



PARLIAMENTARY PROTECTIVE SERVICE
SERVICE DE PROTECTION PARLEMENTAIRE
CANADA

Ottawa, October 28, 2022

Mr. Mark Palmer
Joint Clerk
Declaration of Emergency Committee
40 Elgin Street
Chambers Building
The Senate of Canada
Ottawa ON K1A 0A4
Canada

Subject: Follow up questions to the DEDC witnesses of Thursday, September 29, 2022 (Meeting 13)

Dear Mr. Palmer,

On October 13, 2022, the Parliamentary Protective Service (the Service) was contacted by email and asked to provide follow up answers to two questions. Below, please find the Service's answers to these questions. Should you require any further information, please do not hesitate to contact me.

Question 1:

With regard to contracts, memoranda of understanding and other agreements with law enforcement agencies (including arrangements entered into pursuant to section 79.55 of the Parliament of Canada Act): (a) what are the particulars of each such agreement, including (i) the date entered into, (ii) the effective date, (iii) the expiry date, if any, (iv) the parties to it, and (v) a summary of its purpose, key provisions and the parties' main obligations; and (b) could a copy of each such agreement be deposited with the Special Joint Committee and, for any agreement which cannot be, why not?

Following the terrorist attacks of October 22, 2014, a memorandum of understanding (MOU) was signed in June 2015 between the Speaker of the Senate, the Speaker of the House of Commons, the Minister of Public Safety and Emergency Preparedness and the Commissioner of the RCMP. This MOU sets out principles for the establishment of a parliamentary protective service which has become PPS (or the Service).

For your information, I have enclosed a copy of this MOU (PDF) to the email through which our response was shared with you.

The MOU in question was entered into pursuant to section 79.55 of the Parliament of Canada Act and sets out the principles for the establishment of a parliamentary protective service. Thereafter, the amendments to the Parliament of Canada Act creating the Parliamentary Protective Service (PPS) were enacted.

Question 2:

Prior to the invocation of the Emergencies Act, Ottawa Police Chief Peter Sloly made repeated requests to the federal government for additional policing resources. Government of Canada officials, as senior as the

Prime Minister, had, meanwhile, asserted that the city had not “exhausted” all of its available resources and/or that all resources requested of the federal government had been provided to the city. From your perspective, and based on the briefings and information you received during the protests, what is your understanding of (a) whether Chief Peter Sloly had, at his disposal, adequate policing resources to address the protest situation in Ottawa; and (b) whether the Government of Canada had arranged or facilitated adequate policing resources to meet the requests of Chief Peter Sloly to address the protest situation in Ottawa?

Given that the Service is not a policing entity, this question (part a and part b) is best directed at law enforcement itself. Indeed, the Service is not in a position to provide comment on, or assessment of, policing resources and their adequacy.

Sincerely,

A handwritten signature in black ink, appearing to read 'LB-n', written in a cursive style.

Larry Brookson, Acting Chief Superintendent
Acting Director, Parliamentary Protective Service



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MEMORANDUM OF UNDERSTANDING

Between

THE SPEAKER OF THE SENATE,

THE SPEAKER OF THE HOUSE OF COMMONS,

THE MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS, and

THE COMMISSIONER OF THE RCMP

WHEREAS, the House of Commons resolved:

That this House, following the terrorist attack of October 22, 2014, recognize the necessity of fully integrated security throughout the Parliamentary precinct and the grounds of Parliament Hill, as recommended by the Auditor General in his 2012 report and as exists in other peer legislatures; and call on the Speaker, in coordination with his counterpart in the Senate, to invite, without delay, the Royal Canadian Mounted Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, while respecting the privileges, immunities and powers of the respective Houses, and ensuring the continued employment of our existing and respected Parliamentary Security staff;

AND WHEREAS, the Senate resolved:

That the Senate, following the terrorist attack of October 22, 2014, recognize the necessity of fully integrated security throughout the Parliamentary precinct and the grounds of Parliament Hill, as recommended by the Auditor General in his 2012 report and as exists in other peer legislatures; and call on the Speaker, in coordination with his counterpart in the House of Commons, to invite, without delay, the Royal Canadian Mounted Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, while respecting the privileges, immunities and powers of the respective Houses, and ensuring the continued employment of our existing and respected Parliamentary Security staff;

The Speaker of the Senate and the Speaker of the House of Commons, in the exercise of the privileges of their respective Houses, hereby invite the RCMP to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill;

THE OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING IS TO SET OUT THE FOLLOWING PRINCIPLES FOR THE CREATION OF A PARLIAMENTARY PROTECTIVE SERVICE:

Parliamentary Protective Service

1. The Parties agree that there shall be established the Parliamentary Protective Service. The Speaker of the Senate and the Speaker of the House of Commons are, as the custodians of the powers, privileges, rights and immunities of their respective Houses and of the members of those Houses, responsible for the Service.
2. The Parliamentary Protective Service is established to provide integrated physical security throughout the Parliamentary precinct and the grounds of Parliament Hill, in accordance with this MOU.
3. Physical security is all the measures taken that are necessary to provide for the physical protection of the grounds of Parliament Hill and the Parliamentary precinct, including the security of Parliament, its premises, Parliamentarians, Parliamentary Staff, and guests of Parliament, as well as all visitors to the grounds and/or the precinct, and any assets located within or events that take place therein. For greater certainty, the Parties agree that this definition excludes IM/IT infrastructure and IT security, including the sharing and protection of data.

This definition will be further clarified by the transition team which will also identify roles and responsibilities.
4. The Parliamentary Protective Service will include members of the RCMP, and of the current House of Commons and Senate Protective Services.

Selection and Appointment of Director

5. The Director of the Parliamentary Protective Service shall be an RCMP member appointed by the Commissioner. Before appointing the Director, the Commissioner will consult with the Speaker of the Senate and the Speaker of the House of Commons and they shall participate in the selection process for such appointment. The process shall be consensus based.
6. In the event that the Director is absent or unable to act or the office is vacant, the next most senior and highest ranking RCMP member within the Parliamentary Protective Service will serve as Director. The interim Director shall not act in the position for a period exceeding 180 days.

Governance

7. The Parties recognize that:
 - a. the authority for security of the Parliamentary precinct is vested in the Speaker of the Senate and the Speaker of the House of Commons, as the custodians of the privileges, rights, immunities and powers on behalf of their respective Houses and of the members of those Houses, as per the Constitution of Canada and the *Parliament of Canada Act*;
 - b. The RCMP will lead integrated security operations throughout the Parliamentary precinct and on the grounds of Parliament Hill. The Commissioner of the RCMP, under the direction of the Minister of Public Safety and Emergency Preparedness, and in accordance with the principle of policing independence, has the control and management of the RCMP and all matters connected therewith.
8. The Speaker of the Senate and the Speaker of the House of Commons will set general policy, including annual objectives, priorities and goals related to the security of the Parliamentary precinct and Parliament Hill, in consultation with the Director. As part of the consultation, the Director will:
 - a. provide information pertaining to the security of the Parliamentary precinct, Parliament Hill and the operational and administrative status of the Parliamentary Protective Service; and
 - b. provide information relating to the deployment of Parliamentary Protective Service personnel and materiel.
9. The Speakers will advise the Director of those buildings or places that comprise the Parliamentary precinct and will consult the Director with regards to any changes to the premises to be included in the Parliamentary precinct.

Operations

10. The Director will be responsible for planning, directing, managing and controlling operational parliamentary security, including members of the RCMP, House of Commons and Senate Protective Services, taking into account the objectives, priorities and goals as set by the Speaker of the Senate and the Speaker of the House of Commons.
11. In its mandate and organization, and through the duties and activities of its members, the integrated Parliamentary Protective Service shall:
 - a. be sensitive and responsive to, and act in accordance with, the privileges, rights, immunities and powers of the Senate and the House of Commons and their Members;

- b. provide physical security in the Parliamentary precinct and on the grounds of Parliament Hill including the physical security of Parliament, its premises, Parliamentarians, Parliamentary Staff, and guests of Parliament. Allegations and complaints of criminal activity will be referred to appropriate police officers outside the Parliamentary Protective Service and subsequent policing activities will follow established protocols consistent with parliamentary privileges and traditions;
 - c. allow such other branches of the RCMP, such as the Prime Minister's Protective Detail, to carry out their functions within the Parliamentary precinct in accordance with such protocols that may be established with such branches; and
 - d. have due regard to the need to ensure reasonable access to the Parliamentary precinct and the grounds of Parliament Hill.
12. The Speakers shall, in consultation with the RCMP, establish a protocol with respect to operational security for parliamentary proceedings, and any other protocol as may be required.

Funding, Budget and Estimates

13. For operational efficiency and proper accountability, the Parliamentary Protective Service will be funded through a single vote under Parliament.
14. Upon the establishment of the Parliamentary Protective Service, the funding that was appropriated by Parliament to defray the operational expenditures of
- a. the RCMP,
 - b. the Senate in relation to the Senate Protective Service, and
 - c. the House of Commons in relation to the House of Commons Protective Service
- related to the Parliamentary precinct and the grounds of Parliament Hill, and that is unexpended on the date the Service is established, will continue to be used by these entities to pay for the respective entities' operational costs until such time as the Parliamentary Protective Service is able to receive a transfer through an appropriation to the Service. If needed, the Director will seek additional funding in the year of the implementation through the Estimates process.
15. Prior to each fiscal year, the Director, will consult any individuals or entities, including the RCMP, the House of Commons, the Senate, the Library of Parliament, to ascertain security requirements, including planned or anticipated events, for the Parliamentary precinct and the grounds of Parliament Hill and will prepare a draft estimate, for the approval of both Speakers, of the sums that will be required to pay the charges and expenses relating to the Parliamentary Protective Service during the fiscal year.

16. The Speakers will jointly consider the draft estimate, establish an estimate and, upon their approval, transmit it to the President of the Treasury Board, who shall lay it before the House of Commons with the estimates of the government for the fiscal year.
17. The Parliamentary Protective Service, through its Director, may enter into agreements with the Senate, House of Commons, or the RCMP for the provision of administrative services to support the Parliamentary Protective Service.
18. The expenses incurred by the RCMP, the House of Commons and the Senate, upon establishment of the Parliamentary Protective Service and in accordance with this Memorandum of Understanding, will be reimbursed by the Parliamentary Protective Service through an Interdepartmental Settlement.

Implementation

19. The Parties shall work together:
 - (a) to determine the most suitable means of implementing the objectives described in this Memorandum of Understanding; and
 - (b) to draft any further Memoranda of Understanding the Parties consider necessary to implement the objectives described in this Memorandum of Understanding;
20. A transition team, with representation chosen by the Parties, will be established upon signing of this Memorandum of Understanding, and will address all necessary issues including, but not limited to, clarifying the roles and responsibilities of the RCMP and the Parliamentary Protective Service, organizational restructuring, recruitment, training and development and labour relations.
21. The Parties recognize and accept the requirement to transition existing personnel employed by the House of Commons and Senate Protective Services to appropriate functions in the Parliamentary Protective Service, based on a commitment of continuous employment.
22. The Parties will make best efforts to develop and implement a joint Communications Plan in regard to the Parliamentary Protective Service. Until such a plan is in place, the Parties will make reasonable efforts to consult each other with respect to any public communications in regard to the Parliamentary Protective Service.

Dispute Resolution

23. In the event of a dispute arising from the interpretation or operation of this Memorandum of Understanding, it will be referred to the Parties, or their representative designates, who will use their best efforts to resolve the matter amicably.

Review

24. The Parties, or their representative designates, will co-operate and communicate openly with each other on any matter relating to the administration of this Memorandum of Understanding and will meet as required and/or at least annually to review the operation and effectiveness of this Memorandum of Understanding.

Amendments to the Memorandum of Understanding

25. This Memorandum of Understanding may only be amended by the written consent of the Parties.

Termination

26. Any Party to this Memorandum of Understanding may terminate it at any time, upon one year written notice to the other Parties.

Effective Date and Signature

27. This Memorandum of Understanding will become effective upon the date of the last signature and will remain in effect until such time as one of the Parties gives notice for termination.

IN WITNESS WHEREOF the Parties hereto have agreed to this Memorandum of Understanding through duly authorized representatives.



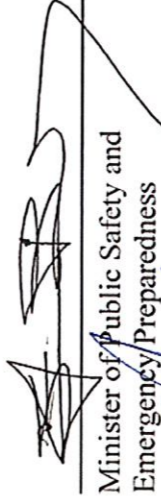
Speaker of the Senate

Date: May 28th, 2015



Speaker of the House of Commons

Date: May 28th, 2015



Minister of Public Safety and
Emergency Preparedness

Date: June 3rd, 2015



Commissioner of the RCMP

Date: 2015 June 4