale—High Park, Lib.): Thank you.

With respect to Coutts, I just want to make it clear—and you may or may not be familiar with this, Mr. Bell—that at least four charges of conspiracy to commit murder were laid at Coutts. Are you aware of that?

Chief Steve Bell: No, I'm not aware of the charges that were laid there.

Mr. Arif Virani: Okay.

I'm looking at something called an Ontario Provincial Police operational intelligence report, which was prepared on February 14 by the OPP. I think they consulted with you in preparing these types of reports and shared them with you. Is that fair?

Chief Steve Bell: I'm sorry, sir, but I missed the very beginning of the question.

Mr. Arif Virani: There's something called an operational intelligence report, by the OPP, dated February 14, which was prepared in consultation with you. I presume they shared this information with you, because it references OPS information. Is that correct?

Chief Steve Bell: I'm not familiar immediately with the exact document you're speaking of.

Mr. Arif Virani: Okay. I'm going to put to you a couple of things and you can tell me whether they sound correct from your observations as you observed them in your role with the OPS. It talks about some of the objectives of the various people who were on the ground blockading.

Their objectives were “an intent to pressure the Federal Government into repealing...restrictions and/or compelling Prime Minister TRUDEAU to resign”. On another point, on page 18 of this document, it says that they “appear to have a vested interest [in] accomplishing a change of government”. On page 22, it talks about a speaker from Quebec who used “Very powerful Anti-Government rhetoric, talking about over throwing the present Government and having a 'Party of Citizens' take over.”

The document goes on, and there are multiple references to “WE WILL BE THE NEW GOVERNMENT. We will just take the power and share it together.” At the very end of this document, it concludes that “[t]he first and foremost barrier preventing a resolution arises from the primary objectives of the...group”, which include the “dissolution of Prime Minister Justin TRUDEAU's government.”

Does that sound familiar to you, in terms of the observations you and your personnel observed on the ground as the OPS trying to deal with this blockade, that this overthrow rhetoric was being used by people who were involved in the blockade?

Chief Steve Bell: Again, what I'll say is that there were many different components to the occupation, many different people involved in it. Those were comments that could have been heard, but there was also commentary around mandate removals. There was commentary around the World Economic Forum. There were many different agendas that presented themselves there.

You captured some of the sentiment, but I wouldn't say that it was overriding or that there was one voice and that was what the voice was capturing.

Mr. Arif Virani: Okay.

Mr. Naqvi talked to you about misleading calls, misleading the police with attempted obstruction of the 911 vehicle. Are you also aware that children were being used and actively deployed as a method of blocking police activity and impeding police arrests?

Chief Steve Bell: I am well aware that there were children in the vicinity, in the red zone actually. In terms of the actual activities you're talking about, we didn't have any evidence of those and there were no criminal charges laid around those.

Mr. Arif Virani: Right. Criminal charges weren't laid because there were times when OPS officers went in to try to lay charges and they were actually swarmed or surrounded by blockaders. Is that correct?

Chief Steve Bell: That is correct, but it was never in relation to the safety of a child.

Mr. Arif Virani: Okay.

You indicated in earlier testimony today that the mere threat that accounts would be frozen under the Emergencies Act actually prompted individuals to leave of their own volition. Is that right?

Chief Steve Bell: That is correct. That's what I understand.

Mr. Arif Virani: That avoided the necessity of having a physical confrontation between your officers and the blockaders. Is that correct?

Chief Steve Bell: That was not on a large scale, but that was one of the impacts we did see.

Mr. Arif Virani: Avoiding a confrontation means avoiding violence that might erupt from that confrontation. Is that fair?

Chief Steve Bell: That's correct.

Mr. Arif Virani: Thank you.

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

We'll now move to Madame Normandin.

Go ahead, please.

[Translation]

Ms. Christine Normandin: Thank you, Madam Chair.

Chief Bell, I'd like to go back to your comments about tow trucks. You said that the Emergencies Act was helpful because it allowed for the requisition of enough tow trucks. One of the alternative plans that was considered was to use the tow trucks that the City of Ottawa had in its possession, but there were not enough.

Did I understand that correctly?

• (1950)

[English]

Chief Steve Bell: No, it was more around options. I was asked what some of the options we considered were. Trying to amass local assets through our municipal government was one of them, but that just didn't meet the number we needed in order to move the occupation out.

[Translation]

Ms. Christine Normandin: Can you tell me how many tow trucks you were able to requisition?

[English]

Chief Steve Bell: I don't actually have that number for you.

[Translation]

Ms. Christine Normandin: Can you tell me how many tow trucks were needed once the operation was launched?

[English]

Chief Steve Bell: I'm going to turn that over to Deputy Chief Ferguson.

D/Chief Patricia Ferguson: It would be strictly from memory here, but I think we were looking at somewhere in the range of half a dozen to 15 or so tow trucks. It was the heavy tows we were lacking in numbers for the city.

[*Translation*]

Ms. Christine Normandin: Let's go back to what you said.

You mentioned that it had been impossible to get enough tow trucks with the city's resources and that you could use subcontractors. You are not able to give me the number of tow trucks, but you can tell me that it was insufficient.

[*English*]

Chief Steve Bell: I don't know if it was one, two or three trucks that we had accessed. I believe there was discussion around the exact number with city manager Steve Kanellakos last week, but it fell far short of the number we were going to need to access in order to mobilize the plan that had been put together to remove all of the protesters.

[*Translation*]

Ms. Christine Normandin: Did you look for resources outside the City of Ottawa or did you limit yourself to the City of Ottawa?

[*English*]

Chief Steve Bell: No. I can tell you that, as part of the planning right from the early days, we worked very hard to try to access the resources we needed, tow trucks or alternatives. Ultimately, we weren't able to find the numbers or alternative means to move them. What it came down to was that in order for us to execute the plan, we were going to need to have the number of tow trucks that Deputy Chief Ferguson mentioned.

[*Translation*]

Ms. Christine Normandin: So you searched for them as best you could, but you were unable to find 12 tow trucks.

[*English*]

The Joint Chair (Hon. Gwen Boniface): I'm sorry, but your time is up.

Mr. Green, you have three minutes.

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

Mr. Bell, can you briefly state who was actively involved in Project Hendon?

Chief Steve Bell: Project Hendon is run primarily by the Ontario Provincial Police—

The Joint Chair (Mr. Matthew Green): I'm sorry. I mean from the OPS. Of those who reported to you, who would have had access to the Hendon reports?

Chief Steve Bell: The Hendon reports were shared widely within our organization. They were actually put into our intelligence unit, into our planning team, and information was reported up through our chain of command.

The Joint Chair (Mr. Matthew Green): There are reports that have been disseminated through the Public Order Emergency Commission that Deputy Ferguson had not been given access to these reports until a week after the convoy had started.

Is it correct, Deputy Ferguson, that you didn't have, at the outset, any access to these reports? If so, why do you think that is?

D/Chief Patricia Ferguson: That is correct. Traditionally, intelligence has been tightly held in organizations to go to people who are...that's their designated job.

The Joint Chair (Mr. Matthew Green): The interview with Superintendent Pat Morris for the provincial operations intelligence bureau talks about “a failure to utilize intelligence in operational preparation, decision-making, and proactive planning.”

In fact, it goes on to state that it appeared that people didn't understand the “gravity”, that it wasn't apparent that “the OPS members participating in the Hendon calls understood the gravity of the situation by January 21.” However, “as time progressed...their grasp [and] impactful questions...became more evident.”

Up until then, is it fair to say that your intelligence analysts who were participating with the Hendon calls perhaps underestimated what was coming their way?

Chief Steve Bell: I think we all continued to grow in our knowledge and understanding of what was going—

• (1955)

The Joint Chair (Mr. Matthew Green): That wasn't the question, sir. Would you agree with the assessment that there was a failure in intelligence analysis and a significant gap between that analysis and the operational planning leading up to the convoy?

Chief Steve Bell: No, I wouldn't agree with that, because I think there are many pieces within the intelligence that are very relevant not within the intelligence. That's extremely relevant—

The Joint Chair (Mr. Matthew Green): Let's talk about the relevance of those pieces within the senior leadership team. There has been testimony here that there had been some friction on the senior management team. Did personal relationships get in the way of proper operational planning in the early days of the occupation?

I'm going to put that question to Deputy Ferguson.

D/Chief Patricia Ferguson: I would say that in the early days it did not.

The Joint Chair (Mr. Matthew Green): What about the later days?

D/Chief Patricia Ferguson: As people got more stressed and the situation was evolving... I think the chief has already mentioned that these were very stressful times. We were not—

The Joint Chair (Mr. Matthew Green): Did you have access to all the information and support you needed to have an operational plan, or was the gap between intelligence analysis and operations a continued obstacle for you?

D/Chief Patricia Ferguson: No. As we progressed and realized there were Hendon reports, at that stage, of course, our city was full of truckers and we were overwhelmed.

The Joint Chair (Mr. Matthew Green): So at that point it was too late.

The Joint Chair (Hon. Gwen Boniface): Your time is up. Thank you.

I'll move to Senator Cordy, to be followed by Senator Patterson.

Senator Cordy, you have three minutes.

Hon. Jane Cordy: Thank you very much, Chair.

Chief, you said earlier that the Emergencies Act gave a stable framework to police. I guess my question is, without the Emergencies Act, would the occupation have continued for a period of time?

Chief Steve Bell: That's a very difficult question to answer, because we relied on the frameworks that were provided to us. We were continuing to develop a plan. We would have executed a plan that would have been different from the one that we ultimately did under the Emergencies Act.

I can't answer the question about what would have happened in the absence of it, because it existed and it was utilized within our planning process and the execution of our plan.

Hon. Jane Cordy: I understand that hypotheticals are often challenging, but you did say that it was certainly helpful to provide a better framework for the police in dealing with the situation. Do you stand by it?

Chief Steve Bell: Yes, I do.

Hon. Jane Cordy: Thank you very much for that.

I'm also looking at the earlier questions that were asked about the threat assessment. Could you tell us how many and what types of weapons were seized by the police during the occupation?

Chief Steve Bell: I'm going to turn that one over to Deputy Chief Ferguson.

D/Chief Patricia Ferguson: Thank you.

I can tell you that a weapon can be many things. There's been a focus on guns in most of these conversations, but a weapon can be a knife or a tire iron. It can be a number of different things.

In terms of charges that we laid, we had an assault of a peace or public officer with a weapon. We had intimidation with weapons. We had carry concealed weapon charges. We had a carry weapon to a public meeting charge laid. There were a number of different offences involving weapons, but in terms of the number of guns, if that's what people are focusing on, I don't have a solid number on that.

There were threats or intimations that guns were in vehicles, as we've already heard discussed this evening. We did not search every vehicle that we cleared, as we had to move through the city fairly methodically and quickly for the safety of our officers and everyone involved. Many of those vehicles were not searched, so we don't know if there really were guns in them or not.

Hon. Jane Cordy: What types of weapons did you see or did you hear about?

D/Chief Patricia Ferguson: All manner.... A weapon is any object that can be used to threaten or assault somebody, so knives, tools, tire irons and those types of things were in the mix.

The Joint Chair (Hon. Gwen Boniface): Senator Cordy, your time is up.

Senator Patterson has passed on his questions, so let me take this opportunity to thank Chief Bell and Deputy Chief Ferguson for joining us this evening. It's very much appreciated.

Colleagues, we will take a five-minute break, and then we will move to our representatives from the OPP.

We're suspended.

- (1955) _____ (Pause) _____
- (2005)

The Joint Chair (Hon. Gwen Boniface): We will resume.

For our second panel this evening, we have with us, from the Ontario Provincial Police, Commissioner Thomas Carrique and Deputy Commissioner Chris Harkins.

Welcome to you both.

Commissioner Carrique, you have five minutes for opening comments. You can go ahead.

Commissioner Thomas Carrique (Commissioner, Ontario Provincial Police): Thank you, Madam Chair.

Good evening, joint chairs, vice-chairs and committee members. I'm joined here today by Ontario Provincial Police deputy commissioner of field operations Chris Harkins.

Under the Ontario Police Services Act, the OPP has a unique dual mandate. We provide frontline policing services to 330 municipalities across the province through five regional commands, each of which is led by a chief superintendent, plus a highway safety division. We're also responsible for providing various provincial services through our investigations and organized crime section, our traffic safety and operational support section, and a variety of other specialities. As well, we provide assistance and/or specialized support to municipal police services upon request. This year to date, we have satisfied over 230 such requests.

As it relates to the "freedom convoy" and the associated illegal blockades in the city of Ottawa, the OPP's provincial operation intelligence bureau commenced reporting to our policing partners on January 13, 2022. As of January 22, daily intelligence reports focused on the convoy headed to Ottawa and the anticipated protest movements across the province. We shared this with our policing partners. The intelligence reporting was received by more than 35 Canadian law enforcement and security agencies. As the convoy crossed over the Manitoba-Ontario border and travelled across the province until it arrived in Ottawa on January 28, OPP officers professionally fulfilled their duties without incident.

In support of the Ottawa Police Service, throughout the occupation, an increasing number of OPP officers and specialized resources from various services became engaged, ultimately contributing to an integrated plan and the establishment of a unified command. Simultaneously, our members responded to many other convoys and demonstrations that consistently and repeatedly emerged in communities across Ontario, including but not limited to critical blockades of the Ambassador Bridge, the blockade of Highway 402, multiple other attempts to block Canada-U.S. land border crossings, and demonstrations that posed a risk to the area of the Ontario legislature. In addition, from one day to the next, the convoy entered Ontario and we were responsive to the requests for assistance from other municipal police services. This was a provincial and national emergency that garnered international attention.

In response, the OPP and more than 20 other police services from across the country worked collaboratively to address the public order emergencies that were unmatched in recent history. Protests and demonstrations are often complex in nature. The role of the police remains that of protecting the public, upholding the law and keeping the peace. The Province of Ontario's critical infrastructure and highways regulation under the Emergency Management and Civil Protection Act was an effective supplementary tool that assisted with protecting critical infrastructure and ensuring the continuous and safe delivery of essential goods and services.

The Government of Canada provided additional tools through the measures enacted under the Emergencies Act, which assisted in preventing a surge in protest participants, protecting children from exposure to the occupation, enabling the assistance of service providers and providing them with indemnification, and restricting access to sources of funding for the illegal occupation by temporarily freezing accounts.

As the committee is well aware, along with the illegal occupation in Ottawa, there were critical events experienced in Ontario, as well as numerous other high-risk "freedom convoy"-related protests and blockades across Canada. The OPP worked collaboratively with the Ottawa Police Service, the RCMP and other police partners to develop a sustainable, integrated operational plan that was informed by effective practices from other high-risk critical events, available police resources, and concurrent and emerging operational requirements in a number of police jurisdictions. Sufficiently trained public order officers were amassed from throughout Canada and deployed in an integrated, strategic and measured manner over the course of two days, which resulted in the collapse of the occupation.

This situation and the associated events simultaneously taking place across Canada required unprecedented national collaboration to prevent injury, preserve life and protect critical infrastructure. As the commissioner of the OPP, I'm extremely proud of the remarkable professionalism and dedication of the officers deployed to Ottawa and to the other high-risk events simultaneously occurring across this province. Despite all of the challenges, while the entire nation watched live, our officers and those from a multitude of other Canadian police services remained committed to their roles and responsibilities and represented the entire policing profession with the utmost professionalism, discipline and confidence.

• (2010)

Thank you, *merci, meegwetch* for allowing us to join you here this evening.

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

We will now start our rounds of questions.

We will start with Mr. Brock for five minutes.

Mr. Larry Brock: Thank you, Chair.

Thank you to both witnesses for physically attending today at our committee. It's much appreciated.

Commissioner, you recently attended the commission headed up by Justice Rouleau and you swore to tell the truth. Do you remember that?

Commr Thomas Carrique: Yes, sir.

Mr. Larry Brock: In the course of several lawyers asking you questions, you confirmed that at no point in time did you or any member of your organization request that the Government of Canada invoke the Emergencies Act. Do you accept that particular statement today here at committee?

Commr Thomas Carrique: Yes, sir, I do.

Mr. Larry Brock: Minister Mendicino, Minister of Public Safety, on 13 occasions in the House of Commons, at various committees and during media reports to the press and television indicated that law enforcement, including the OPP, specifically asked for the invocation of the Emergencies Act.

Now, both statements can't be true. Would you agree with me that someone is lying? You're not lying, sir, so would you agree with me that Minister Mendicino is lying to Canadians?

Commr Thomas Carrique: I can tell you that I am telling you the absolute truth, sir. At no point did I provide or request that the Emergencies Act be invoked.

Mr. Larry Brock: He perpetuated this lie by indicating not only that you did request it, but that he received advice either from you or from a member of your legal team that the Government of Canada had met the threshold to invoke the Emergencies Act.

You disagree with that as well. Is that correct?

Commr Thomas Carrique: I did not provide any advice of that nature, nor am I aware of anyone from my legal team providing such advice.

Mr. Larry Brock: Right.

Again, Minister Mendicino deliberately misled and lied to Canadians when he indicated at committee and in the House of Commons that people in Ottawa in and around the area of the protest were subjected to threats of rape and those were supported by charges.

To your knowledge, no one was ever charged with rape or sexual assault or any threats of that nature. Is that correct?

Commr Thomas Carrique: I am not aware of anyone being charged with sexual assault, but that level of detail I would not necessarily be aware of. It would have to come rightfully from the Ottawa Police Service.

Mr. Larry Brock: Thank you.

Now, on the issue of the invocation of the act, were you at any point in time consulted by the government regarding the mechanics and the tools available in the act?

Commr Thomas Carrique: No, I was not, sir.

Mr. Larry Brock: Did the OPP undertake any analysis of whether the legal criteria for invoking the act had been met?

• (2015)

Commr Thomas Carrique: I wouldn't say that the OPP undertook any legal analysis. When the tools were afforded to us, we had our legal department review it and provide us advice as to how we could use those tools, and how they would work in concert with the tools available to us through the EMCPA and the other authorities that were also available to us.

Mr. Larry Brock: Thank you.

How many charges did the OPP actually lay under the emergency measures regulations or the order itself?

Commr Thomas Carrique: I'm not aware of the OPP laying any such charges.

Mr. Larry Brock: Thank you.

Now, I understand that prior to the invocation of the act, you weren't paying attention to the act itself. You weren't seeking out information regarding the act. You had no pre-warnings, no heads-up, no consultation. You learned of it as it was happening.

Commr Thomas Carrique: That's except for the conversation I had with Commissioner Lucki, in which she advised me that the federal government was considering it. That was many days prior to that happening. There was no advance notice, no heads-up, no opportunity to review it. That's correct.

Mr. Larry Brock: Yes, and that conversation with Commissioner Lucki took place on February 5. Is that correct?

Commr Thomas Carrique: That is correct. Yes, sir.

Mr. Larry Brock: You would agree with Commissioner Lucki when, in an email she sent to Mike Jones, a staffer for the government, late on the evening of February 13, she indicated, "I am of the view that [the RCMP has] not yet exhausted all available tools that are already available through the existing legislation. There are instances where charges could be laid under existing authorities for various Criminal Code offences.... The Ontario Provincial Emergencies Act just enacted will also help in providing additional deterrent tools to our existing toolbox".

You agree with that sentiment as well. Is that correct?

Commr Thomas Carrique: I do, yes.

Mr. Larry Brock: On the issue of—

The Joint Chair (Hon. Gwen Boniface): Mr. Brock, I apologize, but you will have five more minutes coming in the next round.

Mr. Larry Brock: Thank you.

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

We'll move to Mr. Virani for five minutes.

Mr. Arif Virani: Thank you. I'm going to proceed at somewhat of a brisk pace.

Thank you, Mr. Carrique, for being here. I really appreciate your time.

I wanted to talk to you first about the risk assessment. I'm looking at a document that's an OPP operational intelligence report, dated February 14. It's the type of report that you said in your opening was being generated on a daily basis. It talks about things such as threats that arose. I'm going to put to you some of the statements here and ask you for your comment.

From notes on February 5, there was a report that there was a plan "to bomb Parliament via the tunnel system. RCMP INSET is investigating". Do you recollect that kind of threat and seeing that kind of threat inserted in these reports?

Commr Thomas Carrique: I do recollect seeing those types of threats referred to in various Hendon reports. In fairness, I can't say if that is word-for-word correct, but I have no reason to dispute it with you, having the Hendon report in front of you.

Mr. Arif Virani: The report also says there were incidents of weapons being amassed. In the same report, on page 20, it says that "CIG received information that an individual...may be supplying weapons to protestors. CIG is continuing to investigate." CIG is what, Mr. Carrique?

Commr Thomas Carrique: Without seeing the report, I can't say what CIG is, sorry.

Mr. Arif Virani: You're not familiar with that acronym.

Commr Thomas Carrique: No.

Mr. Arif Virani: I'm on page 27 of this report, and there's a threat where an individual said, "If any violence is perpetrated against those protestors by the government or local police, it's a call to arms for all [of] us freedom fighters to come together and go where we're needed. Drop everything and offer your support".

Do you recollect seeing that kind of material in these types of reports?

• (2020)

Commr Thomas Carrique: I do recollect seeing those types of statements stated in the Hendon reports, yes.

Mr. Arif Virani: There's another one that I want to take you to. I'm on page 21 of the report, and it says, "Background [of this posting] appears to be OPS Instagram page"—that's the Ottawa Police Service—"with a blue bubble with the following text: Just remember, we have more people, more guns, better armor and we are your owners. You will be hanging alongside Trudeau and the many others that have shown their treasonous hand. 'We aren't scared of you. You need us, we do not need you.'"

Even just hearing that, let alone reading this in a situational report, how would that make you respond in terms of your work in law enforcement on behalf of the OPP when rhetoric like this is being posted by the blockaders?

Commr Thomas Carrique: It's an obvious concern for us. It would require further analysis through intelligence and potentially further investigation, and certainly the dissemination of that information to the police service of jurisdiction. All of the things you cited were a concern to law enforcement, and in particular to the OPP.

Mr. Arif Virani: We have some information that's been submitted to the commission. We have information that 533 charges were laid, including a large number of weapons charges by the OPS. Are you familiar with that?

Commr Thomas Carrique: I am familiar with statistics that have been cited. I can't say whether that is accurate or not.

Mr. Arif Virani: We've also heard evidence from some of the witnesses who went before the commission of inquiry and said that basically this was just a peaceful, almost fun-type protest. How do you react to that, in light of what I just read to you and the charges that were laid?

Commr Thomas Carrique: Over and above what you have read to me and the citing of charges that have been laid, it was not a peaceful protest. It was an unlawful demonstration. It turned into an occupation, and it was a significant challenge for law enforcement.

Mr. Arif Virani: I'm not sure whether you listened to the previous testimony, but I took Interim Chief Bell to some of the instances where people used the rhetoric of "overthrow of government", "dissolution of government", "ending Trudeau's reign of power", etc. Are you aware of those kinds of sentiments also being uttered by people who were participating in the blockade?

Commr Thomas Carrique: I am aware of those types of sentiments being reported in the Hendon reports, yes.

Mr. Arif Virani: I wanted to take you to something important that relates to Diagonon, an ideologically motivated extremist violence group. We know that the Diagonon symbol was found along with an arms cache at Coutts, Alberta.

We also have evidence in this document, on page 6, that says Diagonon is "an ideological group which advances accelerationist rhetoric towards government collapse. DIAGOLON appears to have an audience within the Convoy with some members having traveled from BC to Ottawa."

Can you comment on the presence of Diagonon in the Ottawa blockade?

Commr Thomas Carrique: I would not be in a position to provide you with specific evidence in relation to their presence within the Ottawa blockade. All of the information I would have access to is what's contained in the Hendon report. That further evidence would have to come from Superintendent Pat Morris or an actual intelligence operator.

Mr. Arif Virani: Okay. Thank you.

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

Now we'll move to Madame Normandin.

[Translation]

Ms. Christine Normandin: Thank you very much, Madam Chair.

Thank you for being here, Commissioner Carrique.

I would like you to give us some details about what happened when you learned about the Emergencies Act order. As I understand it, you had a discussion with Commissioner Lucki around February 5. That's when she mentioned to you that this measure might be used.

At what point in time did you know that this would be used in the form of an order in council by the government?

[English]

Commr Thomas Carrique: Thank you.

I did not know ahead of time that the Emergencies Act was going to be invoked. It was only after it was invoked and that information was made public that I became aware of it. That caused our team to have to revisit the operational plan that they had in place and consider the new tools that were afforded to them in the Emergencies Act.

[Translation]

Ms. Christine Normandin: In that case, I would like you to tell us about the plans you already had in mind that were possibly going to be implemented.

Can you give us a little more detail on the time required to put the plan in place?

[English]

Commr Thomas Carrique: The plan was ready to go on February 13. There were still some obstacles that we had to overcome before that plan could be operationalized, but it was ready to be operationalized on February 15. The planning team had to revisit the plan and ensure that the tools that were now available to them were considered and that they would be utilized where and when appropriate.

• (2025)

[Translation]

Ms. Christine Normandin: You just mentioned that there were still a few hurdles to clear for the plan to work. Was the use of the Emergencies Act necessary to ensure that these hurdles were overcome? Were you considering other options?

[English]

Commr Thomas Carrique: The Emergencies Act wasn't specifically required for us to operationalize the plan from that period between February 13 and February 15.

What the Emergencies Act did do, how it did assist police, I believe.... There was a constant struggle with providing towing services. We did have a number of tow trucks identified that were willing to assist. There were up to 35 tow trucks, I believe, through seven to nine different companies, but those tow operators were seeking indemnification. We were in the process of an emergency procurement process through the province to provide that level of indemnification. The Emergencies Act enabled us to be able to escalate that indemnification and provide that to the tow truck operators.

Although not part of the operational plan, the Emergencies Act also provided the opportunity for police to cut off access to funding sources, which made the occupation less sustainable, and certainly we were able to leverage the messaging around restricted zones and restricting children into those zones. Although there were common-law and other legal authorities to restrict attendance, it enabled police to strengthen that messaging with the Emergencies Act.

[Translation]

Ms. Christine Normandin: Thank you.

I'll come back to the issue of tow trucks, since you mentioned it.

If I understood correctly, the problem was only financial, and if there was difficulty in using tow trucks, it was not because the owners, for example, did not want to do the work. It was only the financial aspect.

[English]

Commr Thomas Carrique: Yes, so it became somewhat complicated between using the Emergencies Act to compel tow operators and the indemnification. We had approximately 35 tow operators ready to go, but some of them were still expressing concerns about retaliation, their identity becoming known, damage that may occur to their properties or their vehicles or to them personally—any harm that may come to them in the future for their assistance—but they still had committed to assisting, so being able to provide that indemnification was very useful.

The other aspect was that, although they had agreed to assist, there was some concern as we got closer to going operational that they could change their minds and not be willing to assist, so the ability to compel them would have also been of great advantage in that situation. We did provide the written documentation, and we did provide the verbal notice, as required under the Emergencies Act. However, they weren't resisting at that time, but had they changed their minds, we saw that as a significant advantage.

[Translation]

Ms. Christine Normandin: Thank you very much.

I will continue in the next round of questions.

Commr Thomas Carrique: Thank you.

[English]

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

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

I want to take this opportunity to go to Commissioner Carrique to clear the air on what seems to be a bit of a contradiction.

During the March 24 SECU meeting, you shared that the provincial operations intelligence bureau had identified the “freedom convoy” as a threat to national security. However, on October 19, OPP Superintendent Pat Morris told the commission that his team had never received credible information that the “freedom convoy” constituted a direct threat to national security.

Do you agree with the assessment of the House of Commons Standing Committee on Public Safety and National Security that these statements are contradictory?

Commr Thomas Carrique: No, I do not agree that they're contradictory, and I think I went to a great extent to explain where there could be a perception of contradiction before the commission. On February 7—

The Joint Chair (Mr. Matthew Green): I'll take that as your answer. I'm happy to give you the opportunity just to put it on the record here today.

In your opinion, did the “freedom convoy” constitute a threat to national security?

Commr Thomas Carrique: I believe the “freedom convoy” did present a threat to national security, and it is very important.... This is talking from a strategic intelligence standpoint, not evidentiary as required under the CSIS Act or through terrorist charges under the Criminal Code, but from a strategic intelligence standpoint, which leads to decision-making and action planning.

Absolutely, I felt it was a threat.

The Joint Chair (Mr. Matthew Green): The integrated terrorism assessment centre's national threat level was at “medium”, and this is the definition: “Intelligence indicates that an individual or group within Canada...has the intent and capability to commit an act of terrorism in Canada. ITAC assesses that a violent act of terrorism could occur.”

Would that inform your intelligence and decision-making, operationally speaking?

Commr Thomas Carrique: Operationally speaking, that would inform decision-making, and there was consultation between what we call POIB, the provincial operations intelligence bureau, INSET, the integrated national security enforcement team of the Royal Canadian Mounted Police, and CSIS to further analyze what our section reported as a possible threat to national security.

The Joint Chair (Mr. Matthew Green): Your Hendon report dated February 9, 2022 “refers to threats to public safety, officer safety, and potentially to national security”. Superintendent Morris “noted that at certain times, the environment was jovial and congenial. However, when police action occurred...the dynamic changed to be more aggressive. Around this time, POIB also became concerned about instances where information about police action became available to protestors.”

Did you share the concerns of Superintendent Morris, given that information?

• (2030)

Commr Thomas Carrique: Did I share the same concerns?

The Joint Chair (Mr. Matthew Green): That's correct: that police action information became available to protesters.

Commr Thomas Carrique: Yes, I shared those same concerns.

The Joint Chair (Mr. Matthew Green): There was perhaps "evidence of accidental or intentional leakage of information" and you wanted to "batten down the hatches", in his words. Do you agree that this was a threat that you needed to solve, from your intelligence and operational perspectives?

Commr Thomas Carrique: It was certainly a risk that needed to be addressed and mitigated.

The Joint Chair (Mr. Matthew Green): Given the recent testimony of organizers that they had multiple leaks from every level, what evidence....? You said "accidental or intentional". What information would have led you to believe that there was an intentional leakage of information to the convoy protesters that would make you want to batten down the hatches?

Commr Thomas Carrique: I have no evidence to say that there was leakage that took place during this time period. I agree with the sentiments and the statements that were made in the Hendon report at the time. There were a number of follow-up taskings that were issued out to try to determine whether the threats had actually been realized in terms of specific information leaked.

The Joint Chair (Mr. Matthew Green): Were you ever briefed on the potential for perhaps sympathies within the Ottawa police senior management, as has been reported broadly, that may have been a threat to the intelligence that had been shared? More clearly, I should say, were you comfortable sharing all of the information you had with the members of the Ottawa police?

Commr Thomas Carrique: I had no concerns with sharing all of the intelligence we had with the Ottawa police or any of our other policing partners.

The Joint Chair (Mr. Matthew Green): Was there ever any information provided to you that some of the members may have been sympathetic to the causes and may have been involved in some of the leakages of information?

Commr Thomas Carrique: There was ongoing concern that there may be police personnel. There were police personnel who were sympathetic to the causes and there was a risk of information leaving the confines of police services.

The Joint Chair (Mr. Matthew Green): Would that include the OPP as well?

Commr Thomas Carrique: That would include every police service.

The Joint Chair (Mr. Matthew Green): What are you doing, then, to investigate the potential for leaked information throughout the course of the convoy? Is this part of the post-mortem that you're engaged in?

Commr Thomas Carrique: There's no ongoing investigation at this time. There was no evidence ever identified that there were any leaks coming from within the Ontario Provincial Police. That was followed up by POIB, and there was no evidence to substantiate that.

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

Mr. Green, your time is up. Can I turn the chair to you?

The Joint Chair (Mr. Matthew Green): You most certainly may. I will reset the clock.

Senator, you have five minutes. The floor is yours.

Hon. Gwen Boniface: Thank you.

Welcome, again, to both of you.

Commissioner, I want to take you to the other end of the province, because there are a lot of questions. We tend to be in this Ottawa bubble here, but there were great concerns about what went on in Windsor. I appreciate the position you would be in, in terms of giving your support, where and how you do it and how you police your own communities at the same time. I think sometimes that's lost in terms of understanding that.

I'm quite interested in how the decision was made to go into Windsor. I am familiar with the Police Services Act and their call for assistance that came. Can you explain how that compares to Ottawa? I think there are a lot of questions that people have around that here in Ottawa.

Commr Thomas Carrique: Thank you, Senator.

In terms of the request for assistance, they were both very similar. There had been requests for assistance that came in from both police services formally, in writing. What was unique about both requests for assistance was that they went to the premier and the Solicitor General, as opposed to coming to me directly. The request for assistance would normally come from a police chief to the commissioner, and then we would provide the necessary assistance. That was somewhat unique in both sets of circumstances. They were public requests. Normally we would not see the specific number of officers requested publicly.

In terms of providing the assistance, we connected directly with the police services involved and assigned operational level commanders to take the lead on providing the necessary assistance.

In the case of Windsor, we were faced with a situation with the blockage of the Ambassador Bridge. We had a window where we felt we could move to enforcement, after all negotiation attempts had exhausted themselves, and execute a plan within two to four days. We had the available resources to meet the needs of the plan.

Ottawa's plan was still evolving and developing, and we knew, at that stage of the plan, that we did not have immediate access to the necessary resources. The initial assessment was that we would require a minimum of 800 public order members, which meant moving public order assets from across Canada to satisfy that plan. We were concerned that action taken in any jurisdiction would then disperse activity around the province.

On the day in question, when we moved to positive action in Windsor on February 12, we had 20 demonstrations going on simultaneously around the province. We were managing the Highway 402 blockade, the Ambassador Bridge, attempts to block the Peace Bridge, a blockage at Cornwall, attempts in Fort Frances and attempts on the provincial legislature in Toronto at Queen's Park.

My priority was to deal with all of those, whether we had the assets to, and then, once that was done, we would be able to amass the necessary resources to deal with Ottawa as the plan continued to develop. However, we continually sent assets to Ottawa during this period as well.

● (2035)

Hon. Gwen Boniface: That makes perfect sense, given my familiarity with the organization. What I don't understand is why the request would have gone to the premier or the Solicitor General. Did it come from the chief of police, or did it come from the mayor? We'll have them here, but I'm trying to understand the differences, because I have a lot of questions about that.

Commr Thomas Carrique: In the case of Ottawa, the request went from the mayor to the premier and the Solicitor General. In the case of Windsor, it came under the signature of the chief, after consulting with the mayor of Windsor. I then had direct conversation with both chiefs to make sure we were able to facilitate those requests for assistance. Although it was a nuance that I had never experienced before, it didn't create any obstacles for us operationalizing those requests.

Hon. Gwen Boniface: In the provincial emergency regulations that the government put in place in Ontario, did you have input into those, and of what assistance were they to you?

Commr Thomas Carrique: I did have input into those. Those meetings commenced on or about February 10. I was able to provide some operational perspective and some guidance in terms of tools that I thought would be effective to immediately end blockades, and deter and prevent further blockades.

I believe that our ability to clear the blockage on Highway 402 was a direct result of being able to reference the consequences for those participants not clearing that blockade immediately. I feel it was a very effective tool, through our provincial liaison teams, for preventing further blockades.

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

I'll take the chair back.

Thank you, Commissioner.

I'll move to Senator Cordy.

Hon. Jane Cordy: Thank you very much.

Thank you, both, for being here today. It's very helpful.

Can you characterize your level of concern? This is a follow-up to Mr. Green's comments about the OPP.

I was surprised and disappointed when I saw pictures on TV of police officers, who were in charge of our safety, putting their arms on the shoulders of the protesters, having their picture taken with them and saying, "Have a good trip to Ottawa. I wish I could go with you." I was devastated to see those kinds of things, because

you'd think that our police officers would be upholding the peace. Instead, they were encouraging—I felt, watching it—lawlessness by the members of the convoy.

Did you have a reaction when you saw those kinds of things happening?

● (2040)

Commr Thomas Carrique: Yes. I had a reaction when I saw those types of things happening. I can tell you there has been formal discipline administered on 15 occasions by me to members of the Ontario Provincial Police.

It's also important to note that sometimes those images can be out of context. Sometimes, when a police officer is deployed to a potentially dangerous situation, trying to de-escalate it, trying to build rapport and trying to get agreement for people to willingly leave what would be an unlawful occupation, there is some rapport building that goes on. That is different from making statements of "We support what you're doing" and "We're behind you." Simply being caught in a photograph standing with somebody who's at the occupation may not be misconduct.

We can't lose sight of the fact that there were people who were peacefully and lawfully protesting at various stages intermixed with people who were engaged in unlawful activity.

Hon. Jane Cordy: You're absolutely right. There were protesters—we've all seen peaceful protesters—and there was lawlessness going on. Thank you for that.

Yesterday, we also heard about tactical information being given to protesters. It was being leaked. What I heard—and it isn't what you said earlier—was that this leaking was being done by all three levels of policing.

Have you done investigations into that within the OPP?

Commr Thomas Carrique: I'm sorry, Senator. I'm not familiar with where that information came from yesterday.

Hon. Jane Cordy: I thought it was at the commission yesterday.

Commr Thomas Carrique: It may have been. I'm not in receipt of any evidence of leakages coming out of all three levels of law enforcement. If that means municipal, provincial and federal, there have certainly been assertions and rumours of such. Through intelligence, we have sought to clarify any rumours and seek out any evidence, and there has been no evidence of any OPP officers being involved in any such conduct.

Hon. Jane Cordy: You have been doing some internal investigations on that.

Commr Thomas Carrique: We have sought to get additional information or evidence.

We do not officially have an investigation under way. There is no evidence for us. There is no official complaint. There is no actual evidence. There is no starting point for such an investigation.

Hon. Jane Cordy: Are you concerned about the possibility of public mistrust in policing? When people see those kinds of things on TV, whether they're misconstrued or whether they've actually happened, are you nervous about public mistrust of policing levels?

Commr Thomas Carrique: I'm always concerned about the level of trust and confidence in our police from our public. It is absolutely essential to be effective and to ensure that citizens and communities feel safe and secure. They have to have confidence in our police.

However, in the absence of any evidence, a lot of this can continue to be rhetoric from those who were engaged in protest activity and those who continue to push out misinformation and disinformation to try to further a narrative. If there is ever any evidence or a complaint that can be followed up on through the course of investigation, you have my commitment that it will be done.

Hon. Jane Cordy: It also puts police officers in more danger, I believe, if there's mistrust in the police, so it is important that it's dealt with.

Commr Thomas Carrique: Trust and confidence are absolutely essential to policing in a free and democratic society.

Hon. Jane Cordy: Thanks.

Did the efforts to deal with the convoy improve after the former chief resigned in Ottawa?

Commr Thomas Carrique: Certainly, a unified command was very clearly established on February 15.

Chief Sloly resigned. I was not aware that he was going to be resigning on February 15. He was engaged in a police services board meeting. We had a number of questions that I was to take to Chief Sloly to determine obstacles that were perceived to be in the way of operationalizing the plan within the Ottawa police.

I never had the opportunity to have that conversation with Chief Sloly. Interim Chief Bell was appointed and the plan moved forward immediately at that point.

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

Hon. Jane Cordy: Thank you.

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

Colleagues, we have time to do another five-minute round. That is for everyone.

I'll start with Mr. Motz.

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

Thank you, Commissioner and Deputy, for being here.

Commissioner, you've probably heard over the last significant period of time about the distrust that the Canadian public has in Minister Blair, and his perceived interference in the Nova Scotia mass shooting.

On the heels of that, if you will, we find a text from Commissioner Lucki to you around February 22, just before the Emergencies Act was about to be revoked. She asked you, "Has minister Blair hit you up for a letter to support the EA?" You said, "No, he has not. Should I expect to hear from him?"

I find it odd—don't you?—that after the fact, we have a minister of the Crown seeking support from the police, who had been saying all along that they were supportive of this.

• (2045)

Commr Thomas Carrique: I did not receive any inquiries from Minister Blair for any letter to support the invocation of the Emergencies Act.

Mr. Glen Motz: You made it clear earlier in your testimony and at the commission that you didn't ask for the invocation.

Commr Thomas Carrique: I did not.

Post-invocation, I did not receive any requests from any ministers or anyone from the federal government to provide any sort of endorsement or letter.

Mr. Glen Motz: I'm going to take you back to some questioning from my colleague Mr. Green with regard to intelligence. You used the words "strategic intelligence".

You know that the threshold for the government's invocation of this—that's not your responsibility—is threats to national security. You came out on February 6 or February 7 and indicated that you believed it was a national security threat. I don't know what happened on those days that would have caused you to believe that. Hopefully, you will tell us that, if you can.

It flies in the face of what Superintendent Morris has told the inquiry. He said that there was no credible intelligence to support a national security threat. When you look at how the act is written, "threats to the security of Canada" has a meaning assigned under section 2 of the CSIS Act.

Did you see, or were you aware of any intelligence that supported espionage or sabotage against Canada, or that was detrimental to the interests of Canada?

Commr Thomas Carrique: I need to correct you on one statement, sir.

It was not I who, on or about February 6, made any sort of declaration or statement about a threat to national security. It was on February 7, contained in a Hendon report, that there was a possible threat to national security.

Mr. Glen Motz: You referred to that.

Commr Thomas Carrique: I referred to that.

That report was completed and approved by Superintendent Pat Morris. He would have had the same information.

Mr. Glen Motz: Since then, he has said that there was no credible threat to national security. He said that at the commission.

Commr Thomas Carrique: He did.

Again, I have a point of clarification. That doesn't dismiss what was contained in the Hendon report on the 7th. As time went on, there was no credible threat determined. There was no threat that became realized.

Mr. Glen Motz: To answer my question, you saw no evidence in the Hendon report or any other intelligence reports to suggest that there was any sabotage or espionage against the Government of Canada, or against Canada, period.

Commr Thomas Carrique: I did not assess that information in relation to the CSIS Act.

Mr. Glen Motz: You didn't see any threats that would meet those criteria in any of the reports. Did you?

Commr Thomas Carrique: I didn't weigh it against any criteria. I viewed that information, as I've indicated, as strategic intelligence. It was a possible threat to national security.

Mr. Glen Motz: Now, you have hindsight, sir. You have hindsight. At the time, you still had to consider...

My question is.... I'm just going through what the CSIS Act says are the security requirements to be a national threat.

Commr Thomas Carrique: Yes.

Mr. Glen Motz: Did you see in those strategic assessments that there was a threat of espionage or sabotage to Canada?

Commr Thomas Carrique: You're asking me to look back at all the Hendon reports and—

Mr. Glen Motz: No, I'm asking if you were aware of any. Obviously either you were or you weren't.

Commr Thomas Carrique: I didn't see anything specific to sabotage or espionage—

Mr. Glen Motz: Were you aware of any foreign-influenced activities within or related to Canada that would be detrimental to the interests of Canada?

Commr Thomas Carrique: There was reference to such things that needed further investigation, yes.

Mr. Glen Motz: But nothing was confirmed. It was intel at the time.

Commr Thomas Carrique: There was nothing to my knowledge. I think we need to be clear on mandates here. Strategic intelligence the OPP is providing is for our decision-making and our planning. That information is disseminated to CSIS, which is responsible for assessing it under the CSIS Act.

That is not the responsibility of me, as the commissioner of the Ontario Provincial Police, or of the Ontario Provincial Police in general; nor do we have any assessment as to whether it meets the threshold for the Emergencies Act.

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

• (2050)

Mr. Glen Motz: Thank you.

The Joint Chair (Hon. Gwen Boniface): Ms. Bendayan, you have five minutes.

Ms. Rachel Bendayan: Thank you, Madam Chair. I'll be splitting my time with my colleague Mr. Naqvi.

Given the short amount of time, I'm going to go quite quickly.

To be clear, your testimony at the inquiry—and I'm reading from the record—is to the effect that in your opinion you believed that the blockades posed a risk to national security.

Do you stand by your testimony, sir?

Commr Thomas Carrique: I do.

Ms. Rachel Bendayan: Thank you.

You also testified earlier this evening that there were 20 demonstrations across the province, including the blockade of the international border between Ontario and the United States. With 20 demonstrations across the province, with everything going on, did the OPP have enough resources at the time to end the illegal blockades throughout Ontario?

Commr Thomas Carrique: The answer to that is very complex.

To end the blockades simultaneously at one point in time on one day would not—

Ms. Rachel Bendayan: Respectfully, this was a blockade that went on for three weeks, so perhaps not all in one day, but over the course of three weeks, the demonstrations, the protests, the blockades were not successfully put to an end by the OPP.

Commr Thomas Carrique: They were at various points in time. Yes, they were. They were all concluded successfully. We preserved life and prevented injury—

Ms. Rachel Bendayan: Ottawa was concluded successfully only after the invocation of the Emergencies Act. Do you agree?

Commr Thomas Carrique: In terms of timing, it was, but the operational plan was written on February 13 in the absence of the Emergencies Act.

Ms. Rachel Bendayan: Why did it take three weeks for a plan to be ready? February 13 was three weeks after the beginning of the blockade.

Commr Thomas Carrique: That is a question you'll have to ask the Ottawa police. They were the police of jurisdiction and were responsible for the development of an operational plan.

Ms. Rachel Bendayan: Thank you.

The Solicitor General of Ontario believed there were 1,500 OPP officers on the ground in Ottawa, whereas the mayor of Ottawa said there were 50.

How is it that there was such a breakdown of communication between the Ontario government and the OPP?

Commr Thomas Carrique: The breakdown in communication was a result of administrative reporting to the Ministry of the Solicitor General. If I'm going to seek financial reimbursement from another police service, I have to have the approval of the Solicitor General. The number 1,500 came from financial accounting. It was based on the average number of officers who were there on any given day over the number of days they were there, which was equivalent to 1,500 officers. At that point in time there were not 1,500 officers on any given day.

On any given day across this province, I will have approximately 1,100 police officers on duty spread across 330 municipalities.

Ms. Rachel Bendayan: Thank you.

Mr. Naqvi, it's over to you.

Mr. Yasir Naqvi: Commissioner, you have been asked whether you asked for the invocation of the Emergencies Act, and you have said no, but you have also testified that the Emergencies Act was an extremely valuable tool.

Do you stand by that testimony?

Commr Thomas Carrique: I believe there were tools available to us in the Emergencies Act that were valuable. I think one of the things that should be looked at in the greater context is the outcome throughout the judicial system of criminal charges laid by the police in these types of situations and how they truly serve as a deterrent to future protests.

Mr. Yasir Naqvi: You've also testified, sir, the following:

These tools made our operation very effective, and in the absence of having those tools, we could not have been as effective as we were.

Is that still your assertion?

Commr Thomas Carrique: That would be my opinion on the combination of the tools that were available under the Emergencies Act and in the provincial legislation. They both provided very valuable tools.

Mr. Yasir Naqvi: You have also testified that among the powers that you were able to use, which were given to you in the Emergencies Act, were things like prohibiting people from attending designated areas; limiting the presence of children, which created a significant public safety risk; compelling service providers to assist with the removal of vehicles and providing indemnification for those service providers; and freezing accounts.

Is it still your opinion that those specific powers under the Emergencies Act were useful and effective for you to end the occupation here in Ottawa and the blockades?

Commr Thomas Carrique: I do think that they are useful and effective tools. I can't say to what degree they assisted in ending the blockade, but I do believe they are effective tools that can be utilized by law enforcement in these types of situations and circumstances. They were certainly tools that we could have relied upon in this particular situation.

Mr. Yasir Naqvi: But, sir, you've testified in the past that these were effective tools that you were able to use in relation to the incidents that took over the three-week period here in Ottawa and at our borders.

Commr Thomas Carrique: That's fair. They were effective tools. "Necessary", I think, is something that needs to be explored further. There were criminal laws. There were HTA, Highway Traffic Act, laws that were available for some of those aspects. But yes, they were effective tools.

• (2055)

Mr. Yasir Naqvi: We did not see those deployed here in Ottawa until the Emergencies Act was invoked. How is that, then?

Commr Thomas Carrique: That is a situation of timing. The Emergencies Act was invoked prior to the operational plan being deployed.

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

Mr. Yasir Naqvi: Thank you.

The Joint Chair (Hon. Gwen Boniface): Madame Normandin, you have five minutes.

[*Translation*]

Ms. Christine Normandin: Thank you very much, Madam Chair.

Thank you again, Commissioner Carrique.

I will go back to my earlier questions, but I would like to ask a few first.

To your knowledge, at the time the government made the decision to invoke the Emergencies Act, was it aware of the contents of the plan that had been established on February 13?

[*English*]

Commr Thomas Carrique: I'm not aware of the government's being familiar with the contents of the plan. Operational plans would not—should not—be shared with government. That's operational, and that certainly would never be shared with government.

[*Translation*]

Ms. Christine Normandin: A few days ago, we learned that on February 13, Transport Canada had prepared a plan to allow trucks to be moved without the need to use the Emergencies Act.

Were you made aware of this plan?

[*English*]

Commr Thomas Carrique: I'm sorry. I'm not familiar with a plan that was prepared by Transport Canada. I'm not sure if there's some confusion about the assistance that the Ministry of Transportation provided in the province of Ontario. There was also an offer from the U.S. government, the State of Michigan, to provide tow services in relation to the Ambassador Bridge—approximately 100 tow trucks, which were not utilized. There may be some confusion there, or there may be a plan that was at work that I'm not aware of.

[*Translation*]

Ms. Christine Normandin: The point is that you had not been made aware that a plan existed.

You mentioned that there were some potential pitfalls in the use of tow trucks. For example, the owners of the tow trucks were afraid of damage. They were perhaps afraid of being identified when the plan was implemented. They were afraid of not being reimbursed for the damage.

Wouldn't that have been the case anyway, whether the Emergencies Act was invoked or not?

[*English*]

Commr Thomas Carrique: I'm not sure that I completely understand the question, but I'll take my best run at it.

The Emergencies Act did help mitigate those concerns because we could provide indemnification to those service providers. With regard to those concerns that they had prior to the Emergencies Act being invoked, we were able to mitigate those concerns with the Emergencies Act.

[*Translation*]

Ms. Christine Normandin: For example, in terms of damages suffered or the ability to identify the owners of the trucks, the Emergencies Act would not have changed anything. There could have been damage and the owners could have been identified anyway.

[English]

Commr Thomas Carrique: That's correct, and there have been no reports of such retaliation, to my knowledge.

[Translation]

Ms. Christine Normandin: Thank you.

You talked about the fact that the tow truck owners could have changed their minds.

Did you still have some leeway as to how many tow trucks you had requisitioned, given that some owners might have decided at the last minute not to co-operate with you?

[English]

Commr Thomas Carrique: We did have contingency plans in place. We were briefed that, with as little as two tow trucks and police officers who were qualified to operate the heavy tows, they could proceed with the removal of vehicles. However, it would have taken substantially more time to accomplish the same goal.

[Translation]

Ms. Christine Normandin: On the other hand, as I understand it, this could have been done without the Emergencies Act.

[English]

Commr Thomas Carrique: It could have been done, but not as efficiently and not as effectively.

[Translation]

Ms. Christine Normandin: The Emergencies Act should only be invoked if necessary; do you believe this level of necessity had been met?

[English]

Commr Thomas Carrique: I'm sorry. Do you mean, did we meet the threshold?

[Translation]

Ms. Christine Normandin: Was it necessary to use the Emergencies Act to execute your plan?

[English]

Commr Thomas Carrique: It wasn't necessary for us to have the Emergencies Act to move forward.

Whether the government met the threshold to invoke the Emergencies Act is not something that I've assessed, nor am I qualified to have an opinion on it.

[Translation]

Ms. Christine Normandin: All right. In your opinion, this was not necessary for the execution of your plan.

[English]

Commr Thomas Carrique: It was not necessary.

• (2100)

[Translation]

Ms. Christine Normandin: Were other legal means considered by the Ontario Provincial Police to commandeer tow trucks? For example, was going to court to obtain injunctions for this purpose part of your plans?

[English]

Commr Thomas Carrique: We were actually partway through a request to the province for indemnification through a procurement process that we can rely upon in an emergency. That was in process. We were able to discontinue that pursuit and leverage the Emergencies Act, which was much more efficient for us.

The Joint Chair (Hon. Gwen Boniface): Thank you, Madame Normandin. Your time is up.

I'll go to Mr. Green.

The Joint Chair (Mr. Matthew Green): I'll go ahead and pick up from my friend from the Bloc.

You were halfway through. How long, in your assessment, would it have taken to get all the way through that in order to be operational for the plan that you had prior to the invocation?

Commr Thomas Carrique: Sorry, sir, can I get some clarification?

The Joint Chair (Mr. Matthew Green): You were halfway through getting indemnified to get the tow trucks. That would seem to be the final piece after the three-week occupation. I'll put it to you, sir, that it seems like your assertion, based on how I'm interpreting it, is that if you just had a little bit more time, you could have gotten the job done without the Emergencies Act.

From a timing perspective, you said you were halfway through. Given your intended schedule on the operational plan, when would the operation have taken place?

Commr Thomas Carrique: It would have been the exact same time. The operation did not move forward any sooner because of the Emergencies Act.

The Joint Chair (Mr. Matthew Green): You would have moved forward without a full indemnification.

Commr Thomas Carrique: We would have moved forward with whatever indemnification we would have been able to get through the province. If that did not satisfy the tow providers, then we would have had to rely on our contingency of using police officers to operate tow trucks.

The Joint Chair (Mr. Matthew Green): What would have been the risk there?

Commr Thomas Carrique: It would have taken us longer to accomplish our mission.

The Joint Chair (Mr. Matthew Green): How much longer?

Commr Thomas Carrique: I can't say.

The Joint Chair (Mr. Matthew Green): I'm sure you were briefed on reports that the Ottawa police had a plan to displace people and then days before, they stopped the plan because of some internal dysfunction.

What's the timing of that? In your briefs.... When were you made aware that they had a plan and that they called it off in the last second?

Commr Thomas Carrique: I'm not sure that I'm familiar specifically with what you're referring to—with a plan that was called off in the last second.

The Joint Chair (Mr. Matthew Green): It was to clear Wellington Street.

Commr Thomas Carrique: There had been a plan to take positive action to deploy public order and to clear a section. There had been some discussion of that. That was dealt with at an operational level and did not proceed. That was not necessarily something I was intimately involved in.

At one point in time, on or around February 9—please don't hold me to the date because I'm going by memory—I did have a conversation with Chief Sloly over concerns that were brought forward by our team about moving forward with a public order plan that they didn't feel we were ready to move forward on.

The Joint Chair (Mr. Matthew Green): I'll share this with you. As somebody who is in opposition, I had information that was made publicly available to me through the media, like most of the public did. You've now asserted that at no point in time did the government have access to operational plans.

Is it safe to say, given the fact that this has been an ongoing occupation for three weeks and the government didn't have access to operational planning, that the invocation of the act would have been based on the information that was made publicly available to them?

Commr Thomas Carrique: I don't know that I can say that. I have no idea—

The Joint Chair (Mr. Matthew Green): Did you inform the government on any aspects of invoking the act?

Commr Thomas Carrique: I did not inform the government on any aspects of invoking the act.

The Joint Chair (Mr. Matthew Green): I guess we'll hear from others if they had, but if I take your testimony at face value, I would say that the government didn't have it at the time.

It's my assertion, and I'll put it on the record, that I still haven't necessarily concluded that all of the legal tools were exhausted. However, there's a very serious practical matter, which is that the OPS just failed to act for three weeks. We heard testimony earlier today that they were given discretion on enforcing the law, which led to lawlessness. They took the discretion, which was, in my opinion, a distinction without a difference in terms of their ability to act, their failure to act or their willingness to act.

Did you have to contemplate scenarios where you just couldn't get co-operation on the ground to get things done, much in the same way that they had to call off their own action in the weeks prior to the invocation?

Commr Thomas Carrique: I'm sorry. I'm not clear on the actual question.

The Joint Chair (Mr. Matthew Green): The question is, can you appreciate the public's perception that it wasn't necessarily a legal threshold but a practical threshold, a failure of policing, sir, in that the Ottawa police failed to adequately plan for, execute and provide operational law and order on the ground, and that ultimately led to the invocation of the act, given that the government wasn't privy to your operational plans?

• (2105)

Commr Thomas Carrique: I think “failure” of the Ottawa police is a very harsh term—

The Joint Chair (Mr. Matthew Green): There was a wrecking ball in front of the PMO—

Commr Thomas Carrique: These types of incidents, these types of events, take methodical planning. They cannot be resolved overnight. This is one of—

The Joint Chair (Mr. Matthew Green): Can they be prevented, though, sir?

Commr Thomas Carrique: I don't believe that this could have been completely prevented. It could have been displaced and dispersed. Very likely, there still would have been unlawful assembly. It just would not have been in the area it was contained to. It would have been in other areas of the city.

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

Thank you.

The Joint Chair (Hon. Gwen Boniface): Mr. Green, can I ask you to take the chair?

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

You have five minutes.

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

I'm going to follow up on Mr. Green's line, because this is now a question for those of us who come to Ottawa every week: Why three weeks? I'm sure both of you get this regularly on this issue itself. I think this gives you an opportunity to help people understand the operations and the scale of the operations that is required.

I'm going back to the Windsor situation. There is certainly a perception that it got some priority over the citizens of Ottawa from the provincial support, whatever that was, from your agency and from the province as well. Can you help us understand it from the perspective of why Windsor would be the priority? I think you alluded to it in what I would say was a surgical move to be able to clear that.

Obviously there were some economic reasons that were particular, but for those residents of Ottawa who were without work for three weeks because they couldn't get to work—the Rideau Centre was shut down—it's a matter of scope, as you would appreciate, depending on what you're losing out on from an income perspective. I know that with the auto workers that would have been a big issue at Windsor.

Can you help us understand it just so people have a better understanding of how you tried to figure out how to balance all of that? I appreciate that it's not simple.

Commr Thomas Carrique: Thank you for that question, Senator.

We are not in command and control of all these events simultaneously as the Ontario Provincial Police. Each police service of jurisdiction is responsible for the development and execution of a plan within their respective jurisdiction. We were playing an informal leadership role because we were best positioned to coordinate the access to the necessary resources.

We established, in co-operation with other police chiefs, what we referred to as a “public order hub”. There are only 10 public order teams in the province, of approximately a thousand members, and they are part-time members, so they're not ever all available at one time. Every member on a public order line in a public order uniform is a frontline police officer out of the front seat of a police car and out of a community.

It was a matter of trying to coordinate where everybody needed to be to mitigate what posed the greatest risk at the time and how we were prepared to move forward. We anticipated that Ottawa would be five to 10 days once a plan was developed and before we could have exhausted all opportunities and avenues of de-escalation: trying to reduce the footprint so when you do move to the application of force it is absolutely the minimal amount of force required to resolve the incident.

We're bound by the Ontario use of force model, as you know, and de-escalation always has to be the top priority. Our integrated planning team—which was hand-picked from around the province—of subject matter experts arrived in Ottawa on the 9th. By the 11th, they had proposed a plan of action; by the 13th that plan was accepted; by the 15th it was confirmed that it was ready to be operationalized, and then it was still three days before all the assets were available and ready to go.

It's not a direct answer, but I'm hoping it sheds some light into how we were attempting to manage these.

The Joint Chair (Hon. Gwen Boniface): It's helpful, but in a shorter version, can you compare that to Windsor? Again, it was at least reported that 400 OPP officers were taken from Ottawa to Windsor. I think this gives you an opportunity to explain that.

Commr Thomas Carrique: There were no OPP officers moved from Ottawa to Windsor. On February 11, we had approximately 150 OPP officers in Ottawa, give or take. By the 12th, there were well over 200. We maintained a presence of 200, building up to almost 1,000 over the course of the days. We did send OPP officers to Windsor to assist, but they were not taken from Ottawa; they were taken from other areas around the province.

On February 10, I initiated a provincial deployment, which meant that we cleared out all administrative areas, many of our specialty areas. Anything that was not critical to immediate officer or public safety was redeployed to the “freedom convoy” activities around the province, whether they were quick response teams at different border crossings, directly to Windsor or directly to Ottawa—

• (2110)

The Joint Chair (Hon. Gwen Boniface): I'm going to cut you off because I have four seconds, but the point is that it was the “freedom convoy” from one end of the province to the other that was causing that.

Commr Thomas Carrique: That's correct.

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

I'll move to Senator Cordy.

Hon. Jane Cordy: Thank you very much, Chair.

I'm just wondering if there were lessons learned from various police departments or agencies that were in Ottawa about how they should respond to similar events.

Going back to Senator Boniface's comment, I think a lot of people are asking why three weeks. We all watched the convoy coming to Ottawa from all parts of Canada. Three weeks is a long time when you're watching this day after day. Then we have police saying, “We had everything ready to go, but the Emergencies Act came out, so we didn't really get to implement it. If the Emergencies Act hadn't come out, then we would have done it in the next day or two.” But it had already been ongoing for three weeks, three weeks of torture for downtown Ottawa residents.

It's hard to explain to people. You were ready to go in three weeks plus two days without the Emergencies Act, so how do you rationalize that to Canadians who are watching when you say you didn't need it and you did need it? We've heard the Ottawa police chief say that the Emergencies Act certainly made it easier, and you also implied that in your comments.

Commr Thomas Carrique: I think I try to be very clear in terms of my opinion on the Emergencies Act.

Was it theoretically needed in law? No. Was it helpful? Were they tools that assisted the police? Yes. I think that's the best way I can summarize my opinion on the Emergencies Act. Whether it met the legal test or threshold, which I know is something that this committee is going to examine, that is something that extends beyond the police, but I think that's how I can summarize it best.

In terms of the time, in terms of what's being perceived as a delay, I can very much imagine how frustrating it must have been for the residents of Ottawa, but I do ask Canadians to look closely at civil disruption that has taken place around the globe and how police services have responded. There has been serious injury; there has been death; there has been riot. We just need to look south of the border to see how a police response can turn on a dime.

The timing is not ideal. The timing will never be ideal. If Ottawa police moved sooner and somebody was seriously injured or killed, we would be at a different type of inquest or inquiry. This was a no-win situation, I think, for the police and for the residents of Ottawa.

It is such a shame that there's so much attention on the action or perceived inaction of the police, as opposed to the demonstrators and protesters, who are the ones responsible for what victimized the city of Ottawa and this entire country.

Hon. Jane Cordy: That would definitely be a frustration, yes.

Another question that I have is, were the police concerned, and was there concern about the children—Mr. Naqvi brought this up—who were there in unsafe situations, young children being put between the police and the protesters, and at least one young child with frostbite? Was there concern about Ottawa temperatures in February, children sleeping in vehicles, diesel fumes 24 hours a day and horns honking 24 hours a day?

I thought you said earlier that the Emergencies Act at least restricted children within the zone. Was that correct?

Commr Thomas Carrique: The Emergencies Act did restrict the presence of children within the zone. Again, not to over-complicate it, but there is provincial legislation and federal legislation about the endangering of children. I know that Ottawa police did have the assistance of child and family services and were attending to those issues, but that level of detail is not something that I would have as an assisting provincial police agency. That level of detail really needs to come from Ottawa police.

Thank you.

• (2115)

Hon. Jane Cordy: Thank you, Chair.

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

Colleagues, we have a few minutes left. I think we all agreed that we're going to go to a three-minute round.

We'll begin with Mr. Brock.

Mr. Larry Brock: Thank you, Chair.

Commissioner, it's been said that there was a lot of misinformation, disinformation and false information surrounding the group, prior to arrival and while here. Do you agree with that statement?

Commr Thomas Carrique: Yes, I would agree with that statement.

Mr. Larry Brock: One of your employees, Superintendent Pat Morris, also agreed with that sentiment. In fact, he described political and media depictions of the convoy as “hyperbole” and “sensationalized”. An example of that is the Prime Minister, who slurred convoy participants as a “fringe minority” that should not be tolerated. You're familiar with that language.

Commr Thomas Carrique: I have heard that language, yes.

Mr. Larry Brock: He later called them “misogynists”, “racists” who should not be tolerated.

Morris testified at the commission to the contrary: His unit determined that participants had “a multitude of grievances” and appeared to be mostly ordinary citizens with “a large degree of support” across the country. Do you support that?

Commr Thomas Carrique: I certainly would defer to Superintendent Morris for his more in-depth analysis of who comprised the demonstrators.

Mr. Larry Brock: Okay.

That whole sentiment, I'm going to put to you, Commissioner, was echoed by Mr. Barry MacKillop, deputy head of FINTRAC. Are you familiar with that individual?

Commr Thomas Carrique: I am familiar with Barry, yes.

Mr. Larry Brock: He indicated in previous testimony at this committee that there was no evidence of any illegal funding of the convoy, and that most donors seemed to be ordinary people simply fed up with COVID restrictions. Do you accept that?

Commr Thomas Carrique: I accept that was Barry's evidence.

Mr. Larry Brock: Right.

You'd agree with me that another example of the dangers of misinformation occurred on February 6, when a downtown apartment dweller published a Twitter thread in which he described a pair of self-identified convoy protesters turned arsonists entering his building, taping up the door handles in the lobby, and then trying to burn the whole place down in a pyromaniac act of mass murder.

Are you familiar with that particular incident?

Commr Thomas Carrique: I am not, sir, no.

Mr. Larry Brock: This thread went viral, including from mainstream politicians and journalists. The man arrested by the OPS confirmed that the fire had absolutely nothing to do with the protesters, that the author had made it all up.

However, that didn't stop politicians and the media from exaggerating it, including members of this committee. In fact, former mayor Watson jumped on the bandwagon, claiming that this event “clearly demonstrates the malicious intent” of the truckers' convoy. Journalists called it “bone-chilling” and “horrifying”. The NDP leader, Jagmeet Singh, and MP Charlie Angus cited the story as proof that the protester wanted to “overthrow the government”. CBC Radio invited the author of the hoax on its radio program. Former minister—

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

Mr. Larry Brock: Thank you.

The Joint Chair (Hon. Gwen Boniface): Ms. Bendayan, you have three minutes.

Ms. Rachel Bendayan: Thank you, Madam Chair.

The violence, and even the arson that my colleague Mr. Brock referred to, likely would not have occurred if we were not a city under siege in Ottawa at the time.

Mr. Carrique, I would like to ask a question with respect to something you said earlier. If I understood your testimony correctly, you indicated that without the Emergencies Act, you probably would have had police officers operate tow trucks. It would have taken longer, but you're not sure how long. Therefore, the Emergencies Act allowed for a quicker resolution of the situation.

Commr Thomas Carrique: No. I think maybe I miscommunicated or you misheard it. I did not say that it would have resulted in...with the absence of the Emergencies Act. I did indicate that we had a contingency plan, if we found ourselves in a position that the tow truck operators refused to provide the services we were asking them to provide.

Ms. Rachel Bendayan: That contingency plan would have taken longer.

Commr Thomas Carrique: That contingency plan would have taken longer, yes.

Ms. Rachel Bendayan: You also indicated in earlier testimony that you anticipated this blockade to last between five days and 10 days, when in fact it lasted three weeks.

Commr Thomas Carrique: No. Again, I'm sorry if you misunderstood my testimony. I never indicated that the blockade or protest would last five to 10 days. We anticipated that it would take five to 10 days to execute an operational plan.

• (2120)

Ms. Rachel Bendayan: Then why is it that you did not start earlier? The people of Ottawa were waiting for three weeks in order to regain access to their city and their freedoms. I think everybody around this table has trouble understanding why action appears to have been taken only around the weekend of February 10.

Commr Thomas Carrique: It's unfortunate that you have that perception. First and foremost, I am not the head of the police service of jurisdiction. I have a provincial mandate to assist the police service of jurisdiction when asked to do so.

We immediately provided assistance, from January 28 moving forward, with providing the assets that were requested—from front-line officers to public order, to critical incident commander, to provincial liaison team members—escalating to the point where we actually got involved in assisting with the development of the operational plan.

Those questions are best posed to the Ottawa police, with all due respect.

Ms. Rachel Bendayan: So it's a failure of the Ottawa police.

Commr Thomas Carrique: I did not say it was a failure of the Ottawa police. I've already shared my sentiments on what a failure looks like. It would involve serious injury, potentially death, and severe damage to critical infrastructure.

Ms. Rachel Bendayan: Ambulances were not able to get to the hospital, sir. Cancer patients were not able to get treatment. There were incidents of violence on the streets of Ottawa, and people were afraid to leave their homes.

Is that not enough?

Commr Thomas Carrique: Is that not enough for what?

Ms. Rachel Bendayan: Apparently, it was not enough for you, sir. I fail to understand what you consider to rise to the level of violence or of importance.

Commr Thomas Carrique: You didn't ask me about what rises to a level of importance or violence; you asked me if it was a failure of the Ottawa police. I do not agree that it was a failure of the Ottawa police.

Ms. Rachel Bendayan: Is that because nobody died?

Commr Thomas Carrique: They were challenged. They were stretched. They were at their capacity. They required assistance to resolve—

The Joint Chair (Hon. Gwen Boniface): Ms. Bendayan, your time is up.

Ms. Rachel Bendayan: And you were not there.

Commr Thomas Carrique: We were there. Check the facts.

The Joint Chair (Hon. Gwen Boniface): We have Madame Normandin for three minutes.

[*Translation*]

Ms. Christine Normandin: Commissioner Carrique, what was the quality of communication between the OPP and the government, generally speaking? On a satisfaction scale, was it very good, good, average, poor or very poor, for example?

[*English*]

Commr Thomas Carrique: We had no direct communication with the federal government, save and except we did make available Inspector Beaudin, who leads our provincial liaison team, to provide some consultation to federal Deputy Minister Rob Stewart.

I do report to the Ministry of the Solicitor General at a provincial level. I have complete administrative and operational autonomy; however, I do have an obligation to provide situational awareness to the Deputy Solicitor General, which I did throughout the proceedings of the convoy.

[*Translation*]

Ms. Christine Normandin: Thank you very much.

Earlier, you told me that the government was not aware of the plan you had put in place on February 13. Is that correct?

[*English*]

Commr Thomas Carrique: I am not aware of government having any intimate knowledge of the plan on February 13. Certainly, no entities of government were provided with copies of that plan from the Ontario Provincial Police.

[*Translation*]

Ms. Christine Normandin: You mentioned that one of the things that the Emergencies Act did was to facilitate the use of tow trucks. The government could not have known what effect the invocation of the act would have on your plan, as they were probably not aware of it.

[*English*]

Commr Thomas Carrique: I'm not certain what other consultations they undertook. I suspect they would certainly have been aware of the magnitude of the number of trucks that had to be towed, and there was a lot of public commentary around the challenges that that was posing for police. It would be unfair for me to speculate what they knew and what they didn't know.

[*Translation*]

Ms. Christine Normandin: Did the government ever ask you how the act could help you and whether it was necessary?

[*English*]

Commr Thomas Carrique: Not me specifically, no.

[*Translation*]

Ms. Christine Normandin: All right.

Do you have any reason to believe that the government could have known what beneficial effect the act might have on any operation?

In general, are governments aware of the planning of operations?

[English]

Commr Thomas Carrique: Depending on what consultation was undertaken, and given the tools that were provided, I have to be of the belief that they were provided with some good guidance as it relates to tools that would be effective from a policing standpoint. Those tools that were provided I do deem as effective tools for law enforcement.

• (2125)

[Translation]

Ms. Christine Normandin: As I understand it, in the cases where consultations took place, you were not involved.

[English]

Commr Thomas Carrique: Not with me personally, no, but I can't speak to other consultations that may or may not have taken place.

[Translation]

Ms. Christine Normandin: Thank you, Commissioner Carrique.

[English]

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

We have Mr. Green for three minutes.

The Joint Chair (Mr. Matthew Green): Did you have any concerns about the sophistication of the supply chain, as well as the infiltration of the movement by people who were high ranking in Joint Task Force Two, the Prime Minister's security detail, and other military and former police services?

Commr Thomas Carrique: In general terms, yes, I did have a concern over reports of currently serving and/or resigned or retired military and police personnel who were embedded in the convoy.

The Joint Chair (Mr. Matthew Green): Is it safe to say that type of knowledge, intimate knowledge of police operations and tactics, would have provided a scenario in which this particular occupation and movement was perhaps sometimes ahead of the game in terms of knowing what to expect next? I referenced the ways in which they used jerry cans and used the baseball stadium as part of a logistics supply chain.

Have you, in your experience, ever seen anything that sophisticated before?

Commr Thomas Carrique: I have never seen anything that has appeared to be that sophisticated.

Just to be clear, there's no evidence of this, but I have a hard time accepting that it is merely a coincidence or circumstance that police got stretched between the two furthest points, from Ottawa to the southern part of Ontario, Windsor. I don't think that was by happenstance or circumstance.

The Joint Chair (Mr. Matthew Green): It was strategic to stretch your services and to pull you in a bunch of different directions.

Commr Thomas Carrique: I have no evidence of that, but strategically—

The Joint Chair (Mr. Matthew Green): Yes, it makes sense.

In a police report and an intelligence assessment prepared by the Ottawa police, there was a section about persons of interest that I drew attention to, because there's been a lot of consternation about the difference between charges for weapons and the presence, or potential presence, of weapons. Let's talk a little bit about where, in my opinion, the police did well. That was in terms of the persons of interest who they were concerned had access to firearms, some of whom made comments in open sources that they intended to bring firearms. In at least two cases, persons outside of Ottawa—and it said often outside of Ontario—were met by police, who seized firearms in the interest of public safety.

When police services seize firearms in the interest of public safety, briefly, are charges laid?

Commr Thomas Carrique: They can be laid, but they are not always laid.

The Joint Chair (Mr. Matthew Green): Even though charges weren't laid, that doesn't negate the fact that in two instances there were people whom police services deemed to be a credible enough threat that they actually went and seized the weapons. Is that correct?

Commr Thomas Carrique: That would be my interpretation of it.

I'm sorry, but I'm not familiar with that specific report.

The Joint Chair (Mr. Matthew Green): It's from a joint intelligence group. It has been submitted.

But you'll accept that this testimony is what I am reading in front of me.

Commr Thomas Carrique: Yes, I will.

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

That being understood, had they not been seized, were there scenarios you were prepared for in which there could be armed factions inside the Ottawa occupation?

Commr Thomas Carrique: Yes.

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

The Joint Chair (Hon. Gwen Boniface): Mr. Green, can I turn it back to you?

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

You have three minutes. The floor is yours.

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

Commissioner, I just want to go back to the strategic nature of what we would call the threat from one side of the province to the other. Was it your sense, given your vast experience on these issues, that those were very well connected in terms of information, and that they were strategically planned accordingly?

Commr Thomas Carrique: I don't know that it was well planned and strategic as much as it was organic. I think there were various individuals who were emerging as leaders at various points throughout the "freedom convoy". I think identified leaders very quickly lost control of other factions within the group.

The Joint Chair (Hon. Gwen Boniface): When the convoy left after the operation—which, again, I commend your members on—a number of trucks sat outside the city of Ottawa, which caused a lot of consternation to Ottawa citizens from the perspective of wondering if they would return.

Can you tell me how long it took for those to finally leave, and what type of monitoring you may or may not have been doing on that?

Commr Thomas Carrique: We were monitoring those particular addresses of interest. There were a number of locations where trucks and individuals were congregating, and they were under our constant monitoring. I can't tell you off the top of my head the exact date, but it was a number of weeks before we were comfortable that the threat had been mitigated and those risks had been dealt with.

• (2130)

The Joint Chair (Hon. Gwen Boniface): I want to give you the last word.

A lot of questions have been raised in terms of the trucks that came here from various corners of Canada, and many people have

raised questions as to why they couldn't have been stopped earlier. Given that those would have come through your jurisdiction, can you help the public understand what your powers would have been in those circumstances and what your decisions were around that?

Commr Thomas Carrique: Yes, certainly.

As the convoy travelled throughout the province, police officers were really absent the lawful justification to stop them at any point in time. There were no reasonable and probable grounds to identify any particular individual who was about to commit a criminal offence, which is a substantial threshold, as I'm sure Canadians would expect. Although there was lots of information on social media available, there was still the potential that it could be a lawful protest, so there were not lawful grounds for officers to stop the convoy at any point prior to it arriving in Ottawa and getting closer to the point of having reasonable probable grounds to believe a criminal act may be committed.

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

I'll take the chair back.

That does conclude our evening, colleagues. Let me take this opportunity to thank the commissioner and the deputy for engaging in the last hour and a half. We appreciate your making the trip from the beautiful city of Orillia.

We'll call that an evening. Thank you.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>