



Department of Justice  
Canada

Ministère de la Justice  
Canada

Deputy Minister of Justice and  
Deputy Attorney General of Canada

Sous-ministre de la Justice et  
sous-procureure générale du Canada

Ottawa, Canada  
K1A 0H8

APR 05 2024

Ms. Miriam Burke and Mr. Sebastien Payet  
Joint Clerks  
Special Joint Committee on the Declaration of Emergency  
131 Queen Street, Floor 6  
House of Commons  
Ottawa ON K1A 0A6

Dear Ms. Burke and Mr. Payet:

I write on behalf of the Honourable Arif Virani, Minister of Justice and Attorney General of Canada, in response to the questions submitted by Member of Parliament Mr. Glen Motz on or about March 5, 2024. The original text of the questions can be found in Annex 1.

The position of the Department of Justice Canada has not changed since our letters of February 23, 2024, and June 29, 2022, which are attached at Annex 2. The Department of Justice Canada respectfully declines to produce to the Committee any information that is subject to solicitor-client privilege.

As to the first question regarding the 10-page attachment to the February 14, 2022, memorandum to the Prime Minister, we are unable to answer any of these questions as the information is subject to solicitor-client privilege.

On the second question, relating to the January 2024 decision of the Federal Court (*Canadian Frontline Nurses v. Canada (Attorney General)*, 2024 FC 42), we are also unable to answer these questions as they are subject to either solicitor-client or litigation privilege because the Government has filed an appeal in this matter.

The Department of Justice Canada provides legal advice to the Government on decisions of the Federal Court. That advice and any information surrounding it is covered by solicitor-client privilege. Furthermore, details on briefings to the Prime Minister, the Deputy Prime Minister, and Cabinet are Cabinet confidences and are protected from disclosure under section 39 of the *Canada Evidence Act*.

While the Department of Justice Canada is committed to assisting the Committee in fulfilling its mandate, we are unable to produce information that is privileged.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shalene Curtis-Micallef". The signature is fluid and cursive, written in a professional style.

Shalene Curtis-Micallef (she/her)  
Deputy Minister of Justice and  
Deputy Attorney General of Canada

Enclosures