



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Special Joint Committee on the Declaration of Emergency

EVIDENCE

NUMBER 014

Thursday, October 6, 2022

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



Special Joint Committee on the Declaration of Emergency

Thursday, October 6, 2022

• (1830)

[English]

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

Welcome to meeting 14 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 of March 3, 2022.

Today's meeting is taking place in a hybrid format pursuant to 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.

We have with us today former Ottawa police chief Mr. Peter Sloly.

Mr. Sloly, you will have five minutes for opening remarks. The floor is yours. Please begin whenever you're ready.

Mr. Peter Sloly (Chief of Police (Retired), Ottawa Police Service, As an Individual): Thank you very much, Chair.

Good evening. I would like to thank the committee for inviting me to assist you in your important work reviewing the declaration of the Emergencies Act.

The commission of inquiry chaired by Justice Rouleau will begin public hearings next week, and I will be a party to the commission. I have supported, and will continue to support, government-related inquiries and initiatives to improve policing and public safety in Canada. At the federal government level, I have previously appeared before the PROC standing committee regarding expanding the federal jurisdiction for the security of the parliamentary precinct, the Standing Committee on Public Safety and National Security regarding systemic racism in policing, and the Prime Minister's listening circle regarding policing reform. I was also the co-chair for Public Safety Canada's national expert committee on countering radicalization to violence. My participation in these federal government consultations, committees and inquiries is part of my ongoing effort to help build a more safe, just and inclusive society.

In addition to my former role as the chief of the Ottawa Police Service, I bring to this committee over three decades of private and public sector experience in the areas of security, policing and justice. My experience includes two tours of duty in the United Nations peacekeeping mission in Kosovo. I've played lead roles in planning, implementing and managing a variety of multi-agency, multi-jurisdictional police and security operations.

The police leaders, national security leaders and senior public officials who have appeared before this and other standing committees studying the "freedom convoy" events have stated that this was an unprecedented and unforeseen national security crisis. It was a crisis fuelled by social media disinformation and societal polarization; a crisis that introduced new threats and risk factors; a crisis in which actions by police could face stiff and determined resistance, potentially leading to greater unrest and instability; a crisis that exceeded the capacity of the local police in places like Coutts, Windsor and Ottawa; and a crisis that exposed long-standing structural deficits in our public institutions, including police agencies and national security organizations.

That said, these events also galvanized the country and demonstrated the ability of our national security organizations, police agencies, public institutions, elected officials, civic leaders and just plain regular Canadians to resolve a highly volatile national security crisis without any loss of life or serious bodily harm.

The events around the "freedom convoy" represented a paradigm shift in terms of scale, planning, logistics, finances, counter-intelligence, civil disobedience, etc. What started as an anti-vaccine demonstration rapidly evolved and was co-opted by different ideologically radicalized individuals and insurgency movements. The intended demonstrations in the nation's capital turned into occupations, fortifications and/or economic disruptions across Canada, the greatest impacts of which affected the city of Ottawa.

To be clear, the Ottawa Police Service did its best to deal with this perfect storm that broke first and most on our city. From the onset, we actively sought intelligence, continuously updated operational plans and constantly tried to secure the needed resources to end the crisis safely and successfully. We deployed all available OPS resources to try to manage the fluid and metastasizing situation while also trying to provide adequate and effective police services to the rest of the one million residents in Canada's largest geographical municipality. We served, suffered and struggled 24 hours a day for weeks alongside our local residents, business owners, city workers and public safety partners. We enforced bylaws, provincial statutes and criminal offences where we could do so safely and without further escalating an already highly volatile situation. We assisted other police agencies, national security organizations and public officials to better understand and respond to the rapidly evolving and expanding national security crisis.

That is why on January 30 I worked with OPP commissioner Tom Carrique to convene meetings with police leaders from across the country to share updated threat intelligence information and operational lessons learned.

That is why on February 2 I stated that there may not be a policing solution to this. I made this statement not to abdicate local policing responsibilities but to alert government officials and civil society leaders that an end to the national security crisis may require resources, legislation and operational capabilities greater than those available to the OPS and other police services of jurisdiction across Canada.

That is why on February 7 I formally requested that 1,800 additional officers from across Canada come to Ottawa.

• (1835)

That is why on February 9 I led the efforts to significantly update our plan, including the expansion of the integrated command structure under the leadership of the OPS.

That is why the new integrated capabilities, combined with the efforts of our OPP and RCMP partners, resulted in the cross-Canada recruitment of almost 2,000 officers who were utilized to implement the OPS plan, a plan that leveraged the additional powers of the various emergency declarations and injunctions.

This whole-of-country effort ultimately collapsed the local events in Ottawa while accelerating the safe, successful end to the national security crisis.

That said, the societal issues and structural deficits that underpin this unprecedented national security crisis are still largely unresolved, so the threat of another such occurrence happening again remains, and there is an urgent need to learn all we can from these events.

I have been doing and will continue to do everything within my power to share information with the various committees and inquiries, as well as to make recommendations on how to better prevent, mitigate, respond to and recover from such crises in the future.

I conclude by recognizing everyone who was negatively impacted by this national security crisis, especially Ottawa residents, businesses and city workers.

I thank the members of the Ottawa Police Service, as well as those of our policing and national security partners, who were professional, ethical, brave and compassionate in their efforts to help safely and successfully resolve the crisis.

Madam Chair, I welcome questions from the committee, and I thank you for inviting me here today.

The Joint Chair (Hon. Gwen Boniface): Thank you very much, Mr. Sloly. You're right on time.

I'll move to Mr. Motz for the first question.

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

Mr. Sloly, thank you so much for your service, both in the military and in policing in this country.

It wasn't clear, but you were the chief of police in the Ottawa Police Service for the "freedom convoy", and you had that position up until the day after the Emergencies Act was invoked on February 15. Is that correct?

• (1840)

Mr. Peter Sloly: That's correct, sir.

Mr. Glen Motz: In the weeks in advance of the arrival of the convoy in Ottawa, did convoy organizers seek permissions and direction from the Ottawa Police Service and/or the City of Ottawa on where and how to park in the downtown core?

Mr. Peter Sloly: Prior to the arrival, there were negotiations and communications between some of the convoy elements. Those communications included efforts from the Ontario Provincial Police and, yes, from the Ottawa Police Service, specifically our police liaison teams.

Mr. Glen Motz: In other words, they were seeking permission on where to park, and that permission—from the city and from the Ottawa Police Service—was provided to them. It included emergency lanes on Wellington and side streets, etc. Is that correct?

Mr. Peter Sloly: "Permissions" isn't a word I would normally use. There were communications and negotiations around how best to reduce the public safety impact of such a large gathering and demonstration in the city, and there were some successful and constructive efforts from both parties, both the police services and the organizers.

Mr. Glen Motz: Would it be fair to suggest, sir, that throughout the protesters being here—the “freedom convoy”—members of the OPS and staff from the City of Ottawa, from what I understand, had continued dialogue and communication with organizers of that protest?

Mr. Peter Sloly: Dialogue and communication continued from the weeks before all the way through, to my understanding, until my last day in office anyway.

Mr. Glen Motz: Good. That is important, and I'll get to it in a minute, but as the convoy protest continued, obviously, given your background and experience, you and your team developed operational plans as to how best to manage and disperse the protest. Is that correct?

Mr. Peter Sloly: Ultimately, plans were updated on a regular basis, and the ultimate goal was to end the events here in Ottawa safely and successfully.

Mr. Glen Motz: Okay. I'm sure my colleague, Mr. Brock, will get into the details of those plans, but you appeared before another parliamentary committee this spring and said you had asked the federal government for “[l]iterally everything that we could think of...” Now, did that include a request from the government to invoke the Emergencies Act?

Mr. Peter Sloly: There were no explicit conversations that I had with other levels of government regarding declarations of the Emergencies Act at all three levels.

Mr. Glen Motz: Did anyone else within the Ottawa Police Service ask for the government to invoke the Emergencies Act?

Mr. Peter Sloly: Sorry, I have one correction to my previous answer: We did have conversations with the City of Ottawa around their emergency, but not the other two levels of government.

Could you just repeat your question for me, sir?

Mr. Glen Motz: Did anyone else within your police service ask the federal government to invoke the Emergencies Act, that you're aware of?

Mr. Peter Sloly: Not that I'm aware of, sir.

Mr. Glen Motz: Now, what support did your police service request from the federal government during the convoy protest? Did the federal government provide you with the resources you requested in order for you to be maintaining order in Ottawa?

Mr. Peter Sloly: The primary requests that I made on a continual basis were for resources, particularly more police officers and police-trained personnel, and secondarily, access to tow trucks. It was predictable access to a large number of officers—1,800—and access to predictable, sustainable levels of heavy tow trucks.

Mr. Glen Motz: You asked for that.

Mr. Peter Sloly: Yes, sir.

Mr. Glen Motz: Did the government provide you with any indication that it was something that you were going to receive?

Mr. Peter Sloly: We received supports from both provincial and federal governments right from the beginning. Prior to the arrival, we received OPP officers and RCMP officers, and we had that support throughout.

After the official request for 1,800, there was a greater level of integration within our command structure, and we started to see a greater inflow of those resources, particularly over the last three to four days of my time in office, sir.

Mr. Glen Motz: Were there any shortcomings in what you requested?

Mr. Peter Sloly: I wish I could have gotten it all within hours, but there were huge logistical challenges in gathering officers from across a country that was actually experiencing a national security crisis in various locations. I believe our policing partners, particularly the OPP and RCMP, did their very best.

Mr. Glen Motz: With your knowledge and experience, Mr. Sloly, had you been provided with the resources that you requested in a timely way and when requested, would you have been able to clear the protesters in downtown Ottawa using the usual, normal and existing legal authorities and without the use of the Emergencies Act?

Mr. Peter Sloly: The plan that was in place on February 9 was designed without the declarations of the provincial or federal emergencies acts. That said, components within both of those declarations were incredibly helpful in accelerating and safely ending the events.

• (1845)

Mr. Glen Motz: You're right—

The Joint Chair (Hon. Gwen Boniface): Mr. Motz, I'm sorry. Your five minutes are up. Maybe you can follow up.

Mr. Glen Motz: I'll continue on in the next round. Thanks.

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

Madam Bendayan.

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

Before my time begins, I noticed earlier and again now, that Senator Campbell has his hand up. I just want to make sure he can follow the proceedings.

Welcome to the committee, Senator.

The Joint Chair (Hon. Gwen Boniface): Senator Campbell, can you hear everything well?

Hon. Larry W. Campbell (Senator, British Columbia, CSG): I can. Thank you very much.

The Joint Chair (Hon. Gwen Boniface): You will automatically be on the list, Senator Campbell. I'll call you when the time comes.

Hon. Larry W. Campbell: Thank you, Madam Chair.

Ms. Rachel Bendayan: Thank you, Madam Chair.

Thank you, Mr. Sloly. I join my colleague in thanking you for your service to our country.

I had a particular personal experience during the convoy. As I mentioned in a previous meeting, I walked to Parliament every day during the illegal blockade. On several occasions I was able to speak with police officers on the ground in plain clothes. I was just asking questions as a resident of Ottawa—temporarily, when I'm on the Hill. When I asked them why they weren't ticketing trucks that were blocking roads or enforcing, for example, the highway safety code, I was told again and again by officers that they had orders from higher up not to enforce the law and not to intervene.

I wonder, sir, if you gave those orders or if you know who did.

Mr. Peter Sloly: I appreciate the conversations you had. Obviously, I wasn't there to verify them, but I'll take your explanation at face value.

There were clearly orders sent through for us to enforce the laws that we could. There was also a very clear understanding, which is borne out in multiple intelligence reports from multiple levels of security operations, including ITAC reports, that enforcement activity in any theatre across the country could have escalating impacts. In fact, I quoted earlier from that in my presentation.

The reality on the ground was that officers had maximum discretion about whether and how they would engage in enforcement activities, whether it was bylaw enforcement or enforcing provincial statutes or the Criminal Code.

We made enforcement efforts on every single day, and statutes were enforced at all three levels, but the officers had the discretion—if they felt it wasn't safe, if they didn't have a proper resource or if it could escalate the situation—to make that decision. That's fundamental to democratic policing in any state of affairs, whether an emergency or not.

Ms. Rachel Bendayan: The OPS provided a press release on January 30 that stated, "Police have avoided ticketing and towing...so as not to instigate confrontations with demonstrators. Still, confrontations and the need for de-escalation has regularly been required." That comes from the OPS, sir.

On January 27, you referred to situation reports. The RCMP situation report—on page 3 of 281 of the document disclosure—indicates that they were expecting a range from 1,500 to 2,500 trucks. Laws were being broken by the drivers of these vehicles, but if I understand correctly from your testimony, due to safety concerns, they were not always being enforced—among others, the highway safety code.

You have also been quoted in the media saying that you were trying to avoid bloodshed. Were you afraid or did you have concerns that made it such that officers were reluctant to enforce the highway safety code because of concern surrounding what the demonstrator may do?

Mr. Peter Sloly: Thank you.

I will repeat again that there was enforcement at all three levels every single day throughout my tenure in office. There were never any instructions to not enforce laws. There were careful threat assessments that were provided through briefings to the officers to make sure they had maximum discretion to make very important decisions on a day-by-day, interaction-by-interaction basis.

Ms. Rachel Bendayan: The OPS officers did seek to enforce the law, at least on one occasion, and make an arrest, but apparently were unable to do so because they were surrounded by aggressive protesters.

Do you recall that incident?

Mr. Peter Sloly: There were many such incidents like that.

Ms. Rachel Bendayan: I guess with the short amount of time I have remaining, sir, I would ask this in a general sense. When members of Parliament, including the new leader of the official opposition, Pierre Poilievre, were out on the streets on February 4, handing out donuts right in the middle of what you were experiencing as a very difficult and intense situation, how did that impact the morale of your officers?

• (1850)

Mr. Peter Sloly: There were incredible ranges of actions by individuals across civil society that were problematic for what we were trying to accomplish, but there were far greater amounts of effort to safely and ultimately successfully resolve this national security crisis.

Ms. Rachel Bendayan: Do you believe that were it not for the intervention of the federal government you would have been able to resolve the situation?

Mr. Peter Sloly: I was no longer in office when the situation was ultimately resolved. The plan we put in place on my last day in office considered whether or not we'd be able to have the resources to apply to private injunctions and the various declarations. Ultimately, the elements of the three levels of declaration of emergency were very much assisting with a faster and safer resolution of the circumstances here and across the country.

Ms. Rachel Bendayan: Thank you.

The Joint Chair (Hon. Gwen Boniface): We have Monsieur Fortin for five minutes.

[Translation]

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

Good evening, Mr. Sloly.

I am just trying to understand the sequence. In late January and early February, the trucks gradually settled here in the downtown. I believe I understand that you did not ask to have the trucks towed.

Why were they not removed from the street as soon as they stopped and they were trying to settle on Wellington Street?

[English]

Mr. Peter Sloly: The red zone areas along Wellington over into Rideau and down through the parkway just west of us here were literally filled within minutes. Efforts were made to hold negotiations that were in place to allow for emergency lanes of traffic and to provide for a period of demonstration that would then end. That clearly did not transpire throughout the course of that day through the weekend.

Those red zones were essentially filled within the morning hours of Saturday—

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Yes, but why...

[English]

Mr. Peter Sloly: There was no further movement into those red zones, but there was egress from them when we could negotiate that, when people chose to leave.

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Why did you not clear the trucks off the street from the outset?

[English]

Mr. Peter Sloly: The speed around which the main convoys settled in the red zone area was such that we were not able to move in with heavy tow trucks and sufficient personnel. The reactions and actions coordinated at a very high level by the early-arriving elements of the convoys were such that the level of escalations I referred to earlier increased the risk to public safety, which included officer safety.

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Yes, but there were actually trucks settling in on Wellington Street, in front of Parliament. Correct me if I am wrong, I am not a police officer and I may be naive, but it seems to me that you could have called some tow truck drivers and told them to come and clear Wellington Street immediately.

I thought I understood that you had trouble mobilizing the tow truck drivers, who were reluctant or did not want to intervene. You can tell me whether that is true or not. If it is, did you take the necessary measures to get it done, to force them to come and tow the trucks?

[English]

Mr. Peter Sloly: Yes, sir. The issue was not access to tow trucks in the first few hours. While we didn't have a fleet of them, we had access to, I believe, between three and five heavy tow trucks that could have been staged and moved around the downtown core.

The issue was not whether or not there was a bylaw offence taking place. The issue was public safety risks associated with trying to remove large trucks in large numbers with large numbers of demonstrators, residents, business owners and other people in the downtown core.

There was a public safety risk associated with that type of intervention enforcement action that prevented us from starting to come in and tag and tow trucks. That said, the vehicles that were in those

red zones were continually identified; owners were identified. It is my understanding, although I didn't see the charges laid after I left office, that charges were identified and laid against the operators and owners accordingly for bylaw offences and provincial act offences. There are a large number of Criminal Code offences that I believe are still either under investigation or before the courts.

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Yes, I understand there were major safety concerns, and you are right to mention them. However, do you not think that letting these trucks settle on Wellington Street, in the red zone, presented even greater safety risks?

For example, a fire truck could not have got through, if there had been a fire, or an ambulance, if someone had been injured.

I may be wrong, but it seems to me that there were all sorts of concerns of that nature that exacerbated the safety problems. Do you not think you would not have had those problems if the trucks had been cleared at the outset?

• (1855)

[English]

Mr. Peter Sloly: There certainly was a very complicated security risk assessment being done, literally on a daily basis. It was not until we were able to secure the ultimately 2,000 extra police officers that a level of scale on the policing side could match the scale and capabilities on the people side, particularly but not exclusively in the red zone.

The issue, again, was the level of public safety risk, the resources and capabilities we could bring to bear on removing that risk, versus trying to do it in an under-resourced, underprepared way, which we ultimately believed could have increased the likelihood of public safety risks, including serious bodily harm and loss of life.

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

We will go now to the second round, and Mr. Green.

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

Welcome to the committee, Mr. Sloly.

This is a good opportunity for this committee to perhaps help clear the air on some inconsistencies that we've seen, both in the public discourse around this in the lead-up to your departure and what I would personally view as a breakdown in policing as it relates to the occupation and events that ultimately led to the invocation of this act.

In his testimony before this committee, when I put a question to him about your statement that there may not be a policing solution to the demonstration and that the institutions and police services were unprepared for the convoy, Minister Bill Blair said, “I accept Chief Sloly's assessment that he was unprepared for what took place in Ottawa.”

I want to give you a chance to respond to that. Were you unprepared for what happened in Ottawa, or was the Ottawa Police Service unprepared for what happened here?

Mr. Peter Sloly: Well, unfortunately the context in which I made my statement was clearly misunderstood.

Let me be clear, and I said it again today: Institutions, public institutions, across this country were unprepared for what happened during those weeks. That included police services and national security organizations, and yes, that included the Ottawa Police Service, but there were structural deficits across multiple institutional lines.

The Joint Chair (Mr. Matthew Green): Within the OPS, there was reporting, at least through the RCMP, about internal documents that worried about the threat of Mounties who were sympathetic to them leaking information to convoy protesters. There were certainly first-hand accounts and livestreams of the relationship that seemed to form between them and some officers in a very co-operative way in the occupation.

In the lead-up to it, and in fact on your resignation on February 15, you stated that you were confident that the Ottawa Police Service was better positioned to end the occupation. What changed, materially, from when you took on the preplanning for this and when you resigned? Did the morale or the actions or inaction of your officers have anything to do with it?

Mr. Peter Sloly: Singularly, the difference in my statement that we were better prepared..., We had a significantly upgraded plan from almost a week before. That plan called for a massive incursion of resources. I had identified 1,800; ultimately, there were 2,000.

The Joint Chair (Mr. Matthew Green): If you were prepared and you had a plan, why resign?

Mr. Peter Sloly: Are you asking the reason for my resignation, sir?

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

Mr. Peter Sloly: There are a number of reasons that go into any person's decision to resign, particularly from a high-profile public office. Many of them are extremely personal to me and my family, but the number one reason was for public safety. The reason for public safety was that there were increasing levels of doubt about the capabilities of the Ottawa Police Service, lowering levels of public trust in the midst of an unfolding local and national security crisis. When trust starts to leave policing, that increases public safety risks.

As the head of the organization, I had accountability for the organization and I ultimately made a decision, for public safety, to remove myself from the equation.

The Joint Chair (Mr. Matthew Green): Do you feel that perhaps you took too much of a centre stage?

Obviously, in policing, with the position that you're in, you would have deputies who would be operational. Which deputies would have been operational to the implementation and planning processes?

• (1900)

Mr. Peter Sloly: The operational deputy was acting deputy chief Trish Ferguson.

The Joint Chair (Mr. Matthew Green): What role would interim chief Bell have played?

Mr. Peter Sloly: He was assigned intelligence operations.

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

From my standpoint and that of many other people from the outside looking in, it looked like perhaps there may have been a scenario in which you didn't have complete command and control over frontline officers. Is that a fair or unfair assessment?

Mr. Peter Sloly: Our frontline officers did an amazing job in almost unhuman circumstances, with minus 35° temperatures for weeks on end. Our frontline members, civilian and sworn, did a great job as much as they possibly could in those circumstances and throughout my tenure as chief of the service.

The Joint Chair (Mr. Matthew Green): Ultimately, though, sir, the plan didn't work, right? They doubled down on the occupation. With coordination with the city, they occupied a staging area at Coventry. They were bringing in diesel. We know through past threat assessments that design threats are a major issue. That's coming out of the Toronto 18, which I'm sure you're familiar with. Our former member Vern White also referenced this in previous testimony.

The plan actually didn't work, leading up to that, yet upon your resignation it was your assertion that they were better prepared to take on the threat.

Mr. Peter Sloly: The plan worked, sir. There was a safe and successful end to the occupation of the national security crisis. It was based on the plan that was updated and that continuously evolved through every day in office. My statement on my last day in office affirmed that—that we had a plan, were now receiving significant new levels of resources, and could foresee a safe, successful and lawful end to the events here and nationally. That is what happened within the week.

The Joint Chair (Hon. Gwen Boniface): Thank you very much, Mr. Green. Your time is up.

Mr. Green, can I ask you to do the time now? I'm up next.

The Joint Chair (Mr. Matthew Green): I would be happy to do that.

Senator Boniface, the floor is yours.

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

Mr. Sloly, thank you for your service, both domestically and internationally.

I want to step back a bit to the early days. I believe you said or made reference to some negotiations that took place with the protesters—I'm somewhat familiar with how that would take place—as they came across the country and then into the city of Ottawa.

Would you conclude, at least with those early days in those early discussions, that you felt you had an agreement with them on how they would conduct themselves within the duration of what you expected the protest to be?

Mr. Peter Sloly: Thank you, Senator Boniface.

Again, your own experience will play this out. In many occasions, there is a singular organizing body or a significant influencer within a protest group. This was not the case. There were significant efforts by multiple jurisdictions and multiple agencies at all three levels of policing to seek negotiated agreements, reasonable understandings and commitments, but there was never a unified “other” with which any police agency could come to any substantive understanding as to whether what was agreed to would actually happen on the day of.

In fact, on the day of, we were joined by thousands of other individuals and groups with whom we had never had a chance to communicate, never mind negotiate. Therefore, at no time during my period in office, up until February 15, could I ever say to you or this body that we had an understanding with “the” protesters, “the” occupiers, “the” convoy leaders.

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

What is your professional opinion on the point at which the protest went from a lawful demonstration to an illegal occupation?

Mr. Peter Sloly: The very second that any law was broken—whether it be a bylaw, provincial offences statute, or Criminal Code offence, or whether or not anybody who had stated their intent to come to Ottawa and protest had failed to secure a permit—at that point it was unlawful.

Again, though, as you know, there are many unlawful demonstrations that the police will provide supports to in order to facilitate, to the greatest degree, the intent of what I believe is our Charter of Rights. We will manage through those unlawful elements, even when there are elements that are violent, in order to facilitate as best as possible.

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

Perhaps I can clarify this, because I want to make sure I've got it correctly. You'd had experience in other incidents where it would often be that you would actually have a point person to deal with. Probably, given that you worked in the city of Toronto, you went through a number of those where those would be just regular occurrences and you would work with a point person.

Just to be clear, what you're saying here is that it was very difficult to identify who those point people were.

Mr. Peter Sloly: I would say it was impossible.

The Joint Chair (Hon. Gwen Boniface): At some protests, many protests in fact, they would actually have people earmarked for security, to make sure the protest was held lawfully. Is that correct?

• (1905)

Mr. Peter Sloly: That's correct.

The Joint Chair (Hon. Gwen Boniface): Would it be clear to also say it was likely, in this case, that this sort of structure was not in place?

Mr. Peter Sloly: There were elements of it, but nothing that you could in any way suggest was going to work across the theatre that we had here in Ottawa. Again, this was not just a local event. It was a local event that coordinated other events across the country, so whatever we might negotiate here might have no bearing elsewhere and vice versa.

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

Can you describe to me how the incident command system was working during your time, in terms of the unified...? I think a lot of the public doesn't understand how policing works in that regard.

Mr. Peter Sloly: Thank you.

I may not have time to fully answer that question within this, but the incident command system is relatively standard across the country at this stage, thanks in large part to previous Ottawa Police Service executive members, including Sue O'Sullivan. She started the Intersect component of our incident command system some 15 to 17 years ago, which brings the major national capital region police agencies and other stakeholders, including the City of Ottawa and NCR personnel, into joint planning, information sharing and, in many cases, intelligence sharing.

There is a significant line of sight to operational plans, contingencies and resource contributions from across that group of Intersect partners, all of which started up well before the convoys arrived and continued to my last day in office. It is my understanding that it continues to this day.

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

I think I'll leave it there, because I have only about 10 seconds left.

Mr. Green, I'll take the chair back. Thank you.

We'll move to Senator Carignan.

[Translation]

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

Mr. Sloly, on February 12, the Ottawa Police Service website said there was a plan to clear Wellington Street. Was that plan devised by your organization?

[English]

Mr. Peter Sloly: Yes, and the plan was not just for Wellington Street. It was for the entire set of events happening within the city.

[Translation]

Hon. Claude Carignan: Right, thank you.

We have started to receive memos, some of which are not redacted. The much discussed group or committee composed of the Prime Minister and certain members of Cabinet was receiving reports on the events. I am going to quote what the Minister of Public Safety said at a meeting with the Prime Minister on February 12.

[English]

In Ottawa, the commissioner of the RCMP reported having a meeting with the OPS chief and OPP commissioner. There were approximately 350 protesters on Parliament Hill and 400 on Wellington Street.

The Minister of Public Safety has been quoted as indicating, “There appears to be a lack of a plan in Ottawa, with the Chief of Ottawa Police Service having yet to approve the plan developed with the RCMP and OPP.” During the discussion, “confirmation was obtained that the OPS chief of police accepted the plan”, and the commissioner of the RCMP agreed to be able to provide additional details of the plan in the next call.

[Translation]

That suggests that you did not have a plan and that the plan you ultimately accepted was the one presented by the RCMP and the Ontario Provincial Police. That surprised me.

That committee meeting, where the Prime Minister was present, took place on February 12. On that date, you had already announced on the OPS website that you had a plan to clear the area. Was this your plan, the RCMP's plan, or a combination of the two?

[English]

Mr. Peter Sloly: If I understand the question, sir, the Ottawa Police Service is the police of jurisdiction for the city of Ottawa. We had continuous operational lead of the incident command system. Up until my last day in office, I was continuously accountable for all police operations in the city. That included the operational plans for the events that related to the city.

At no time did I cede control of that or lose accountability for it. What we did from the beginning, as I said to Senator Boniface, was make sure that our partners were as integrated as possible and intersected as one of the examples, if not the best example, of multi-agency coordination. At no point on February 12, February 11 or February 13 were we not in control of that plan or not leading that plan. At no point did we not have the support of our partners, including the RCMP and the OPP.

They were very much involved in all of the planning phases from before and during—I can't speak about after—and it was the Ottawa Police Service plan that was in existence on February 12 and on my last day in office, on February 15. It was used, ultimately, to

safely and successfully end events here, and it contributed to ending the events across the country.

• (1910)

[Translation]

Hon. Claude Carignan: So, the RCMP and the Ontario Provincial Police were very involved in the plan, they agreed on the plan, and they had every reason to believe that it was going to work, without a special law having to be applied, since you didn't know, at that time, that the Emergency Measures Act was going to be used.

[English]

Mr. Peter Sloly: Just to be clear, I can't and won't speak for members of the OPP and the RCMP.

Hon. Claude Carignan: But for you...?

Mr. Peter Sloly: As far as I was concerned as the chief of police, the briefings I received from my incident command team, which included senior leaders from the OPP and the RCMP... We had a significant plan in place, with a significant greater level of integration and resources that would be acquired, hence my statement at the end of my last day in office that we were in a significantly better place in order to successfully end the events in Ottawa.

[Translation]

Hon. Claude Carignan: What was your reaction when you saw that the Ambassador Bridge had been liberated, as it were, on the weekend of February 13? Did you say to yourself that the same thing could be done in Ottawa?

[English]

Mr. Peter Sloly: Not at all, sir. The events in Windsor and around the Ambassador Bridge were entirely different—related but entirely different in terms of scale, the challenges.... Some of them were similar, but others were very different. Like here in Ottawa, Chief Mizuno in Windsor required significant external resources to come in and a significant level of integration beyond what she would normally have to deal with as chief of police in that jurisdiction.

It took many attempts to end that situation there, but I'm glad it ended safely and successfully, as we saw here in Ottawa.

Thank you, sir.

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

Senator Carignan, your time is up.

Next is Senator Harder.

Hon. Peter Harder (Senator, Ontario, PSG): Thanks very much, Chair.

Mr. Sloly, thank you for being here. I would join my colleagues in thanking you for your public service over many years now.

I'd like to start with where you left off in conversation with Mr. Motz when he asked you about the declarations and you said that both the Ontario and federal government declarations were "incredibly helpful". Could you give us a little more colour as to how the national invocation was helpful?

Mr. Peter Sloly: Yes, sir. I'll do my best. Please understand that I remained in office some 24 hours after the federal one was invoked, and the provincial one was just 72 hours before that.

Primarily, for me, it provided a massive lift in resources. The facilitation, particularly, of the swearing-in of special constable status across the country to allow the airlift of officers arriving from literally every province into the city was massively important. The provisions that allowed us to get greater access—predictable and sustainable access—to tow trucks and other related resources.... There are other provisions that I was less aware of at the time I was in office, but subsequently, through reading and research, I could see how it would be incredibly effective.

Never in my working life have I seen the extent of such measures, but singularly removing from the immediate theatre of the downtown core anybody in the process of protesting or travelling to the protest would have alleviated a wide range of public safety and officer safety risks while the officers focused primarily on removing the vehicles and the persons in the red zone. You never want to be caught between multiple angles of potential hostile threat actors. Again, without being in command of the Ottawa Police Service and being on the ground, watching as a private citizen.... When an officer does not have to watch over their back and can focus on the primary threats in front of them, it is an incredibly important aspect of public safety and officer safety.

Hon. Peter Harder: Thanks very much.

As you know, I live in Ottawa and observed this all very personally and close at hand. A number of Ottawa citizens were quite perplexed, I dare say, at the attempted agreement by Mayor Watson with Tamara Lich with respect to removing some of the convoy and putting them on Wellington Street. Were you consulted before these conversations took place between the mayor and Ms. Lich?

• (1915)

Mr. Peter Sloly: I was aware that there were negotiations going on between the mayor and third parties. I was not—and nor was any member of my police service, to my knowledge—involved in any of the direct negotiations.

Hon. Peter Harder: Did this make your job more difficult?

Mr. Peter Sloly: There were several efforts that I'm aware of at all three levels of government, in different parts of the country, to engage in interlocutor conversations or negotiations. Some were more than successful and some less so.

Hon. Peter Harder: Would you have supported the removal of large vehicles from the downtown area and the placement of those vehicles on Wellington?

Mr. Peter Sloly: I would not have supported any additional vehicles going into the red zone areas, but I would have supported vehi-

cles leaving any portion of the downtown area and participating in the events surrounding the convoys. Yes, sir.

Hon. Peter Harder: I think we all would.

If I have a few seconds left, I'd like to get back to your twice-repeated description of structural deficits. Could you elaborate, beyond the policing one you've referred to, as to what you mean by those structural deficits that we must address if we are to be better protected against future events?

Mr. Peter Sloly: I appreciate your asking for me to go beyond the policing ones, but that is my realm of expertise.

What I will say is that they range from underinvestment to misinvestment, financially and otherwise, in the capabilities of our police services across this country. Our police services are one of the fundamental elements of our national security structure. From my experience in the private sector and my relationships with national security directors, deputy directors, senior officials and senior analysts within national security organizations, we have not fundamentally invested—not necessarily in dollars and cents—in our national security policing capabilities. This goes back to well before even my time as a police officer. Certainly we have not kept up with the times.

Those structural deficits have been exposed in other events that we've experienced over the last several decades, but they were fully exposed in the events that took place over those several weeks in January and February.

Hon. Peter Harder: Thank you.

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

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

Hon. Larry W. Campbell: Thank you, Madam Chair, and thank you, Chief, for being here today.

As a former officer and mayor of Vancouver, I have some idea of the difficulties you encountered.

My question is on a different tack. Can you speak to your relationship with the Ottawa police services board and having to report to them?

Mr. Peter Sloly: I'm not sure what the question is, sir.

We had a reporting relationship, as they're our oversight body. That happened on a continual basis throughout my time in office and on a daily basis throughout the course of the events that took place here in Ottawa.

Hon. Larry W. Campbell: Did they have any say in the operational side of it?

Mr. Peter Sloly: No, nor would they have under the jurisdiction of the Police Services Act.

Hon. Larry W. Campbell: In fact, the police board has oversight but is not operational in any way, shape or form.

Mr. Peter Sloly: They cannot direct operations. They can certainly ask questions and request information that relate to operations.

Hon. Larry W. Campbell: Did they play any role in your decision-making during the weeks that this was ongoing?

Mr. Peter Sloly: Their role was as an oversight body. They would inform and influence what we were doing up to the limits allowed by the Police Services Act and not beyond that.

Hon. Larry W. Campbell: Could you give me an example?

Mr. Peter Sloly: We had daily communications and emergency board meetings. There would be questions asked in the public session and in the confidential session. There would be questions around adequate and effective policing, which it is within the jurisdiction of the police services board to ask.

On February 5, at an emergency board meeting, one specific question asked of me by then chair Deans was, “Given the totality of the circumstances that you’re facing”—I’m paraphrasing—“do you have the ability to provide adequate and effective policing in the city of Ottawa?”

Those, I think, are legitimate questions in legitimate forums around which they can express their concerns and priorities but not cross the line into directing operations.

Hon. Larry W. Campbell: I’d like to move to the mayor and his negotiations with Ms. Lich. What were your thoughts on that? You’re the person in charge of what’s going on there, and yet you say you had no ongoing information on any of this. What were your thoughts on that from a [*Technical difficulty—Editor*] of view?

• (1920)

Mr. Peter Sloly: Just to be clear, I took no part and, to my knowledge, none of my officers took any part in the actual negotiations. I understood in principle that there were negotiations to remove vehicles from the red zone area and the downtown core area, particularly in the residential areas, to other areas of the city or outside the city. In principle, I was supportive of that general aspect of negotiation.

My simple statement back to the city manager who informed me of this was that if it contravened our operational planning, then I would not allow for that to happen.

Hon. Larry W. Campbell: It just seems counterintuitive to me that you’re leading on the street and somebody is cutting deals behind your back, and you aren’t part of it. It just does not seem to be conducive to moving forward.

My last question, if I have time, is this. With 20/20 vision, in hindsight, everything is perfect. Now that you’ve seen everything that’s gone on, what major changes would you bring about to ensure this does not happen again, and if it does, that it will be dealt with in a different way?

Mr. Peter Sloly: Sir, I’ve actually given quite a bit of thought to that, and I appreciate your question.

I actually have a two-page document with 11 points and a lot of detail associated to it. I’m not sure if I have the time to go through that—I look to the chair for her guidance—but that is something I’d be happy to provide later on.

The Joint Chair (Hon. Gwen Boniface): If you can table it with us, that would certainly suffice.

Mr. Peter Sloly: I’m not sure what the term “table” means.

The Joint Chair (Hon. Gwen Boniface): Just share a copy with us.

Mr. Peter Sloly: Okay. It is not a completed document, just to be clear. It is still very much a draft document, but I will provide what I have in draft for the committee to consider.

Hon. Larry W. Campbell: Those are my questions.

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

Just to answer your question, Mr. Sloly, I think the committee would be happy to see the draft, but if you think the completed copy would better serve the committee, I think we’d be open to that as well.

Mr. Peter Sloly: I’d prefer to complete it and then submit it as a completed document.

The Joint Chair (Hon. Gwen Boniface): I’m seeing agreement around the table. Thank you.

Mr. Peter Sloly: Thank you.

Hon. Larry W. Campbell: I wish you luck, Chief.

Mr. Peter Sloly: Thank you very much, sir.

The Joint Chair (Hon. Gwen Boniface): We’ll move to the second round.

We have Mr. Brock for four minutes.

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

Good evening, Mr. Sloly. I too want to thank you for your decades of policing domestically, and your tours of service internationally.

I understand as well that an operational plan in terms of the ultimate conclusion to this protest is not something new to you. In fact, you’ve been involved in operational plans for decades, in other protests outside Ottawa. Is that fair to say?

Mr. Peter Sloly: Yes, sir.

Mr. Larry Brock: You and your service, as well as the City of Ottawa, had weeks to prepare and discuss a strategy with the organizers of the protest as to where the staging would take place.

Quite frankly, I appreciate your frankness in answering that affirmatively when the question was posed to you by my colleague, Mr. Motz, unlike interim chief Bell, who had some difficulty getting to the truth of that when he testified on May 17, 2022.

Leaving that aside, during the protest I was able to go on the OPS website and found a seven-page document that indicated, in very bright letters, “Ottawa police, Ottawa truck convoy”. It listed details of protesters travelling eastbound on Highway 417 and Highway 416, and westbound on Highway 417. There were descriptions of tractors with no trailers, tractors with open and empty trailers, trucks with box trailers. There was conversation and detail about staging areas. A very brightly worded document, it set out very clearly where these protesters were to set up shop and where their supplies ultimately would be. In fact, there was a very detailed description as to how many tractor trailers could actually park on Wellington Street.

Would you agree with me that this document does exist?

• (1925)

Mr. Peter Sloly: Sure.

Mr. Larry Brock: Now, one of the areas that I want to confirm with you is that the government has not shared that detail with Parliament and certainly has not shared that detail with Canadians, because there is a sense out there that this was something that was controlled by the organizers, that they took those steps without consultation with your service and the City of Ottawa to park.

That's not true, correct?

Mr. Peter Sloly: I may have missed the question in there. I'm sorry, sir.

Mr. Larry Brock: The question is the narrative from the Prime Minister that was not shared with the government was that there was an actual plan, an authorization—you didn't want to use the word "permission", but an authorization—to park their vehicles in specific locations in the parliamentary precinct.

Mr. Peter Sloly: I won't presume to speak for any other organization, including the Prime Minister's Office. As a standard practice, police liaison teams will negotiate with any demonstrator coming into the city for any reason to try to align that as much as possible to good public safety outcomes using best practices.

Mr. Larry Brock: Thank you.

Mr. Sloly, the Prime Minister described the protesters as "a fringe minority" who held "unacceptable views" and were racists and misogynists. That divisive rhetoric was shared numerous times in the House, in the press and by members of the government.

What impact did incendiary rhetoric like this have on your ability to enforce the law during the convey protests?

The Joint Chair (Hon. Gwen Boniface): Answer that very briefly, Mr. Sloly.

Mr. Peter Sloly: We were focused on providing a safe outcome for what turned out to be an unprecedented, paradigm-shifting event. There were so many impacts that happened, good and bad. I couldn't begin to list them for you, sir. I apologize.

The Joint Chair (Hon. Gwen Boniface): Mr. Virani, you have four minutes.

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

I'll repeat what everyone has said about your public service. Thank you for it. Thank you for appearing today.

I'm going to go a bit fast.

In response to, I think, Senator Harder, you said that removing the ability of people to come downtown to protest helped because it helped with the removal, eventually, of the trucks. Police officers effectively weren't looking over their shoulders. There was only the task at hand, and there weren't more people coming in.

The Emergencies Act declaration specifically said that it was prohibited to come for a public assembly "that may reasonably be expected to lead to a breach of the peace" other than "lawful advocacy, protest or dissent".

Do you agree with the terms of the declaration?

Mr. Peter Sloly: I haven't read the declaration in any detail. I take you at your word that you are reading from the document.

Mr. Arif Virani: Okay.

The people who were coming downtown were coming for an unlawful purpose. Those are the people who would have been prevented, pursuant to what I just read.

Mr. Peter Sloly: Again, I don't have an independent recollection of the document, so I will take you at your word.

Mr. Arif Virani: Okay.

When you were trying to remove the tow trucks, children were observed to be in and around the blockade that was on Wellington and elsewhere.

Is that correct?

Mr. Peter Sloly: Intelligence came to me in the middle of this that there were vulnerable people living in and around the red zone areas and other parts of the theatre. That significantly increased the risk factors we were dealing with.

Mr. Arif Virani: Going in and removing the trucks was impeded by the fact that there were children you didn't want to endanger.

Mr. Peter Sloly: There was a large range of other high-risk factors. For me, that was one of the top high-risk factors, yes, sir.

Mr. Arif Virani: Efforts that might have been made, and were eventually made, to remove minors from the situation would have facilitated safe policing and safe removal of the trucks.

Mr. Peter Sloly: That was mission critical for me. I suspect it was even after I left office.

Mr. Arif Virani: That's actually entrenched in the documentation.

I am reading from another regulation that was passed. This is SOR/2022-21, which says at 4(2) that, "A person must not cause a person under the age of eighteen years to travel to or within 500 metres of an area where an assembly referred to [as an unlawful assembly] is taking place."

That kind of language, if enforced, actually facilitates your policing and the safe removal of the child.

Mr. Peter Sloly: Removing vulnerable persons from a theatre like that was a critically important aspect.

Mr. Arif Virani: We heard a lot about media reports about efforts where tow trucks were attempted to be utilized. The trucking companies themselves admitted to receiving threats and feeling scared in assisting the Ottawa Police Service with removing some of these blockading vehicles.

Did that occur? Do you have any understanding of that?

Mr. Peter Sloly: That was intelligence provided to me throughout the course of what took place here in the city of Ottawa and intelligence provided to me from other locations, including Coutts, Alberta, through Commissioner Lucki.

Mr. Arif Virani: Okay.

I mentioned the minors, but the Emergencies Act declaration also talked about the ability to effectively commandeer the use of tow trucks, including the large trucks that eventually facilitated the removal of the vehicles.

• (1930)

Mr. Peter Sloly: There were specific references around accessing towing resources. Again, I don't have the exact language. Commandeering isn't something I can state was in there explicitly.

By default, it would be the ability of police to predictably obtain sufficient tow resources, yes.

Mr. Arif Virani: You talked about the need for police resources. You mentioned the 1,800 figure and eventually landed at 2,000.

From my understanding through these committee hearings we've been having, it's one thing to have the police on the ground—you wanted police on the ground—but once they're on the ground in Ottawa, it's another thing to have them actually sworn in and able to execute their functions.

The swearing-in process, under normal circumstances, can take some time. Is that correct?

Mr. Peter Sloly: It can take time. It always does. There are practices in place, particularly here in Ottawa, for multi-jurisdictional events.

Anything that speeds up the time for an officer to be fully deployable within the theatre under the Ottawa Police Service's incident command reduces the threat to public safety. Time and resources were critical.

Mr. Arif Virani: Did the Emergencies Act declaration, which provided for the mass swearing-in of police officers—multiple officers at a time—speed things up?

Mr. Peter Sloly: Again, after my time in office, I can't give you a first-hand explanation. From a logic model, it would have, but you'd have to put that question to interim chief Bell and the incident commanders at that time, after I left.

Mr. Arif Virani: Thank you.

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

Mr. Fortin, you have three minutes.

[*Translation*]

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

Mr. Sloly, in the first round of questions, I asked you a question about tow trucks and towing. If I understood you correctly, at the outset there was no urgency about towing the trucks, and when it became useful to do it, there were too many of them. Did I understand correctly?

[*English*]

Mr. Peter Sloly: No, sir. It was always urgent to try to make sure that we could maintain the emergency lanes that were negotiated, but the volume and capabilities and circumstances that we found very early in the morning on Saturday precluded that, until we had the sufficient scale of resources that we were just talking about.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Did you ask the tow trucks to come and tow the trucks? Did you say, at some point, that you needed tow trucks?

[*English*]

Mr. Peter Sloly: The operational plan included the securing of heavy tow trucks and other tow trucks to support our traffic operations. They were available. It was the ability to deploy that particular technique in the theatre, which quickly developed, that did not allow us to do it, particularly in the red zone. We did tag and tow trucks, including large trucks, throughout the days and weeks that followed, just not in the embedded red-zone areas.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Why did you not demand that the tow trucks get the trucks out of the red zone? You told us earlier that there were children there and that could have added to the safety problems. It seems to me that you could have called in social services to come and get the children. None of this was tried, if I understand correctly. You were waiting for the 1,800 officers.

[*English*]

Mr. Peter Sloly: I appreciate the question. It's hard to follow the track of all these multiple events.

As soon as we became aware of vulnerable children and other vulnerable persons within the red-zone areas and across the theatre, we were in contact with and in coordination with, on a daily basis, the appropriate agencies, including Children's Aid services. We also provided them with as much information as we could around the threats in those areas, and sought their advice.

Ultimately, it was too great a risk to go in and tow a truck, with the hundreds of trucks, the thousands of protesters, and the capabilities that we were seeing locally and across the country. We had to balance a scale of risks against a potential scale of rewards. Not until we could get the level of resources and the supports from the other parts of civil society were we able to do that safely and successfully.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): You asked for 1,800 officers on February 9, is that not right?

[*English*]

Mr. Peter Sloly: It was on February 7, sir.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Right. At what point did the 1,800 or 2,000 officers arrive in Ottawa?

[*English*]

Mr. Peter Sloly: To be clear, even before the arrival of the main convoys here in the city, we were receiving additional resources. Those resources ebbed and flowed, depending on pressures across the country and the province.

After the February 7 request, we then met with our main partners, the OPP and the RCMP. We increased the integration of those operations, particularly around planning and logistics. It was at that time, between February 9 and, say, 11 and 12, when that integration level kicked in, that we started to see a greater inflow of resources from across the province and the country.

• (1935)

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Right, but...

[English]

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

Mr. Green, you have three minutes.

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

In my first round of questions, I perhaps danced around what I wanted to get to the heart of. Looking at this event and how it took place, looking across the country, you seem to be the only person in senior leadership who took accountability for what happened.

I'm going to put some very direct questions to you.

I'm going to reference a letter from the police union president, Matt Skof, on September 10, 2020, who stated that you "lost the room" and that you "inflamed the workplace".

Did you at any time during the lead-up to the occupation have a challenge in the morale of your officers to rise to the size, scale and scope of the crisis due to some of the interpersonal HR issues you might have been facing with the police?

Mr. Peter Sloly: Thank you, sir.

I don't know any police chief in this country or anywhere else in North America, or, quite frankly, in the Five Eyes countries, who doesn't have a morale challenge with their police officers. That has been increasing year over year, decade over decade. That is not unique to the city of Ottawa.

The Joint Chair (Mr. Matthew Green): With specificity, the challenge that I have is that you stay the course; on February 15 you resign, and on the 18th, it's done. You stay on until after it's called, but then you resign within 24 hours. Did you at any point in time receive political pressure from your board or from the association or any other external factors? If we were to FOI emails, would we see from the mayor or from the police chair pressure on you to step down, to be the scapegoat, to perhaps pave the way for a fresh start for somebody else?

Mr. Peter Sloly: There are many people who have theories around why I resigned. I've stated very publicly here that I resigned primarily for public safety reasons. There was declining trust in my organization and, implicitly, declining trust in me, so I took myself out of the equation once we had put in place the integrated operational plan to bring those resources to bear to safely and successfully end this. Sir, I will tell you, there was a highly politicized element.

The Joint Chair (Mr. Matthew Green): There was a highly politicized element. Could you expand on that?

Mr. Peter Sloly: In every major event I've ever been involved in locally, provincially, nationally or internationally, these events draw high political pressure from all ends.

The Joint Chair (Mr. Matthew Green): Did you receive pressure from the board to step down?

Mr. Peter Sloly: Yes, I did.

The Joint Chair (Mr. Matthew Green): Did you receive pressure from the police association to step down?

Mr. Peter Sloly: In this event, no, sir, I did not.

The Joint Chair (Mr. Matthew Green): Did you in previous events?

Mr. Peter Sloly: Yes, sir.

The Joint Chair (Mr. Matthew Green): How would you reference your relationship with the police association?

Mr. Peter Sloly: What is it like now? I'm a private citizen.

The Joint Chair (Mr. Matthew Green): Sure, but I mean before, while you were chief.

Mr. Peter Sloly: It was highly contentious for the most part, but there were times when we were able to co-operate and find mutual outcomes that supported our membership and the city as well.

The Joint Chair (Mr. Matthew Green): When they say that you lost the room during the course of the command and control during the occupation, did you have the room, or had you lost the room?

Mr. Peter Sloly: The reference to losing the room was made after I had presented before the Standing Committee on Public Safety and National Security on the issue of systemic racism in policing, and I stated emphatically—and I believe I was the first chief in Canada to say this—that systemic racism was part of policing and, in fact, part of every institution.

The Joint Chair (Mr. Matthew Green): They held that against you.

Mr. Peter Sloly: It was in that context and during the fallout after that. We had a very contentious period with the board and internally. As most organizations grapple with the issue of systemic racism, that's just a matter of course for any CEO.

The Joint Chair (Mr. Matthew Green): I have one last question—

The Joint Chair (Hon. Gwen Boniface): I'm sorry, but your time is up. We will move to the next round.

Senator Carignan, go ahead for three minutes.

[Translation]

Hon. Claude Carignan: I am going to continue in the same vein.

I am having trouble understanding why you resigned. It makes me think of a coach who gets to the Stanley Cup finals and asks for more tools, to go for the win. You asked for police and tools. There was now the option of using the Emergency Measures Act, which, as I understand it, was not essential, but it gave you additional tools. At that moment, though, you decided to resign. You were optimistic that your plan would work, before February 14. I understand the issue of trust and all that, but what happened in the management organization, or in the players' changing room, if I may go back to my comparison, to make you resign or for you to be asked to leave?

[English]

Mr. Peter Sloly: Well, again, you've referenced the two primary issues. Declining public trust creates a public safety risk in any policing organization, any policing environment. The focus of that was increasingly on the Ottawa Police Service for a national security crisis, and increasingly on the officer who held that position, chief of police, which was me. My interpretation—others will have their own opinions—was that a declining level of trust in my officers and in my office was potentially slowing down resources and supports necessary for our officers to be able to safely and successfully end this. I took myself out of the equation because I wasn't going to take 1,400 people out of the equation. That was my last act in office, quite frankly, to speed that up in whatever way I possibly could, at that time, after working many days in a row and many sleepless nights without finding another way to speed up the resources. That was the number one thing we in the Ottawa Police Service needed to come into this city. I don't know if it had the effect I desired, but that was my intent. The primary intent was for public safety, to get those officers into this city, to clear the streets and to get us back to a state of normalcy.

• (1940)

[Translation]

Hon. Claude Carignan: From what I understand, you felt that the government or the other resources did not trust you, and this delayed additional tools and resources being sent.

[English]

Mr. Peter Sloly: I want to be clear: I'm not drawing any direct line of causation. There was a massive range of public statements from a massive range of civil society actors from all parts of this country, who pointed fingers of blame and described decreasing levels of trust and confidence. All of that combined to create, I believe, problems for people to believe that there was a plan, to believe that we had a level of integration, to believe that we were ultimately going to be able to successfully resolve events, not just here but in many other jurisdictions.

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

Senator Harder is next.

Hon. Peter Harder: Thank you, Mr. Sloly. I would like to continue on this. Do you think, had you stayed, that the events would have resolved themselves as they did?

Mr. Peter Sloly: I can't engage in that conjecture, sir. I'm just glad they ended safely and successfully.

Hon. Peter Harder: I appreciate that, but I still think there is something that we haven't been able to access yet in your decision-making, and that's the relationship you had with the political leadership in this city, and the sense of a lack of confidence, I guess, that you had the authority within your own police force to resolve this. Were you concerned that your officers would not follow the orders as prescribed in the plan that you developed?

Mr. Peter Sloly: Not at all, sir.

Hon. Peter Harder: If you didn't have a lack of confidence from your officers and you didn't have a lack of confidence from your political leadership in the municipality, why resign?

Mr. Peter Sloly: You asked me this question, I believe: Did I have a lack of confidence that my officers would follow orders? The answer is no. Did we have challenges within the organization, as every other organization did, around coordination, communication and morale? Yes, we did, so it's not a universal, unqualified "I trusted every single person in every single circumstance". No executive has that benefit, that I am aware of.

Are you asking whether or not there were expressions of lack of confidence from my board, from city councillors, from MPPs and MPs? I think the record is quite clear: There are certainly newspaper articles and open source social media, and I am sure you have access to that information, probably more than even I do at this point.

Hon. Peter Harder: Were you concerned at all about the officers we saw on screen and who were quoted as being supportive of the convoy and questioning the actions the police were taking?

Mr. Peter Sloly: I'm only aware of a handful of those. Every complaint that came to me during my time in office was assigned for full investigation. Where there was evidence, I asked for a full prosecution. I don't know the status of those cases, but I can tell you that in literally every single major protest that I have been involved in, in two police jurisdictions, there are human beings who are sworn as police officers who have a level of compassion towards the cause but still rise above their personal feelings and deliver excellent services, even if they may make expressions.

I can tell you that when we had the Black Lives Matter march in 2021, we spent a lot of our operational planning time before the event making sure that we could understand compassionately the feelings of our racialized officers and non-racialized officers who were sympathetic to the causes aligned within Black Lives Matter but could still go out and do their job successfully and safely. They did so. This is not a unique situation in policing.

Hon. Peter Harder: Do you believe that training with respect to the sentiments of the protesters needs to be incorporated in police training as well?

• (1945)

Mr. Peter Sloly: I believe it is incorporated, but my recommendations call for new national policing standards, training that supports that, and inspectors general who will make sure it's audited and the data provided to policy-makers and decision-makers going forward.

Hon. Peter Harder: That's in the document you're—

The Joint Chair (Hon. Gwen Boniface): Senator Harder, your time is up. Thank you very much.

We will go back to round one, but I'd like to suspend until eight o'clock, so we will take a break for 13 minutes.

• (1945)

(Pause)

• (1955)

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

This round will be five minutes, and we will begin with Mr. Motz.

Mr. Glen Motz: Thank you again for being with us.

Chair, were you going to stop my time for a second and ask about the time for the—

The Joint Chair (Hon. Gwen Boniface): We will do that at the end.

Mr. Glen Motz: Thank you very much.

Mr. Sloly, you indicated to some of my colleagues' questions, and I want to clarify, that you had tow trucks available to you, and that it wasn't safe to deploy them without the Emergencies Act.

Mr. Peter Sloly: It wasn't safe to deploy them in certain areas of the theatre, particularly the red zone. We deployed them in other areas.

Mr. Glen Motz: Right, but the thing is that you had them; they were available to you. You didn't need the Emergencies Act to get them. That's number one.

Number two—

Mr. Peter Sloly: No. I'm sorry. Just to be clear, we did not have sufficient tow trucks or predictable resources. We had a small number.

Mr. Glen Motz: Fair enough, but you had them. You didn't need the Emergencies Act to access resources either. I know they—

Mr. Peter Sloly: I'm sorry, sir, we did. We did not have resources on scale for the plans we had in place.

Mr. Glen Motz: Right, but you had resources because you started clearing the streets on.... You stated that your planning was in a better place on February 9, 10, 11, 12 and 13, so you started executing the plan before the Emergencies Act came in. You had hundreds of additional.... In fact, you probably had around 1,500, from what I was told, before the Emergencies Act was invoked.

• (2000)

Mr. Peter Sloly: No. That's not—

Mr. Glen Motz: It was all cleared up before the Emergencies Act came in, was it not?

Mr. Peter Sloly: Those numbers are not correct, the resources you're describing. Part of the disinformation, unfortunately, that was flowing around this city was about large numbers of resources that we simply did not have, and we didn't even get to those numbers while I was still in office.

Mr. Glen Motz: The swearing in of individuals can happen. You can put a couple of hundred people in a room, and you can swear them in all at once. You don't need the Emergencies Act to swear people in. Is that correct?

Mr. Peter Sloly: There are different techniques for swearing people in, yes, sir.

Mr. Glen Motz: You don't need the Emergencies Act. That is my point.

I want to go back to Mr. Brock's comment. Because his time ran out, you didn't answer specifically about the incendiary rhetoric and divisive language used by our Prime Minister.

You have been in law enforcement for 30 years. You have dealt with the odd protest or two, as you have indicated, of course, and we thank you for that.

Has it not been your experience that, when you have a dedicated and committed protest base, if the person or organization they are protesting against and want to be listened to by taunts them or insults them, it's more than likely to escalate the agitation and double-down of the commitment, rather than convincing a protester to walk away?

Mr. Peter Sloly: Again, I can't put myself into the mindset of any group of demonstrators or protesters I have dealt with over 30 years. There are different things that trigger people and groups for different reasons.

Mr. Glen Motz: Human nature being human nature, honey is usually more attractive than other things.

I want to take you to some political discourse that may have gone on. Your previous Ottawa police services board chair, Diane Deans, suggested that emergency preparedness Minister Bill Blair might have had an axe to grind with you, leading to the weeks-long federal foot dragging when it came to accessing or answering your requests for additional resources.

Do you share that perspective at all, yes or no?

Mr. Peter Sloly: No.

Mr. Glen Motz: Okay. Is there any truth to it at all?

Mr. Peter Sloly: I can't engage in conjecture, sir. I'm sorry.

Mr. Glen Motz: Okay, but the day before the Emergencies Act was invoked, Mr. Blair did a television interview, and he said, "[W]e all need the police to do their job."

Do you believe that you were doing your job? How do you react to his slamming you like he did?

Mr. Peter Sloly: I know I was doing my job. I can't state what the intent was of the minister's comments, sir.

Mr. Glen Motz: What's your take? You obviously didn't feel good. If I was in your shoes when the minister said that, I would become unglued on him because he didn't provide me what I needed, but I appreciate your political correctness.

Is there any truth to the suggestion that, when he was the Toronto police chief and you were the deputy chief for most of the time he was there.... Was there anything going on between the two of you that would prevent him from treating you the way you needed to be treated here, that would cause him to act in a prejudicial way as far as your not getting the resources you wanted?

Mr. Peter Sloly: You said it, sir. I was a deputy chief for a significant tenure during Chief Blair's time, and I was given some of the biggest operational responsibilities during that time.

Mr. Glen Motz: On the Friday before the Emergencies Act was invoked, the Prime Minister said that he did not "accept the contention" that you had exhausted the resources available to you.

Now, Mr. Sloly, did the Prime Minister know what he was talking about? Did you have—

Mr. Peter Sloly: Again, I am not aware of a statement like that. I can tell you that we exhausted every resource we could possibly put on the field, and we put our people through more than they humanly should have been put through.

The Joint Chair (Hon. Gwen Boniface): I'm sorry, Mr. Motz, but your five minutes are up.

Mr. Glen Motz: Was that on 1.5 time or was it on regular time?

The Joint Chair (Hon. Gwen Boniface): It was on regular time, sir.

Mr. Lamoureux, go ahead.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Thank you, Madam Chair.

I think we have to really bring it down to taking advantage of an opportunity we have before us.

Mr. Sloly, you are an individual who has served for many years with the Toronto police force. You came to Ottawa. You ran the Ottawa Police Service. That tells me you have a great deal of experience.

When it comes to situations like the one that came up not that long ago, we like to think we tap the minds of individuals who have the expertise. I would find it very difficult to find someone who is better suited, knowing Ottawa as well as you do, knowing the force as well you do and given the background you have.

You're telling this committee today that your primary goal, from what I understand, was to assess the risk and to ensure public safety and the safety of your law enforcement officers. Is that a fair assessment, what I was just mentioning?

• (2005)

Mr. Peter Sloly: Public safety, yes, which includes the safety of our police service members. Yes, sir.

Mr. Kevin Lamoureux: You also made it very clear that whether it was the municipality of Ottawa, the Province of Ontario or Ottawa—the Government of Canada—invoking the Emergencies Act was beneficial and allowed for the successful displacement of the convoy. Is that a fair assessment?

Mr. Peter Sloly: I described it as a whole-of-Canada effort, and that includes the declarations of emergency at the three levels of government.

Mr. Kevin Lamoureux: There's no doubt in your mind that having those tools that were given by all three levels of government gave a strategic advantage to law enforcement so that they could clear it in the manner in which they did.

Mr. Peter Sloly: I prefer not to use the term "law enforcement", but it provided additional tools and capabilities to the police services. I can specifically talk about this police service here up until my last day in office. Yes, sir.

Mr. Kevin Lamoureux: There's no doubt in your mind on that.

Mr. Peter Sloly: They were definitely advantages that came that allowed for a quicker and ultimately safe and successful conclusion to the events here in Ottawa. Yes, sir.

Mr. Kevin Lamoureux: Okay.

We make reference, for example, to tow trucks. The federal legislation enabled.... The Province of Alberta raised concerns that it could not get tow trucks. I suspect you might have heard some feedback on that. Having the legislation there would have given the confidence that you would be able to access the tow trucks. Is that a fair comment?

Mr. Peter Sloly: Again, I can't speak to what took place in Alberta, but I did hear that feedback in my discussions with Commissioner Lucki about what was taking place in Coutts, and from other police leaders, yes.

Mr. Kevin Lamoureux: Sure.

When I think about safety, I was shocked when we found out there were all sorts of weapons in the province of Alberta. I walked all the way down Wellington, from Lisgar and Metcalfe, down Metcalfe and then up. Then I would go into West Block or the Wellington Building.

I'd pass all these trucks and I would often wonder, what's in the cabs? You hear about these weapons that were found. Was there any discussion in terms of what types of things could be in the trucks—the semi trucks, the cabs—what might be there?

Mr. Peter Sloly: There were constant discussions around weapons or weapons that could actually just be converted from normal items, including the use of a vehicle. Yes, sir, every single day.

Mr. Kevin Lamoureux: Would it be fair for me to say that was a legitimate concern? Did the people who were in control, our law enforcement officers, have in the back of their mind that there could be weapons, then? Is that fair to say?

Mr. Peter Sloly: No, sir, it wouldn't. We had a healthy discussion on a daily basis around what we knew from an intelligence basis. If you're describing weapons as prohibited weapons—switch-blade knives, firearms or whatever the case may be—we had those discussions. The weapons we were more concerned about were, quite frankly, vehicles and other things that could be converted very quickly into different ways to harm public safety, to affect public safety.

Mr. Kevin Lamoureux: Can you give just a quick overview of what you believe when you think of the organizers? It wasn't one organizer; there was a multitude of different people who were organizing the convoy. A lot of them surprised us. Some were former police officers. They were from all sorts of backgrounds. Can you give a thought in terms of how that might have impacted the potential volatility of the convoy itself?

Mr. Peter Sloly: From my understanding, there were experts from a range of fields, from medical to legal, but certainly the presence of former national security, military and police members within some of the core coordinating capabilities of the events around the convoys was a significant threat risk factor we had not seen on that type of scale in my experience. I've also heard from other police chiefs that it was a significant factor. Yes, sir.

Mr. Kevin Lamoureux: This situation was in fact truly a national security crisis from your perspective. It was unique and had all sorts of potential to have weaponry and so forth.

The Joint Chair (Hon. Gwen Boniface): Mr. Sloly, maybe you can answer the question very quickly, please. I think you have enough to work with.

Mr. Peter Sloly: Yes, it was a national security crisis, sir.

Mr. Kevin Lamoureux: Thank you.

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

[*Translation*]

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

Mr. Sloly, you told us that the proclamation of the Emergency Measures Act was useful. At least, that is what I understood. But I would like to know whether that measure was necessary.

[*English*]

Mr. Peter Sloly: Thank you.

To understand the distinction, it was very helpful for the time that I was in office and that I could observe as chief of police. I can't speak to whether it was needed.

● (2010)

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): After you left, Wellington Street was cleared. I know that all sorts of events happened elsewhere, but let's focus on Ottawa. Since you were then the chief of the Ottawa Police Service, I will not ask you questions about what happened in Alberta or elsewhere in Ontario.

Here in Ottawa, on your watch, there was the problem of Wellington Street, which was blocked. You said you had asked on

February 7 to be sent 1,800 officers. If I understood correctly, they all arrived on or about February 12.

[*English*]

Mr. Peter Sloly: I'm sorry. Those officers did not arrive on February 12. They started to arrive over the course of the time that I was in office. The vast majority of them arrived after I left office.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Right. So a certain number of them arrived.

You said that you could not tow the trucks, because you were afraid of safety problems. You also did not remove children and vulnerable persons. I did not really understand why you did not do that, but I imagine it was, again, for safety reasons. You then resigned from office, and Wellington Street was subsequently cleared.

When the police cleared Wellington Street, was it according to the plan you had developed while you were in office, or was it completely different?

[*English*]

Mr. Peter Sloly: No. It was a plan that we had been developing from before the arrival of the convoy events in the city all the way through until my last day in office. There was only ever one plan.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Right. So that plan, that you had developed from the start, is the one that was followed to evacuate Wellington Street. It worked, as we could see: two or three days later, everyone had left.

How was the Emergency Measures Act useful for carrying out your plan?

[*English*]

Mr. Peter Sloly: I can speak only to the days I was in office, probably less than 48 hours while the federal Emergencies Act was in place. I can reference, as previously—I think it was to Mr. Harder's question—the additional capabilities to swear officers in from out of province to be more quickly deployed into the theatre, and the ability to access resources like tow trucks more consistently and predictably.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): The police had arrived and were in place. You told us that they had started to arrive before you submitted your resignation and that they continued to arrive for a while after that. I don't know on exactly what date they were all there, but your plan was carried out and it worked. The additional police arrived and that is actually how the street was cleared.

I find it difficult to understand in what way the Emergency Measures Act was useful and why, as Senator Carignan asked you earlier, you left your position. It seems that everything you wanted happened. You were the hero. You could have cleared Wellington Street and then said the job was done, but you left. Honestly, that bothers me. I wonder why things happened as they did. I do not understand. It does not seem rational. Obviously, though, you are a rational man. I may not be getting it in all the detail, but I would like to get it so I understand what happened better.

You are a man of experience and you have the skills to manage this kind of situation. The situation was difficult, but still, it was an exciting challenge for a man of your calibre. How did you come to leave your position? You had a plan that was being carried out. All of a sudden, no one knew why, you left your position. You then let someone else carry out your plan and evacuate Wellington Street.

What happened?

[English]

Mr. Peter Sloy: I'll try to parse the question out of that, sir.

[Translation]

The Joint Chair (Mr. Rhéal Fortin): I would like to know why you left your position and let someone else carry out your plan.

[English]

Mr. Peter Sloy: Thank you. Again, I'll try to restate what I stated earlier. I appreciate your need for clarity. I'll do my best.

There were a wide range of reasons I considered a resignation, and there were a wide range of factors putting pressure on that. The singular one that I was focused on was public safety, which includes the safety of my members.

I've said it before and I'll say it again to you, sir. Anything that I could do, for any second that I held that office, to improve the likelihood of safe outcomes for the citizens of the city, including my service members, I was going to do. Literally the last thing I could do was to push the resources in to fully implement the plan that was ultimately successful.

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

Mr. Green is next.

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

To carry on the discussion around pressures leading to the decisions, as a police chief I'm sure that from time to time you would deal with insubordination. Is that fair to say?

• (2015)

Mr. Peter Sloy: Yes, sir.

The Joint Chair (Mr. Matthew Green): Do you ever have these things happen at a senior level? As you're drafting out a plan, is there a disagreement on style or substance? I know that in the media you talked about an elegant and beautiful plan not being available. Were there ever instances of insubordination within senior decision-making within your service?

Mr. Peter Sloy: Within the weeks of the...?

The Joint Chair (Mr. Matthew Green): Yes, leading up to the occupation, in your time there.

Mr. Peter Sloy: I can tell you there were some incredibly stressful situations at all levels in the organization, and not just within my organization—across the theatre that this was taking place in—but yes, we had some incredibly contentious and challenging moments at all levels of the organization. There was only one occasion that I would say would even come close to rising to the level of the definition of insubordination. We were focused on public safety.

The Joint Chair (Mr. Matthew Green): One of the differences you talked about—and I'll just use this as a bit of licence.... When you talked about the paradigm shift and you referenced the infiltration of people with significant skill sets in the logistics, in supply and in planning the convoy, you referenced counter-intelligence the way that this was situated. In your opinion, would it not go beyond the threshold of being sympathetic to but actually mean a person is ideologically motivated by a cause when they cross that rubric from being a sworn officer into illegal civilian occupations?

Mr. Peter Sloy: I'm sorry, but just to be clear, the references to people who were former national security, military and police, they were former. They were retired, and they were not part of my police service—

The Joint Chair (Mr. Matthew Green): They were not in your service, but they're part of policing....

Mr. Peter Sloy: They're retired members, and they're now private citizens.

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

You would have also witnessed people who were on active duty with the fist bumps and some of the exchanges that were happening. There was the authorization or at least a lack of enforcement on bringing incendiary devices into the precinct.

When you reference design threat and you talk about canteens of diesel or gasoline or God knows what else—fertilizer and who knows what else—entering into the precinct, how does that happen? Whose decision is it to allow that to happen?

Mr. Peter Sloy: Again, I'm looking for the question, but I just want to be clear. "Design threat" is not a term I'm familiar with. You've used it twice, and I just want to be clear about that.

If you're asking about expressions of sympathy, I can tell you, again, that the ability for an officer to de-escalate a situation by a smile, a selfie or a fist bump.... If that achieves a public safety outcome in the moment that the officer feels is reasonable given all the concerns, I've seen that applied over my 35 years in policing in a wide variety of circumstances, so—

The Joint Chair (Mr. Matthew Green): I'll be clear with you. I haven't seen it applied in many of the counterprotests I've been involved in, but I digress.

When we talk about threat assessment and when I talk about “design threat”, it’s the fact that you have Wellington Street as an alleyway, with buildings on one side, a crane set up in the middle of the street with a wrecking ball on it, and people coming in with incendiary devices on the steps of the PMO and Parliament. That’s what I’m talking about in terms of “design threat”. It’s the environment and the use of cars...and you referenced non-traditional illegal weapons, but cars and other things. Would you have accounted for the other things, including fuel, gasoline, diesel, fertilizer and other things?

Mr. Peter Sloly: Yes, sir.

The Joint Chair (Mr. Matthew Green): Okay. Thank you. That’s what I was getting at with that.

In your assessment of the threat, where would you have placed it? Was it at its highest during the time that you were in care and control of the command?

Mr. Peter Sloly: The threat.... Again, there were literally thousands of threats within the theatre that we were dealing with.

The Joint Chair (Mr. Matthew Green): How would you assess the overall threat to the nation’s capital? Would it be a high level of threat? That is, to meet the threshold of the Emergencies Act, it has to meet the threat to national security under the CSIS act. There are very prescriptive legal definitions of what it would mean, and part of our work is trying to figure out whether it met the threshold. In your opinion, did it meet that threshold under the CSIS act?

Mr. Peter Sloly: The entire situation that I saw unfolding across this city and across this country was, in my opinion, a national security crisis.

The Joint Chair (Mr. Matthew Green): Did it meet the threshold of the Emergencies Act measure?

Mr. Peter Sloly: I don’t know the definition of it, and I’m not a lawyer, but I’m telling you as a police professional that the entire circumstances that I saw operating across this country was a national security crisis.

The Joint Chair (Mr. Matthew Green): Here’s my last question. You’ve been involved in the G20 and many other massive operations in which a lot of officers were going in. Are you familiar with “aid to civil power”?

Mr. Peter Sloly: Yes, I am, sir.

The Joint Chair (Mr. Matthew Green): Was that contemplated, and why wasn’t that implemented?

Mr. Peter Sloly: Every single option was on the table. I think I’m publicly quoted as saying that on a number of occasions.

The Joint Chair (Mr. Matthew Green): Yes, that’s a thing to say publicly, but was the aid to civil power something you advised that we implement, or was it something you put on the table and then took away?

Mr. Peter Sloly: I have no power to put anything on the table—

The Joint Chair (Mr. Matthew Green): You can’t request aid to civil power?

Mr. Peter Sloly: No, lawfully I can’t request it, but—

The Joint Chair (Mr. Matthew Green): Who would?

Mr. Peter Sloly: I’m sorry, sir. I’m trying to answer your question.

I did not ask anyone specifically to consider aid to civil power, but in all the discussions that took place in those weeks, that was a question that was part of a live and ongoing discussion. However, I would have no authority as a chief of police in a municipal agency to make that request or to make that determination.

• (2020)

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

Mr. Green, I’m wondering if you could take over.

The Joint Chair (Mr. Matthew Green): Yes. The floor is yours.

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

Thank you again, Mr. Sloly, for being here. I’ll just follow up on Mr. Green’s question on aid to civil power.

Where would that authority come from, and who can make that request? Do you know?

Mr. Peter Sloly: I don’t know the legislative framework around what would happen. I just know it’s not within the legislative framework of a chief of police.

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

I want to talk a bit about the relationship between you, in your capacity as the chief, and the province, because you mentioned that the provincial emergency order and the city order were helpful.

In your discussions about getting additional people, I assume you would speak to the commissioner of the OPP. With respect to the provincial government itself, was there any opportunity for you to get any other types of assistance? I don’t know the terminology being used today, but I’m thinking of Emergency Management Ontario, which, as you know, used to be part of the Solicitor General’s office there.

Can you just elaborate on any involvement of the province in terms of your discussions on this incident during your time as chief?

Mr. Peter Sloly: Thank you very much. Very early in the situation I received direct phone calls from deputy minister Mario Di Tommaso from the Solicitor General’s office. Later that same day I actually had a conversation with Solicitor General Jones.

As that first week unfolded, there were tri-party calls on an almost daily basis involving city manager Kanellakos, deputy minister Rob Stewart from Public Safety Canada and other deputy ministers from a range of ministries. Frequently, in those calls, deputy minister Di Tommaso would represent the provincial interest. Information was shared. Resource requests were made. Comparisons around what was happening across the full theatre provincially and nationally were discussed, and there were regular lines of communication that existed among all three levels of government and involved the Province of Ontario.

The Joint Chair (Hon. Gwen Boniface): As there should be.

Mr. Peter Sloly: As there should be.

The Joint Chair (Hon. Gwen Boniface): I recall reading—this may have been after your time—about how, in Windsor, the Ambassador Bridge incident was taking place. In fact, if I'm correct, there were resources from the OPP taken from Ottawa in particular to go to the Ambassador Bridge.

Was that accurate reporting?

Mr. Peter Sloly: I'm sorry. I nodded my head in the affirmative, but I'm not aware of OPP resources that were stationed here that left to go down to Windsor. I'm not aware of that. I know the OPP had an incredible challenge managing all the resource requests that were coming in, and I want to say publicly that the work of Commissioner Carrique of the OPP and of his senior staff—I call it air traffic control of all the competing requests from across this province and across the country—was fundamental to the ultimate success of what took place in January and February.

The Joint Chair (Hon. Gwen Boniface): Thank you very much, because part of it is for Canadians to understand the complexity and layers of policing in the province of Ontario and across the country. I think you've done a good job of laying it out, and I thank you for that.

Also, when you were asking for additional resources, as opposed to those being what we'll call "boots on the ground", you actually needed different levels of expertise on a 24-hour basis to support a municipal police service that was becoming exhausted. Would that not also be correct?

Mr. Peter Sloly: That's absolutely correct.

The Joint Chair (Hon. Gwen Boniface): Do you know how much overtime your officers did up until the point that you left, in overall numbers? We can ask others, but I—

Mr. Peter Sloly: Yes, I've seen a number somewhere in the range of \$30 million to \$35 million as a total price tag. I can't tell you where it was on February 15.

The Joint Chair (Hon. Gwen Boniface): Do you know off the top of your head whether your officers were working regular-hour shifts or you were bringing in officers on overtime on a regular or daily basis?

Mr. Peter Sloly: They worked hard.

The Joint Chair (Hon. Gwen Boniface): They did work hard. I fully appreciate that, because one of the things that I think are most important to understand when you have a long-standing incident like that is that people wear down over time.

Would you agree with me that it's important to understand that as you talk about bringing in additional resources? What you need is fresh resources to take up and give people a rest.

• (2025)

Mr. Peter Sloly: I don't know if anybody will ever understand how hard those officers and civilian members worked.

The Joint Chair (Hon. Gwen Boniface): I appreciate that you do, and I thank you for your comments.

Senator Carignan, you have five minutes.

[Translation]

Hon. Claude Carignan: Thank you, Madam Chair.

On about February 12, how many officers did you have and what police services did they come from?

[English]

Mr. Peter Sloly: I'm sorry. What is the time frame that you're looking for, sir?

[Translation]

Hon. Claude Carignan: Between February 10 and 12, how many RCMP, Ottawa Police Service and Ontario Provincial Police officers did you have?

[English]

Mr. Peter Sloly: This is an approximation. I am aware that there are charts available that are being disclosed by the various agencies around that, including Ottawa police. I would say it's somewhere in the range of 500 to 600 officers in that time frame.

Again, that's spread over a 24-hour cycle, so it's not 500 all the time who were available. You have to divide it literally by three shifts and then apply it across the theatre that we were involved in.

[Translation]

Hon. Claude Carignan: The RCMP told us that there were about 537 RCMP officers before February 14. Is that possible?

[English]

Mr. Peter Sloly: It is possible, because the numbers were significantly ramping up for Thursday, Friday, Saturday and Sunday. I don't have the exact numbers in front of me. I believe on my last day in office, the staffing numbers that I saw the morning of February 15 put it in the range of 700 to 800 officers who were available in the theatre over that 24-hour period.

Again, I don't have the exact numbers in front of me, sir.

[Translation]

Hon. Claude Carignan: Right, but before, between February 10 and 12, it was about 500 officers.

[English]

Mr. Peter Sloly: Again, I believe so, sir. Please understand that I just don't have the numbers.

[Translation]

Hon. Claude Carignan: Privy Council Office sent us some documents containing a situation report concerning the number of demonstrators present. This is what it says.

On February 10, it reports: "There is a light number of people all along Wellington and surrounding streets" and "Vehicles are parked in the streets all around the precinct."

On February 11, at 8:00 a.m., it reports: "Approximately 0 to 5 individuals are gathered on Parliament Hill," "There is a light number of people all along Wellington and surrounding streets," "Vehicles are parked in the streets all around the precinct," and "There are 4 tents and 1 campfire in front of 90 Wellington St."

On February 11, at 8:00 p.m., it reports: "Approximately 0 to 5 individuals are gathered on Parliament Hill" and there is "a light number of people all along Wellington and surrounding streets."

On February 12, at 8:00 a.m., it reports that "approximately 0 to 5 individuals are gathered on Parliament Hill" and "There is a light number of people all along Wellington and surrounding streets."

What happened? You had 500 police officers ready to do the work needed to clear the street. There were eight people, then 12 people, four tents, and a campfire, but nothing was done?

As well, protesters have told us that on February 10 and 11, they were never asked to leave.

How do you explain that?

[English]

Mr. Peter Sloly: Which question do you want me to answer first, sir? Do you want me to answer the question that you put about the protesters' statements?

[Translation]

Hon. Claude Carignan: Do it in order or out of order, but I find it bizarre.

[English]

Mr. Peter Sloly: I can't speak about the protesters' statements, so let me focus on the substantive policing question.

[Translation]

Hon. Claude Carignan: Right.

[English]

Mr. Peter Sloly: As I said before, there were 500 officers on whatever day that happened to be, split over three different shifts. That doesn't mean they were all available at the same time and at the different times you talked about.

Let me also say that even in those early morning hours, when there were low numbers and officers tried to effect an enforcement action or any other action, many times they were swarmed and sometimes they were overwhelmed. I can tell you explicitly of one female sergeant who had worked an 18-hour shift and went out on her own time to support frontline officers. She was almost overwhelmed at one of those four o'clock in the morning opportunities that you talked about. That is well documented by other levels of

threat assessments well beyond those being authored by the Ottawa Police Service. Feel free to avail yourself of those assessments.

The fact is, sir, that it was never that simple. We saw it in Coutts, Alberta, where there were substantive resources available and operations were well planned. Within minutes of attempts to remove trucks, those forces were overwhelmed. We saw it in Windsor and in other jurisdictions. This is not something unique to Ottawa.

[Translation]

Hon. Claude Carignan: After February 14, when the police started to move in, there were large numbers of police there. There were nearly 1,500, maybe, but there were also many more demonstrators.

By not moving in at the right time, when you had fewer demonstrators, and by announcing in advance that you were moving in, did you not run a risk? It allowed more people to gather when police moved in, and that increased the risk, do you not think?

• (2030)

[English]

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

Mr. Sloly, can you give a brief reply?

Mr. Peter Sloly: No, sir.

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

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

Mr. Sloly, thank you for your ongoing testimony before us. We appreciate the consideration you're giving us. I'm sure it is not always easy for you. I appreciate that, particularly when you talk about your forces and the pressures that they were under.

Earlier you talked to us about the lack of confidence that you felt at the time with the lack of action to dismantle the occupation. That frustration was shared by a lot of citizens here in Ottawa.

I'd like you to elaborate a little on the frustration we as citizens felt when we saw jerry cans of gas being delivered to the convoy, and support for the convoy being expressed from some quarters while at the same time businesses were shuttered. The Rideau Centre was shuttered. The older citizens of Ottawa felt insecure in terms of simply leaving their apartments, let alone getting to work.

That frustration was, I'm sure, something that you observed and felt was legitimate frustration.

Mr. Peter Sloly: Absolutely, sir. In the closing comments of my opening statement, I spoke to that.

That was a very real and live situation. I have great empathy and compassion for the people who approached me during my time in office to express their concerns and frustrations—and even stronger language. I understood that and we did our best to address that as quickly as we could.

Hon. Peter Harder: That's what I'm trying to actually get to in my questioning. Could we have gotten to the situation that we eventually enjoyed more quickly had the invocation of the Emergencies Act been sooner? My question to ministers, as you might know from the transcripts, was, "What took you so long?"

Did you ever feel, as the chief of police here in Ottawa, that you wished help was on its way?

Mr. Peter Sloly: I did, every day.

My priority from the first 24 hours of seeing what arrived in my city was resources. My first indication of the scale of resources that we would need and the specialization and capabilities of those resources was on February 2, when I met with the public order commanders from my own organization, as well as other Ontario organizations.

When I put to them what we were going to need to safely and lawfully end this, the scale at that point was every single public order officer in Ontario and many more from outside of Ontario.

Hon. Peter Harder: Did you and your fellow leadership from across the province express that need to the political authorities in the jurisdiction where you worked?

Mr. Peter Sloly: It was expressed through the partners we had municipally, provincially and federally. No doubt, as professional as they are, they would have briefed their political channels. However, until I made the official announcement for the 1,800 that then went to the chair and the mayor and a signed letter to other two levels of government, we were working through the policing construct.

We formally engaged the other two levels of government on February 7.

Hon. Peter Harder: In your 11 points that, hopefully, you will flesh out, do you make comments and recommendations with respect to a more effective and timely coordination at the political level in circumstances like this?

Mr. Peter Sloly: I've avoided that, sir, but you will see comments around more effective coordination certainly between police agencies and national security agencies in future events.

Hon. Peter Harder: Could you elaborate on that?

As an observer, I think one thing we saw was a sense of silos and lack of coordination, at least on a timely basis.

● (2035)

Mr. Peter Sloly: I think you've expressed that extremely well, sir.

Hon. Peter Harder: Thank you.

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

For final questions, we'll go to Senator Campbell.

Hon. Larry W. Campbell: I have just a short question.

There were reports in the media that there were ongoing negotiations, with the mayor or whomever. I understand when you say that there was no "they're"; there were numerous people all saying that they were in charge.

It struck me at the time that the police board for Ottawa stated they were not aware of any negotiations that were going on.

My question is this: Is that normal, in the Ottawa Police Service, that the police board would not be aware of the mayor carrying on negotiations?

I'm not commenting on whether they're right or wrong. I'm just trying to get my head around how this information is disseminated, so that the people who are making decisions are better able to understand what is going on.

Mr. Peter Sloly: If I understood your question, sir—and if not, please correct me—our municipal board is made up of three sitting councillors and a fourth civilian designated by the mayor. The mayor has the first right of refusal to sit on the board and can designate that to another councillor. In this case, Mayor Watson designated that to Councillor King.

There were three city councillors who actively participated as board members and actively participated as council members when emergency council meetings were called.

Again, I can't speak for who knew and who called whom, or when and why, but there were three elected city councillors on the board during my entire tenure during the events of the convoy.

Hon. Larry W. Campbell: Again, there was no clear line of communication going on.

I understand that there's a clear line of communication from you to your officers, but there's no clear line of communication from your political bosses, the mayor and the police board, with regard to any ongoing negotiations.

Mr. Peter Sloly: Again, I can't speak to that, sir. There may have been; there may not have been. I just can't speak to it. I'm sorry, sir.

Hon. Larry W. Campbell: Okay. Thank you, Chief.

Thank you, Madam Chair.

The Joint Chair (Hon. Gwen Boniface): Thank you very much to all members. Mr. Sloly had agreed to come for two hours. His two hours are up.

Mr. Sloly, we would like to thank you very much for coming to committee tonight. Thank you for your candour. I know that every committee member would also very much like to thank you for your service, both here in Canada and abroad. Thank you very much.

Mr. Peter Sloly: Thank you, Chair, and thanks to everybody.

● (2040)

The Joint Chair (Hon. Gwen Boniface): We'll suspend for two minutes.

● (2040)

(Pause)

● (2040)

The Joint Chair (Hon. Gwen Boniface): We have a couple of motions, I believe, and perhaps we can start with Senator Harder.

Hon. Peter Harder: Thanks very much, Madam Chair.

Colleagues, I know the clerks have distributed the motion I circulated today.

I'd like to move:

that the committee direct the joint clerks to invite all witnesses found in the suggested panels of the workplan created by committee analysts and distributed to committee members on May 13, 2022, and coordinate with the joint chairs as to the composition of those panels.

I move that, and I would be happy to speak to it briefly.

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

Hon. Peter Harder: My objective is to ensure that we have some greater predictability and line of sight in our committee schedule. I recognize that will not necessarily be in the order of the draft that was circulated to us but be governed in some respects by availability and some degree of coordination even with the commission of inquiry.

I'd like to give the flexibility to the staff to develop that plan. If there are gaps, they can coordinate with the co-chairs so that we can have before us a greater sense of what the work plan is as we work towards the end of this calendar year.

The Joint Chair (Hon. Gwen Boniface): Mr. Motz.

Mr. Glen Motz: Thank you, Chair, and thank you, Senator Harder.

I agree with the concept. I would just caution about our getting too far ahead. When you talk about creating a whole panel, I would hope that what you mean by that is we allow the clerks to allow for four, five or potentially even six weeks in advance—we do those chunks of time—as opposed to trying to map out a witness agenda with everybody until the end of our witness list.

• (2045)

The Joint Chair (Hon. Gwen Boniface): Senator Harder.

Hon. Peter Harder: Of course, I anticipate some degree of flexibility, but it may be that a key witness we would wish to have says, "Look, I can appear with you only after November 28." Rather than waiting until November 28 and then asking, "Are you ready now?", we could predictably say, okay, let's book you for November 29, or whatever.

Let's have some give and take in this, but the greater the line of sight, the better.

The Joint Chair (Hon. Gwen Boniface): I'm seeing nodding. I think you are agreeing. Certainly, thinking that if we could even get through until say the end of November and then bring it back much earlier... As somebody who has appeared as a witness before committees in my former life, I know the short notice makes it very difficult for people to be prepared, and I think we should have the best-prepared witnesses we can.

Mr. Motz and Senator Harder, I think I'm seeing some agreement.

Are there any other comments on it?

Ms. Bendayan.

Ms. Rachel Bendayan: I would just like to clarify, Senator Harder, that we're talking about the panels that are listed in the work plan from pages 2, 3, 4 and 5.

The Joint Chair (Hon. Gwen Boniface): That's correct.

I don't think we need to take a vote. I think I'm seeing nodding around the table in agreement. I think that helps the clerks in planning going forward.

Mr. Glen Motz: In the near term, yes, but I think there are some witnesses who appear beyond that who we're still going to want to have.

The Joint Chair (Hon. Gwen Boniface): I think we're in agreement with that.

We have been working with a couple of witnesses, trying to land on dates. What I've heard and what we've agreed is that they were in agreement with the motion and looking to at least late November, and then we can discuss this as we move along as well, as long as we are able to have witnesses.

We have a second motion.

Mr. Fortin.

[Translation]

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

I think the co-clerk, Ms. Burke, distributed to committee members this afternoon the text of the motion I had sent. Everyone should have received it. If someone does not have it, it can be provided.

I have concerns regarding the use of the documents.

First, I think we have to take into account the fact that the well-known Rouleau commission will begin its work on October 13, if memory serves. In theory, Justice Rouleau is to submit his report in February. The order in council says February 6, while the website says February 20; in any event, Justice Rouleau will be submitting his report in February.

Our work should perhaps adopt a somewhat faster pace. We have to follow what is happening at the Rouleau commission. We will certainly be able to use the information that will be disclosed to the commission, and the commission will certainly be able to use the information disclosed here. That will allow us to progress faster and more efficiently.

Also out of a desire to expedite our work, I have a comment to make regarding the documents we have received. I don't know whether I am the only one who thinks this, but I find it somewhat difficult to find things in them. The documents in the digital binder are often entitled simply "document", and we have to open the documents to know what is in them. Obviously, we are all capable of doing that, it is not something impossible, but it seems to me to be a somewhat laborious exercise. It will slow our work down when we want to refer to these documents.

That is what prompted me to make my motion. Of course, I am open to suggestions. I do not know exactly who is responsible for putting the documents in the digital binder or who looks after assigning them titles. Is it the clerks, the analysts, or someone else? I don't know, but I think it is important that these documents be given correct titles.

What my motion suggests is that it indicate what organization or individual produced the document, the date the document was received, and the date the document was created. As well, the type of document should be specified, whether it is a letter, an analysis, minutes, a report, or whatever else. Last, it should state the number of pages. That way, a document might be entitled, for example, "letter from the Minister of Justice to the Minister of Public Safety, February 15, 2022." That would be perfect, because we would know immediately what it was. We would also know the date the document was produced. That seems to me to be very useful. That is the first component of my motion.

My motion has a second component. In fact, I think the same reasoning should be applied to the organizations that send us documents. After the motion was adopted, on May 31, our committee received certain documents over the course of the summer. In fact, it received over 1,000 pages, unnumbered. I do want to thank the co-clerks for making the effort, after our discussion in July, to paginate a large portion. I think the organizations should have that job. We should ask them to enter the same information for the documents they send us.

That said, there is also the problem of multiple documents.

At our meeting on September 22, which I chaired, right when we began our work, the co-clerk, Ms. Burke, received a flash drive. She told me not to worry about the redacted documents, because the answer might be on the flash drive. But we can't work with a flash drive. It's rather difficult.

I think a department or organization that wants to add documents could make the effort to consolidate the documents. If it sends us documents in June and sends us more in October, it should consolidate and paginate them. That way it would be clear and we would all have the same references. If we could say to a witness that such and such a statement can be found on such and such a page of such and such a document, everyone would be able to find it more easily and there would be no doubt. That would help us a lot to expedite our work and be more efficient when we come to right the report.

Last, these documents should be made public. In fact, that is what journalists are requesting. Each of us has probably had to answer journalists who wanted to get these documents and were asking where they could find them.

• (2050)

Again this week, I spoke with Ms. Burke and she told me that it was complicated, given the various computer issues. I have no computer skills, and I am not in a position to discuss what needs to be done for these documents to be put on the committee's website. Regardless of the reason, if that cannot be done, I think we should be gracious and put them on flash drives and give them to anyone who asks, whether they be a journalist or a member of the public. We have a duty to make our work public. We have documents that are public in nature. There is nothing in the documents that have been submitted that was stated to be confidential.

So that is the third component of my motion. We have to take the necessary steps to make these documents public, and I do not see why we would not do that.

Those are the three things my motion asks for.

Next, my motion does not talk about this, but we are also going to have to address the question of redacted documents.

Today, I was trying to read the documents we received from the Department of Public Safety and Emergency Preparedness, but there are hundreds of redacted pages. What are we to make of that? I don't know what information is being hidden or why it is being hidden, but this seems unacceptable to me. We have to ask the people who produced these documents to come and explain it to us. There may be good reasons why it has been redacted. I am not saying that it is malicious, but I think we are entitled to ask the people to explain to us why it was redacted. If we consider the reason to be a good one, there will be no problem and we will continue. If we conclude that it was not justified, we will ask for an unredacted document and, if the organization in question refuses to provide it, we will continue the process, we will go to the House authorities, and we will take the steps that are necessary in the circumstances.

We have been discussing this since the spring and it is now October. As I said when I began speaking, the Rouleau commission will be starting its work next week and will release its report in February. At the rate we are going, in February not only will we still not know what was redacted, but we will also not know why. That makes no sense.

• (2055)

[*English*]

The Joint Chair (Hon. Gwen Boniface): Can we deal with the motion as it's written first?

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Yes, certainly.

[*English*]

The Joint Chair (Hon. Gwen Boniface): I have a list of people who would like to speak to it.

Mr. Motz.

Mr. Glen Motz: Thank you very much.

I understand why Mr. Fortin would want to do this.

Can the clerks weigh in on this, please? I get it. I know it would make sense to do something different to maybe what we're doing, but I would certainly respect their feedback on this. Would this actually delay the documents we get in a timely manner?

The Joint Clerk of the Committee (Ms. Miriam Burke): The documents we've received are now, as of today, on the website. I guess that's step one.

For the categorizing, we're still looking into whether that's possible and how to reflect them on the website or in the binder. We had that table of contents to try to normalize things a bit. We're trying. We're looking into it.

Mr. Glen Motz: Would what Mr. Fortin's proposing delay the ability for documents to come to us?

The Joint Clerk (Ms. Miriam Burke): No. We'd send them as is, and then if we needed to rework them, we would do that after you'd received them.

Mr. Glen Motz: I think what Mr. Fortin's motion is saying, though, is that he wants the changes done before we get them, if I understand the motion correctly.

The Joint Clerk (Ms. Miriam Burke): You have them.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): We have them already, but in the digital binder, there are some documents with better titles than others. The last ones produced have a date, so they are a little better for finding our way around in. Otherwise, for the other documents, we have to consult the table of contents we were given. That is useful, but it is very difficult to match up with the binder. Say you are looking for a particular letter. In the binder, you see only "document", and there are 20 or 30 documents. So then you have to open each document until you find the one you are looking for. That is hard to follow. If the document in the digital binder were given a title right away to specify, for example, that it is the letter from the Minister, the report by the Department of Public Safety and Emergency Preparedness, or the minutes of the Privy Council Office meeting, working would be a lot easier. I suggest that with all due respect.

[*English*]

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

Next is Senator Carignan, to be followed by Ms. Bendayan.

[*Translation*]

Hon. Claude Carignan: Did you say the documents were on the website at present? Did I understand correctly?

The Joint Chair (Mr. Rhéal Fortin): They are in the digital binder.

A voice: Yes, they are on the website.

The Joint Chair (Mr. Rhéal Fortin): Oh, they are? I looked for them, before our meeting, but I didn't see them. I don't know whether I was looking in the right place.

Hon. Claude Carignan: What bothers me a bit more is the business of redacted documents. We can't wait until testimony is over for someone to explain what justifies the redacting or to find out whether it is possible to clean up the documents sent at the beginning a bit to reveal more of the content. For example, I am using these documents to ask the witnesses questions, but there may be redacted content that I would use to prepare my questions. I am working with the documents I have. If I have to wait to the end, after the witnesses have appeared, to get access to documents that are not as redacted, it won't be useful to me anymore for doing my work.

It is actually important to know the reasons for the redacting and see whether it is possible to reveal all or part of the content that was redacted to begin with, but it should be done before testimony is finished. Otherwise, we are deprived of information and prevented from doing our job properly: if we had had access to certain information, instead of it being redacted, there are probably a lot of oth-

er questions we could have asked witnesses. The redacting prevents us from doing a good job.

• (2100)

[*English*]

The Joint Chair (Hon. Gwen Boniface): Senator Carignan, I'll turn to Madam Bendayan, but I wonder if we can deal with the motion as we have it and then deal with the redacted piece, just to keep it separate from the motion.

Ms. Bendayan.

[*Translation*]

Ms. Rachel Bendayan: Thank you, Madam Chair.

I would like to say a few words about the motion my colleague Mr. Fortin has just made. I agree entirely with the motion as it is worded.

In fact, I would like to address the other subject we are dealing with today: redacting.

Some of them have already been shown, but I can show some pages, too, that have not been redacted. Hundreds and hundreds of pages have been disclosed. I think we do have to address this subject, but because it is not in the motion, we could deal with it at another meeting.

To begin with, I don't see how we will make any faster progress if we have someone come who will tell us that the documents were redacted for reasons of national security or to abide by solicitor-client privilege. I don't see how we would get more information or answers that way. The person called to testify will not be able to tell us, essentially, what the redactions are blacking out.

If we keep wanting to know whether there are good reasons for these redactions, we will be here until 2026. I would like our committee's work to move forward.

[*English*]

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

Mr. Brock.

Mr. Larry Brock: Thank you, Madam Chair.

I want to voice my support for Monsieur Fortin's comments, particularly his latter comments. What I take from those latter comments is about the ability to efficiently navigate this dump of documents. I think we're kidding ourselves if we think it's manageable as is. We are simply scratching the surface with witnesses so far. We have dozens and dozens of witnesses yet to go, likely requiring further documentation. We all are busy. We all need to use our time wisely and efficiently.

I briefly spoke with Madam Clerk. It's something that will require some additional resources, but the take-away from that conversation is that it's not an insurmountable task.

I don't want to overburden the staff with that issue. If it's doable, I'd like to have a report from Madam Clerk when we return after our break week, to see whether or not some efficiencies can be made.

The Joint Chair (Hon. Gwen Boniface): Mr. Fortin, does that work for you in terms of the motion? I think what Madam Clerk is saying is that she'd take some time to see how she could make it work.

[Translation]

The Joint Chair (Mr. Rhéal Fortin): That would certainly work. As I was saying when I began speaking, I don't know who does this work. Is it the analysts, the co-clerks, or someone else? I agree with what Mr. Brock just said. I don't want to impose an excessive workload on anyone. I am simply saying that if we want to work effectively, we have to get to that.

Our sitting hours have already been cut. We were all happy to be able to get four hours in September, when we started sitting again. We even said it was not sufficient. We are now limited to three hours' sitting and we are stuck with redacted documents, produced in somewhat muddled fashion.

If that is how it is, I don't think we will get there. We will never be able to follow Justice Rouleau. In fact, I would be surprised if he accepts things like this. I am virtually certain that everything will go more smoothly.

[English]

The Joint Chair (Hon. Gwen Boniface): For clarity, you asked who did it, and the clerk from the Senate advised me it was administrative staff in the Senate who did it. I think what the clerk is asking—please correct me if I'm wrong—is that they get to take a look at it, look at what the extent of the work would be, and report back to us when we return to tell us how it could be accomplished.

I think that's what you were saying, Mr. Brock.

Is that suitable?

[Translation]

The Joint Chair (Mr. Rhéal Fortin): Yes, that's fine. But if by chance the co-clerks found the solution during that week, we should not hesitate to do it. We don't have to wait until Thursday.

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

• (2105)

[English]

Madam Bendayan, I understand you have a motion.

[Translation]

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

I believe the co-clerk has received the text of my motion and has provided it to committee members. The motion is quite simple. I will read it:

Given that we have returned to one, three-hour meeting per week, that the clerk be directed to schedule two panels of witnesses, each for 1.5 hours for all future meetings.

[English]

That the clerk of the committee schedule panels of one and a half hours each, Madam Chair, is essentially the crux of this motion, given that previously we were working under a timeline of two meetings per week and now we are working under a three-hour meeting schedule. To make the most efficient use of our time as

members, I hope we can agree to having two panels per week, on Thursday evening, of one and a half hours each.

The Joint Chair (Hon. Gwen Boniface): Go ahead, Mr. Brock.

Mr. Larry Brock: I would be prepared to support that motion with a caveat that it depend on the nature of the witness. We want to ensure that some witnesses are the only witness per one-and-a-half-hour time slot. We don't want to burden the committee with additional witnesses who would eat up our ability to get a couple of rounds of questions in.

Thank you.

Mr. Glen Motz: If I can ask the question, I thought Mr. Brock was going to say that there might be witnesses who require more than an hour and a half.

The way I understand your motion, Rachel, is that there is one witness for each hour and a half—that's what we're talking about—as opposed to more than one witness in an hour and a half.

A caveat for me would be that we need to have the ability as a committee to say a witness is going to need more than an hour and a half and we might want them for the entire three-hour period or the entire two-hour period, whatever that might be. If we can arrive at some agreement to have an understanding inside the motion to do that, then I'm fine with it. I'm fine if there is flexibility with it.

Mr. Kevin Lamoureux: Madam Chair, another alternative would be to say that when you have a three-hour slot, you invite two witnesses to be there for the full three hours, and each one makes a five-minute presentation. You go around and you take your choice of whichever one you want to ask questions of. If you want to focus on one witness for three hours, you could do that.

That's a possible alternative. Otherwise, it's hard to say to the clerk to book this one and give them two hours, but give this one just one hour, or we'll use up that one slot for three hours. Do you know what I mean? You'll be able to establish your priorities.

The Joint Chair (Hon. Gwen Boniface): Go ahead Mr. Fortin, and then Mr. Brock.

[Translation]

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

I think Ms. Bendayan's motion is very laudable. We do have to speed up our work. That is what I said at the beginning.

However, and I say this with all due respect, I am not certain it would be efficient. We see that it takes an hour to do one round of questions with a witness. If we have an hour and a half, does that mean we will do one and a half rounds?

As well, I am wondering about the three minutes we are allowed in the second round. I was discussing this with some people earlier. I think we should maybe go back to periods of five minutes. Some of us were frustrated about not managing to get through their questions in three minutes.

The motion says that we would have 1.5 hours not for a single witness, but for a panel of witnesses. If we adopt the motion as it is put forward, we will be entitled to five minutes each to begin. Then, how will the remaining half-hour be divided? Will each person be allowed two minutes? If we can't get it done in three minutes, how will we do it in two minutes?

The idea is interesting, but I am not sure that it would make us more efficient. Personally, I like the formula where we had two hours on Monday and two hours on Thursday. I think in two hours we would be able to cover a subject with a panel of witnesses. I am afraid that an hour and a half would be too tight.

• (2110)

[English]

The Joint Chair (Hon. Gwen Boniface): We have Mr. Brock, to be followed by Senator Harder and then Ms. Bendayan.

Mr. Larry Brock: Thank you, Madam Chair.

I just want to reiterate that we've made some progress with some committee business. We've approved some motions that empower the clerk to look for efficiencies and some solutions in dealing with the documents. There appear to be lots of interventions with respect to Ms. Bendayan's most recent motion. It looks like there's going to be no conclusive resolution to that, so my suggestion is we move to adjourn the meeting.

The Joint Chair (Hon. Gwen Boniface): Is there agreement?

Some hon. members: No.

The Joint Clerk (Mr. Mark Palmer): I'll call a vote on adjourning the meeting.

(Motion negatived: nays 6; yeas 5)

The Joint Chair (Hon. Gwen Boniface): I'll return to the motion of Senator Harder.

Hon. Peter Harder: Thanks very much.

I'm not unsympathetic to getting out of here, but I think it's important for us to at least conclude our thoughts on what is on the table about an hour and a half and an hour and a half, because we have now given direction to the clerks to start scheduling.

It seems to me that unless this committee is resolved to meet to the end of 2023, we're going to have to double up our workload to have two panels a night. It may be that it will lead us, at some point, to say that we'd like a certain person back, or to explore more in a certain area, but let's get going with two panels a session and see what the clerks are able to schedule. If there are obvious adjustments we wish to collectively make, we can do so.

The Joint Chair (Hon. Gwen Boniface): Ms. Bendayan.

Ms. Rachel Bendayan: Thank you, Madam Chair.

To pick up on what Senator Harder just said, I don't believe there is anything in my motion that would preclude us from having a pointed discussion on a witness to say that the committee—in its wisdom of votes in favour of changing our usual course of business—have somebody for a full three hours or other amount of time. I think it allows for the flexibility that we need while also ensuring that we get the work done and that we instruct the clerks ac-

cordingly, because as Senator Harder just mentioned, the clerks need to call witnesses and schedule them. I think it is also easier to schedule a witness for 1.5 hours than for three hours.

[Translation]

I would now like to address my colleague Mr. Fortin more directly.

I want to point out that for a round, we are talking here about five minutes for the witness's presentation and 40 minutes for questions. That is a total of 45 minutes for the first round, which is entirely feasible in an hour and a half. It would be followed by a second round, as we did in the spring. It worked well in the spring, so I don't see why anyone is scandalized by the proposal today.

Obviously, you are the person managing the meeting, Madam Chair, but I suggest that the motion be put to a vote, and this would allow us to respond to the request made by Mr. Brock, who would like to leave us.

[English]

The Joint Chair (Hon. Gwen Boniface): If I can just recap what I heard with respect to the motion—and correct me if I have heard it wrong—I'm hearing that we could use this as guidance in terms of getting schedules in place. If we thought there was a witness we either wanted to recall or wanted to extend the time frame of, we would have that discussion at the time.

Just as a suggestion in trying to get to some sort of finish line on this, would you be comfortable with the chairs reviewing with the clerks and looking at any particular witnesses, and we could raise that as the time goes on, so we can at least start to slot things in?

I'll just put that on the table.

I have Mr. Motz and then Mr. Virani.

• (2115)

Mr. Glen Motz: Thank you again, Chair.

Rachel, I am prepared to support your motion, as long as the comments you just finished making can be on the motion exactly as said, so that there's flexibility with individual witnesses should the committee so decide, and it has the ability to extend the hour and a half.

If that's on the motion, it makes total sense. Let's do it.

The Joint Chair (Hon. Gwen Boniface): I'm seeing agreement.

Go ahead, Mr. Virani.

Mr. Arif Virani: I don't think I need to speak.

The Joint Chair (Hon. Gwen Boniface): We'll have Mr. Fortin, and then we're getting near the end.

[*Translation*]

The Joint Chair (Mr. Rhéal Fortin): Regarding the allocation of the three hours, I imagine an adjustment could be made, rather than making two hour-and-a-half rounds mandatory. Perhaps a one-hour round would be enough with some witnesses, but we would need two hours with other witnesses, to do another round of questions. I don't know whether everyone agrees.

Again, this evening, I find it frustrating that in three minutes, I did not manage to get into a rhythm with Mr. Sloly. A few of us are in that situation.

So I think flexibility is useful. In an ideal world, we would have to go back to two two-hour meetings. In my opinion, that is the best thing. However, if we have to adjust to one three-hour meeting, we have to allow for the possibility of giving one panel of witnesses two hours and another panel one hour, or giving each of the two panels an hour and a half, based on the witnesses who are appearing.

[*English*]

The Joint Chair (Hon. Gwen Boniface): What I'm hearing or seeing around the table is agreement with the motion to a degree, expecting that it gives us flexibility to adjust as we need to, depending on who the witness is.

Does everybody agree to that?

Ms. Rachel Bendayan: I could propose that we add to the motion "unless otherwise agreed". I think that would take into account this discussion.

The Joint Chair (Hon. Gwen Boniface): It's always good to have a lawyer in the group.

Go ahead, Mr. Virani.

Mr. Arif Virani: It hasn't been circulated, but I think it's a fairly uncontroversial motion, particularly among all of the House representatives here. I move:

That the clerk of the committee be authorized to grant access to the committee's digital binder to the offices of the whips of each recognized party.

This is a motion that's been passed, I believe, at every single House committee. Is it something that we would agree to? I think it might be something new only for the senators.

It allows for more efficacious work within the committee setting.

The Joint Chair (Hon. Gwen Boniface): Am I seeing agreement around the table?

Some hon. members: Yes.

The Joint Chair (Hon. Gwen Boniface): That's good. Are there any other matters?

Some hon. members: No.

The Joint Chair (Hon. Gwen Boniface): I wish you all a happy Thanksgiving.

The meeting is adjourned.

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>