Public Hearing

Audience publique

Commissioner / Commissaire
The Honourable / L’honorable
Paul S. Rouleau

VOLUME 17

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Friday, November 4, 2022

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| Mr. Brendan van Niejenhuis  
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| Government of Saskatchewan | Mr. P. Mitch McAdam, K.C.  
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| Government of Manitoba | Mr. Denis Guenette  
| Ms. Coral Lang |
| Government of Alberta | Ms. Mandy England  
| Ms. Stephanie Bowes  
| Ms. Hana Laura Yamamoto  
| Mr. Peter Buijs  
| Mr. Shaheer Meenai |
| City of Ottawa | Ms. Anne Tardif  
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Ms. Rebecca Jones
Mr. Nikolas De Stefano

Ottawa Police Service
Mr. David Migicovsky
Ms. Jessica Barrow

Ontario Provincial Police
Mr. Christopher Diana
Ms. Jinan Kubursi

Windsor Police Service
Mr. Thomas McRae
Ms. Heather Paterson

National Police Federation
Ms. Nini Jones
Ms. Lauren Pearce
Ms. Jen Del Riccio

Canadian Association of Chiefs of Police
Ms. Aviva Rotenberg

CLA/CCDL/CAD
Mr. Greg DelBigio
Ms. Colleen McKeown

Union of British Columbia Indian Chiefs
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--- Upon commencing on Friday, November 4, 2022 at 9:31 a.m.

THE REGISTRAR: Order. À l’ordre. The Public Order Emergency Commission is now in session. La Commission sur l’état d’urgence est maintenant ouverte.

COMMISSIONER ROULEAU: Good morning. Bonjour.

Yes, Mr. Migicovsky.

MR. DAVID MIGICOVSKY: Thank you very much.

David Migicovsky for the Ottawa Police Service.

I have a preliminary matter to raise, and I’m seeking your direction. It concerns the testimony of the panel of witnesses who are going to be appearing later today. So I’m happy -- I just wanted to alert you of it. I’ve advised my friends, Commission Counsel, and I’m in your hands as well; you want me to raise it now or wait till the witness has finished her cross-examination?

COMMISSIONER ROULEAU: Thank you. I’d suggest we deal with it after the witness has finished, unless there’s an urgency. And I think perhaps just have you advised the parties of the issue?

MR. DAVID MIGICOVSKY: I advised Commission Counsel yesterday, and I heard back, and we’ve had some discussions. So certainly Commission Counsel is aware of our position. I have not had -- I heard back from Commission Counsel this morning, and so I have not yet advised my colleagues of the issue.

COMMISSIONER ROULEAU: Okay. It might be worthwhile, and I don’t know if you can do it by email or you
want to do it orally, but just give a heads-up to the parties so that when we get to it, everybody will be -- have thought it through.

    MR. DAVID MIGICOVSKY: Sure.

    COMMISSIONER ROULEAU: If that’s okay?

    MR. DAVID MIGICOVSKY: Thank you very much.

    COMMISSIONER ROULEAU: Okay. And we can deal with that a bit later, but I’d suggest we complete this and move onto that issue once we complete Ms. Lich.

    Okay. So unless there’s anything further, we can start the cross-examinations, and I believe the first is the Government of Canada.

    I can, but go ahead. It is not a problem with me, so go ahead, Mr. Champ.

    MR. PAUL CHAMP: I just have another matter, Mr. Commissioner, later this morning.

--- MS. TAMARA LICH, Resumed:

--- CROSS-EXAMINATION BY MR. PAUL CHAMP:

    MR. PAUL CHAMP: Good morning, Ms. Lich. My name is Paul Champ; I’m lawyer for the Ottawa Coalition of Residents and Businesses, and I have some questions for you concerning your testimony yesterday.

    Now, I want to start with something, Ms. Lich, that I think we both agree on; you’re not a national security threat in any way?

    MS. TAMARA LICH: I don’t believe I am, no.

    MR. PAUL CHAMP: And I also want to make sure that we’re clear on the record; as you know, I’ve able to see a
lot of financial information and so forth in other proceedings and so forth, and you did everything you could to keep track of that money and deal with it responsibly, the money that was going to your account?

**MS. TAMARA LICH:** Absolutely, yes, sir.

**MR. PAUL CHAMP:** And in no way did you ever divert any of that money towards yourself improperly? And I’m saying that, that’s what I’ve seen; you dealt very responsibly in every way you could with the money?

**MS. TAMARA LICH:** Yes, sir.

**MR. PAUL CHAMP:** And you also testified yesterday you wanted to come to Ottawa for the right reasons. And by that I mean you wanted to organize with other people, bring people together over that issue, that was important to you, and send a message to the government and to your fellow Canadians; that’s what you wanted to do in coming to Ottawa?

**MS. TAMARA LICH:** Yes, sir.

**MR. PAUL CHAMP:** And you testified yesterday that you originally thought you just wanted to drive across Canada, stand in front of Parliament with some signs, and you thought that’s what the protest would be, is that right?

**MS. TAMARA LICH:** I -- yes, essentially. I had no idea that it was going to become what it evolved into, yes.

**MR. PAUL CHAMP:** For sure. But then once the enormous amounts of money started flowing in through GoFundMe and, you know, people were energized around that, it opened up other options of what this protest could look like; is that fair?
MS. TAMARA LICH: I believe that everyone that was involved and that joined was in it to be listened to, to have their voices heard, as far as the mandates and the restrictions and the lockdowns went.

MR. PAUL CHAMP: But it made other things possible; like, you were able to get the stages and the sound system, and the resources to cover fuel and so forth for a much longer period than you had originally anticipated; correct?

MS. TAMARA LICH: The donations that came into GoFundMe, as we specified in the description, was for fuel to get them to Ottawa and home.

MR. PAUL CHAMP: Right.

MS. TAMARA LICH: So...

MR. PAUL CHAMP: Yeah. So -- but once you had a lot more, that opened up options that you could keep getting fuel to the trucks for a while, while they were here; that is part of the idea?

MS. TAMARA LICH: I guess that’s fair.

MR. PAUL CHAMP: And we saw some -- or I read a news story about some texts that you had with Mr. Barber.

MS. TAMARA LICH: Yes.

MR. PAUL CHAMP: I presume you’re aware of the news story and those texts?

MS. TAMARA LICH: Yes, I am.

MR. PAUL CHAMP: And in those texts, it’s my understanding that you had some exchanges with Mr. Barber on or about January 30th about a strategy meeting at the Command Centre about gridlocking Ottawa. Can you tell us about that?
MS. TAMARA LICH: Well, I can tell you what I remember, which obviously isn’t much.

Gridlock is not a term that I would normally use, so -- and as the text message clearly states, that was not up to me, that was not -- never something that we advocated for.

MR. PAUL CHAMP: Right.

MS. TAMARA LICH: So -- and you have to understand that there was lots of times where we would have meetings, but we’d go in there and have a meeting about something totally different.

MR. PAUL CHAMP: Right. But there was a talk about that, is that this should be the strategy going forward is keeping trucks in the streets, gridlocking downtown; that was part of the strategy at that point.

MS. TAMARA LICH: No. No, we never wanted to gridlock the city. It was always, as I said -- especially as we saw the momentum growing and the support that we were getting, safety became my number one priority. And as you heard Mr. Marazzo testify, that was especially important to him, having a son that made frequent ambulance trips to the hospital.

MR. PAUL CHAMP: Right. Unfortunately we heard that he didn't necessarily know about all the streets. He didn't know about Kent Street, for example, which even Mr. Barber acknowledged was shut down the whole time. So -- but you didn't have any visibility into that. That wasn't part of your responsibility I gather.

MS. TAMARA LICH: No.

MR. PAUL CHAMP: Now, I want to ask you some
questions about the horns. You testified yesterday that at some point, even for you, the horns became a bit too much; you couldn't even carry on a conversation on the sidewalk when all those trucks were blaring?

MS. TAMARA LICH: At times, yes.

MR. PAUL CHAMP: Yeah. And the -- I think I had seen video once when you were talking when all the semi-trucks when they blow their horns it's just crazy.

MS. TAMARA LICH: M'hm.

MR. PAUL CHAMP: That was the experience, was it not?

MS. TAMARA LICH: Well, I think that's taken out of context. Are you referring to the video that I made?

MR. PAUL CHAMP: Yes.

MS. TAMARA LICH: Yeah. And I believe I said it was music to my ears. That was within a couple of days of getting there, and there was a lot of excitement and it was a very jovial atmosphere.

MR. PAUL CHAMP: But Ms. Lich, I know you strike me as a very reasonable person. You would agree with me that, you know, having a big rig, a semi-truck idling right in front of your house 24 hours a day, emitting diesel fumes, honking horns prolonged periods during all day, sometimes at night, that's not reasonable to a person that lives there. Would you agree?

MS. TAMARA LICH: As I said yesterday, when I was in my hotel room I didn't really notice it, the horns honking, and I was right downtown.
MR. PAUL CHAMP: But you wouldn't want a big rig to pull up, for example, in front of your parents' home and park and idle for 24 hours a day for several weeks honking their horn. You wouldn't want that, would you Ms. Lich?

MS. TAMARA LICH: Well, Mr. Champ, my ex-husband was a tool push on a drilling rig, and I have spent many days on the site of a drilling rig, and there is a lot of diesel fumes and there is a lot of noise.

MR. PAUL CHAMP: Yeah, it's not pleasant is it?

MS. TAMARA LICH: It is what it is.

MR. PAUL CHAMP: Yeah, but then you get to home. You get to get away from that noise and those diesel fumes; right?

MS. TAMARA LICH: Not when you're living onsite, no.

MR. PAUL CHAMP: Now, I want to ask you some questions about the injunction. We -- on February 4th to the 5th, you heard about that there was a motion from the residents of Ottawa to get an injunction to stop the horn honking; correct?

MS. TAMARA LICH: Yes.

MR. PAUL CHAMP: And we heard from Mr. Wilson a bit about that, that there was a meeting of the board or the leadership group about what to do, and there was a decision to oppose the injunction; correct?

MS. TAMARA LICH: I had never opposed the injunction.

MR. PAUL CHAMP: Well, you swore an affidavit to
impose the injunction, Ms. Lich, let's be clear on that; right?

   MS. TAMARA LICH: Well, once it was imposed, of course we weren't going to go against the injunction.

   MR. PAUL CHAMP: Well, no, there was a court hearing on Monday, February the 7th, where Mr. Wilson represented you, and Mr. Barber, and Mr. Dichter, who were named individuals on it, to oppose the injunction. You were -- you weren't aware that that's what the position you were taking?

   MS. TAMARA LICH: I don't recall that, but if you say so, then...

   MR. PAUL CHAMP: And you swore an affidavit in support of that position, which I should say swore an affidavit that the injunction should not be granted?

   MS. TAMARA LICH: If you say so. I have sworn a lot of affidavits, so if you say so.

   MR. PAUL CHAMP: Is it fair to say there was a lot going on?

   MS. TAMARA LICH: There was a lot going on.

   MR. PAUL CHAMP: It was hard to follow all the different things that were happening?

   MS. TAMARA LICH: Yes.

   MR. PAUL CHAMP: And you may not have known exactly what the team was doing on some of those issues?

   MS. TAMARA LICH: I guess that's fair to say.

   MR. PAUL CHAMP: Okay. Now, Mr. Wilson told us yesterday that on the board there were some who -- there was a bit of a division on the board. Some felt that, "yeah, the horns are a bit too much, and you know, maybe we shouldn't
oppose this injunction", and some were like, "no, we should
oppose it." Do you recall that meeting?

MS. TAMARA LICH: I was probably there, but as I
said, I was in and out of a lot of meetings ---

MR. PAUL CHAMP: Right.

MS. TAMARA LICH: --- so I don't recall that
specifically.

MR. PAUL CHAMP: Okay. And you testified
yesterday that once the injunction was issued you worked very
hard or worked really hard to see that it was adhered to. Do
you recall your testimony on that?

MS. TAMARA LICH: Yeah, the truck captains did
for sure, yes.

MR. PAUL CHAMP: Right. But you, yourself, you
didn't do anything directly to ensure that the Order was adhered
to, did you?

MS. TAMARA LICH: I don't believe I did, no.

MR. PAUL CHAMP: No. You didn't post any videos
or make any statements on your social media account attempting
to discourage the truckers from blowing their horns?

MS. TAMARA LICH: My Facebook page was deleted
about the first week we were here.

MR. PAUL CHAMP: But you didn't put up anything
on it before it was deleted?

MS. TAMARA LICH: No, I did not, no.

MR. PAUL CHAMP: And you also, you never posted a
copy of the court's injunction Order or the terms of it in any
way on any of your social media; correct?
MS. TAMARA LICH: I don't believe so, no.

MR. PAUL CHAMP: And were you aware that that was a term of the court Order that you were supposed to do that?

MS. TAMARA LICH: I don't believe so.

MR. PAUL CHAMP: So Mr. Wilson may not have communicated that to you?

MS. TAMARA LICH: He may have. Again, it was very chaotic times.

MR. PAUL CHAMP: Now, February 4th, that's Friday, that was the -- well, I'll give the day because I'm sure it was like a ---

MS. TAMARA LICH: It was a blur, yeah.

MR. PAUL CHAMP: Yeah. I'm sure your days were crazier than mine, but I have a bit of a sense of what you were going through.

February -- Friday, February the 4th, that's the day that GoFundMe issued the statement saying they're shutting off the -- shutting down the ---

MS. TAMARA LICH: The fundraiser.

MR. PAUL CHAMP: --- fundraiser and they were going to return all the money to the donors. Do you recall that day?

MS. TAMARA LICH: I do.

MR. PAUL CHAMP: And when GoFundMe shut you down, you lost what was potentially access to $10 million; correct?

MS. TAMARA LICH: Correct.

MR. PAUL CHAMP: And GoFundMe put out a statement that day saying, quote, "This previously peaceful demonstration
has become an occupation." Do you recall that?

MS. TAMARA LICH: I do.

MR. PAUL CHAMP: And by that point, you had also, I gather, had been following some of the news stories, some of the reporting talking about the negative impact that the protest was having on residents, you know, caused by the blocking of streets and the honking. Were you following that?

MS. TAMARA LICH: I didn't have a lot of time to read the news, to tell you the truth.

MR. PAUL CHAMP: And on that Friday, February 4th, after GoFundMe took away that $10 million, you learned later that day that you were being sued for $10 million. Is that right?

MS. TAMARA LICH: That was probably around that same time, yes.

MR. PAUL CHAMP: So that was a bit of a rotten day, losing 10 million, being sued for 10 million?

MS. TAMARA LICH: You could say that I guess, yes.

MR. PAUL CHAMP: Now, did you consider or talk about with anyone else maybe working on an exit strategy at that point?

MS. TAMARA LICH: We had been in talks about that shortly after the legal team arrived, actually.

MR. PAUL CHAMP: And after that one day, when GoFundMe shuts you down, did you -- would that have been a time for you to start thinking about shutting down the protest or coming up and saying, "Hey guys, we sent our message", and going
home? Was that ever part of the discussion?

MS. TAMARA LICH: Not to my knowledge. As I said yesterday, we were waiting to be acknowledged by somebody in the Federal Government who was willing to come and listen to what we had to say.

MR. PAUL CHAMP: Right. But -- and -- but you told us yesterday also, another factor was that the lawyers from the Justice Centre for Constitutional Freedoms, they had showed up and they were giving you advice, they were supporting you by that point; is that right?

MS. TAMARA LICH: Yes. Yes, sir.

MR. PAUL CHAMP: They had been there a day or two by that time?

MS. TAMARA LICH: Yes, sir.

MR. PAUL CHAMP: And is it fair to say that without them you might have considered packing it in?

MS. TAMARA LICH: I don't know. That's really hard to say.

MR. PAUL CHAMP: So on the Friday, February the 4th, GoFundMe shuts you down, you're sued for $10 million. Then on the Sunday, February the 6th, the City of Ottawa declared a state of emergency. Do you recall that?

MS. TAMARA LICH: Yes.

MR. PAUL CHAMP: And then the next day, on Monday, the 7th, the court issued the horn injunction. So did you start thinking then, or was there any discussions then about maybe the protesters should start packing it in?

MS. TAMARA LICH: There might have been. I know,
again to reiterate, we were very focussed on being heard and having our concerns listened to.

    MR. PAUL CHAMP: And then on February the 11th, Premier Ford in Ontario, they declared a state of emergency about what was happening in Ottawa. Do you recall that?

    MS. TAMARA LICH: Not specifically the date, but I don't recall that happening, yes.

    MR. PAUL CHAMP: Weren't you getting the -- you testified yesterday, Ms. Lich, that while no one told you to leave, the police weren't telling you to leave, all of these things, you know, the Premier, the Mayor, the courts, GoFundMe, that wasn't a message, the City of Ottawa, residents suing, that wasn't a message that maybe it was time to leave?

    MS. TAMARA LICH: Well, we had a message too.

    MR. PAUL CHAMP: Yeah. And so -- and that was more important than what the people of Ottawa ---

    MS. TAMARA LICH: After the stories that I heard coming across Canada that were absolutely heartbreaking after two years of lockdowns and restrictions, yeah.

    MR. PAUL CHAMP: Now, you reached the deal with he Mayor around Sunday, the 12th, I believe or ---

    MS. TAMARA LICH: Yes.

    MR. PAUL CHAMP: -- the 13th. No, the 13th ---

    MS. TAMARA LICH: 13th, I think.

    MR. PAUL CHAMP: --- or something like that, that's right. And the Freedom Convoy put out a statement about the deal. You recall that?

    MS. TAMARA LICH: Yes, I do.
MR. PAUL CHAMP: And in the statement you said things like you never wanted to impact the residents of downtown Ottawa?

MS. TAMARA LICH: That's correct.

MR. PAUL CHAMP: And you wanted to agree to the deal to relieve the pressure on the people in downtown Ottawa?

MS. TAMARA LICH: Absolutely, sir.

MR. PAUL CHAMP: Right. Because there had been pressure on the people of downtown Ottawa by that point?

MS. TAMARA LICH: Well, as I said, we didn't want to create a big disruption to them. We wanted to be respectful to the citizens of Ottawa, for sure.

MR. PAUL CHAMP: Because from January 29 until February the 13th, you recognise it wasn't very respectful to the people of downtown Ottawa?

MS. TAMARA LICH: Well, what I will say is that I was approached by hundreds of Ottawa citizens who had come out to support. I was approached by federal government employees who were donating items to the protesters. We had a lot of support in Ottawa from the Ottawa citizens.

MR. PAUL CHAMP: Except for those that are suing you, I guess.

MS. TAMARA LICH: I guess, yeah.

MR. PAUL CHAMP: And the mayor, who was elected by the citizens of Ottawa, he apparently wasn't supportive of you staying downtown?

MS. TAMARA LICH: He wasn't, and I give him great credit for being willing to sit and talk to us.
MR. PAUL CHAMP: Yeah, and let's just be clear here, Ms. Lich, no one was asking you to leave completely. It was about moving the trucks and having the trucks stop idling out in front of residences and blowing the horns all night and day. That was the big ---

MS. TAMARA LICH: Yes.

MR. PAUL CHAMP: --- message; wasn't it?

MS. TAMARA LICH: Yes.

MR. PAUL CHAMP: Now you testified yesterday that once the Emergencies Act was issued and it looks like there was going to be action, law enforcement moving in, you testified that you encouraged people to leave; is that right?

MS. TAMARA LICH: That's correct.

MR. PAUL CHAMP: But you didn't do that on social media in any way; correct?

MS. TAMARA LICH: I did not.

MR. PAUL CHAMP: So it was just people who you saw face-to-face you were telling them to leave?

MS. TAMARA LICH: Yes, primarily our people from our team also.

MR. PAUL CHAMP: You didn't think maybe it would be better you had so much influence on people who were here in Ottawa protesting that you should put it out on social media, that, hey, you guys, maybe it's time for us to leave?

MS. TAMARA LICH: I -- obviously, I didn't.

MR. PAUL CHAMP: Well, and obviously, another thing that you didn't, Ms. Lich, is, from my understanding of your testimony yesterday, you suspected you were about to be
arrested, and you went out to the street to ask the police officers, or have someone ask the police officers if they were looking for you; right?

    MS. TAMARA LICH: Yes, that's true.

    MR. PAUL CHAMP: And you went out with someone who could record the arrest when it occurred; right?

    MS. TAMARA LICH: Everybody has a cell phone these days.

    MR. PAUL CHAMP: For sure. And when you were arrested, I didn't hear Commission counsel ask you this, but as you were being arrested, you were yelling, "Hold the line"; correct?

    MS. TAMARA LICH: Yes. Well, one of the road captains that I was with said it and I repeated it back to him, yes.

    MR. PAUL CHAMP: Right. And by that statement, I take it you weren't encouraging the other protesters to leave Ottawa; were you? You were encouraging them to stay to hold the line; correct?

    MS. TAMARA LICH: Well, you know, that's a matter of perspective. My perspective on hold the line means stay true to your values in the face of diversity.

    MR. PAUL CHAMP: Right. But you'd agree with me, Ms. Lich, that some people who were protesting, who were following you at that time, when they saw that message, they would have interpreted to hold the line to stay, hold the line, don't leave Ottawa. Some might have interpreted that way; would you agree?
MS. TAMARA LICH: I can't speak for what -- how -- what other people think.

MR. PAUL CHAMP: You don't think that's -- well, when you speak and you've got that kind of a platform, you recognise that people are listening to you, you have a great deal of influence on those people?

MS. TAMARA LICH: Well, again, it comes down to how you define the term, I suppose.

MR. PAUL CHAMP: So just assist me with this, Ms. Lich, I'm just -- I'm trying to reconcile you telling us that you were encouraging people to leave, but you didn't put anything out on social media, but then you were with only one or two people at the time you were arrested, someone that you -- you knew who recorded that video; don't you?

MS. TAMARA LICH: I do, yes.

MR. PAUL CHAMP: Yeah, you know that person personally?

MS. TAMARA LICH: I do, yeah.

MR. PAUL CHAMP: Yeah, and so they recorded it. You were aware, you saw them recording; right?

MS. TAMARA LICH: Yes, I did.

MR. PAUL CHAMP: And then you yell out hold the line, because you wanted the people to stay in downtown Ottawa; is that right?

MS. TAMARA LICH: Again, I was repeating what one of the road captains had said to me.

MR. PAUL CHAMP: Okay. Ms. Lich, just one last point. For reasons that remain utterly unclear to me,
Commission counsel asked you yesterday about the impact of your arrest and your charges against you. And I just want to make clear, you weren't charged with an offence under the Emergencies Act; were you? It's my understanding you've been charged under the Criminal Code?

**MS. TAMARA LICH:** I believe so, yes. All under the Criminal Code.

**MR. PAUL CHAMP:** Right. You were charged under the Criminal Code for mischief and charged for interference with lawful use enjoyment both under the Criminal Code; is that right?

**MS. TAMARA LICH:** Mischief, counselling mischief, intimidation, counselling intimidation and a few more.

**MR. PAUL CHAMP:** Right, but no offence under the Emergencies Act?

**MS. TAMARA LICH:** No.

**MR. PAUL CHAMP:** And the indictment talks about activities from February the 7th up until February I think 19th or the date that you were arrested; is that right?

**MS. TAMARA LICH:** Perhaps.

**MR. PAUL CHAMP:** Or the start of the date is before the invocation of the Emergencies Act; right?

**MS. TAMARA LICH:** I'm not sure.

**MR. PAUL CHAMP:** Thank you, Ms. Lich.

**MS. TAMARA LICH:** Thank you, Mr. Champ.

**COMMISSIONER ROULEAU:** Okay. Next is the Government of Canada.

**MS. ANDREA GONSALVES:** Thank you, Commissioner.
--- CROSS-EXAMINATION BY MS. ANDREA GONSALES:

MS. ANDREA GONSALES: Good morning, Ms. Lich.

MS. TAMARA LICH: Good morning.

MS. ANDREA GONSALES: I'm Andrea Gonsalves. I'm one of the lawyers for the Government of Canada.

You've told us in your evidence that you were not one of the founders of the Freedom Convoy, but you became involved because you wanted to help.

MS. TAMARA LICH: Yes, ma'am.

MS. ANDREA GONSALES: And primarily, your role was fundraising, and you were quite successful with that; right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALES: You told us you're not a trucker, you don't have a truck?

MS. TAMARA LICH: I do not.

MS. ANDREA GONSALES: And in the time you spent in Ottawa, there were obviously protesters, truckers who were sleeping in their trucks?

MS. TAMARA LICH: I believe so, yes.

MS. ANDREA GONSALES: But you didn't. You were staying in the hotels; right?

MS. TAMARA LICH: I was, yes. I didn't have a truck here to sleep in.

MS. ANDREA GONSALES: Right. And during that time, you've told us it was incredibly busy and surely exhausting for you?

MS. TAMARA LICH: Very much so.

MS. ANDREA GONSALES: Lots going on. You said
you were in and out of different meetings, briefings, on various calls. You were dealing with crowdfunding platforms, switching campaigns, for instance?

MS. TAMARA LICH: Yes, ma'am.

MS. ANDREA GONSALVES: You were dealing with the funds being frozen, setting up bank accounts, that all took a lot of your time?

MS. TAMARA LICH: It did take some time, yes.

MS. ANDREA GONSALVES: Setting up the finance committee and the various administrative aspects that went along with that also took portions of your time?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And you were, through all of this, you've told us constantly meeting new people. There were new people arriving all the time that wanted to meet with you?

MS. TAMARA LICH: Yes, there was, yes.

MS. ANDREA GONSALVES: Yeah. Lawyers, advisors, accountants?

MS. TAMARA LICH: Canadians.

MS. ANDREA GONSALVES: Mr. Wilson, the other JCCF people, Mr. Eros were just some of the names you gave us; right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And you said this was a lot of pressure for you. You felt pulled in different directions.

MS. TAMARA LICH: Yeah, there was times when it was definitely very chaotic and very crazy.
MS. ANDREA GONSALVES: And you participated in many of the press conferences. You were getting put in front of cameras?

MS. TAMARA LICH: Yes, ma'am.

MS. ANDREA GONSALVES: People were putting you forward as the leader. Mr. Wilson, you'll recall, describing you as the spark that lit the fire?

MS. TAMARA LICH: I do recall that, yes.

MS. ANDREA GONSALVES: And you also said people - - you felt at times people didn't see you. They just saw the money?

MS. TAMARA LICH: Yeah, there was times when I felt that way.

MS. ANDREA GONSALVES: And all of these dealings were consuming a vast amount of your time during the days and weeks you spent in Ottawa?

MS. TAMARA LICH: Yes. Yes, there was.

MS. ANDREA GONSALVES: You, I gather in all of this, couldn't leave your hotel very often?

MS. TAMARA LICH: In the beginning, in the early days, no. But as the days wore on, I was able to get out and to the crowds more ---

MS. ANDREA GONSALVES: Yeah, and occasionally ---

MS. TAMARA LICH: --- more and get out and talk to the truckers and stuff like that also.

MS. ANDREA GONSALVES: Occasionally you spoke up on Parliament Hill?

MS. TAMARA LICH: I did, yes.
MS. ANDREA GONSALVES: And you understand that the protest occupied quite a large physical geographic area of Ottawa?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: Yeah. Wellington right out to SJAM?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: We've heard Parliament south as far as Sommerset?

MS. TAMARA LICH: I'll take your word for it. I don't know the streets ---

MS. ANDREA GONSALVES: Don't know the streets ---

MS. TAMARA LICH: --- here that well yet.

MS. ANDREA GONSALVES: Sure enough, and the evidence is in the record. You've heard there was trucks parked in the streets by the market in the Rideau and Sussex area?

MS. TAMARA LICH: Yes, yes.

MS. ANDREA GONSALVES: Yeah. For a period of time in the early days anyway, they were out in Confederation Park? There was an encampment there?

MS. TAMARA LICH: Yes, I believe so.

MS. ANDREA GONSALVES: And the one out in Coventry Road parking lot ---

MS. TAMARA LICH: Yes, ma'am.

MS. ANDREA GONSALVES: --- the stadium? As well as those that were a bit further out of town, 1500 Bronson Road; were you aware of that one?

MS. TAMARA LICH: I'm not sure of the addresses,
but there was some out of town, yes.

MS. ANDREA GONSALVES: And you said yesterday something about 88. That would be exit 88 off of the 417?

MS. TAMARA LICH: I think it's by Embrum (ph)?

MS. ANDREA GONSALVES: Embrun.

MS. TAMARA LICH: Embrun? Sorry.

MS. ANDREA GONSALVES: Yeah.

MS. TAMARA LICH: Yeah, I believe that's the one, yes.

MS. ANDREA GONSALVES: Out in Arnprior. You heard about Vankleek Hill?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: Yeah. And you, with all the demands on your time, were not spending the vast majority of your time in any of those places, right; you just couldn’t.

MS. TAMARA LICH: I visited them. I visited them but, yeah, not as much as I wanted to.

MS. ANDREA GONSALVES: Yeah.

And I think I’ve seen you here throughout the hearing; you’ve been here almost daily?

MS. TAMARA LICH: Yes, ma’am.

MS. ANDREA GONSALVES: And we’ve heard some evidence about some of the things that were going on in the protest crowds. I take it this was evidence you were hearing, information you were learning for the first time; like the threats to the Mayor of Ottawa?

MS. TAMARA LICH: I didn’t know he was receiving threats.
MS. ANDREA GONSALVES: You didn’t know that Chief Sloly had received death threats?

MS. TAMARA LICH: No.

MS. ANDREA GONSALVES: You didn’t know that Minister -- sorry; Deputy Minister -- Deputy Prime Minister Freeland had received ---

MS. TAMARA LICH: I learned of that the other day, yes.

MS. ANDREA GONSALVES: A couple of days ago. And the Prime Minister was receiving threats?

MS. TAMARA LICH: I didn’t know that. I was also receiving death threats.

MS. ANDREA GONSALVES: Were you also learning for the first time, as you sat through this hearing, about numerous weapons-related arrests in connection with these protests, or did you know that at the time?

MS. TAMARA LICH: I did hear something about Coutts, but again, I didn’t follow those stories that closely; I had -- I was too busy here.

MS. ANDREA GONSALVES: And weapons-related arrests in Ottawa?

MS. TAMARA LICH: There -- as far as I know there’s no weapons-related.

MS. ANDREA GONSALVES: Okay. Well, there’s, there’s been some evidence about that and if that’s the case, that would be the first time you learned about that, too?

MS. TAMARA LICH: Yes. I don’t -- I don’t recall hearing about weapons, no.
MS. ANDREA GONSALVES: We’ve heard evidence about protesters surrounding police and bylaw officers who were trying to do their jobs; is that something you knew was going on at the time?

MS. TAMARA LICH: No.

MS. ANDREA GONSALVES: No.

And this document was introduced into evidence yesterday by my friend, Mr. Diana. But no one spoke to it, so perhaps we’ll pull it up. It’s OPP00001819.

It’s a OPP Intelligence Report for February 14th. And if we could please scroll down to page 2. Just -- sorry; the very first paragraph there.

And February 14th, of course, that’s a big day. That’s the day that the Emergencies Act invocation was announced by the Prime Minister, right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And the first bullet point there says:

“...Ottawa Police Service identified an online video in which a driver at the blockade had made inflammatory statements referencing violence, such as using a truck as a weapon. The video also showed him displaying a protective vest, which he claimed would stop an armour-piercing round. He claimed that [it brought] that he brought it with him to protect himself,
and that he had worn it at the
blockade....OPP Field Officers have
spoken with this male and his truck has
been positioned in front of Chateau
Laurier since the beginning of the
protest.”

And I take it that’s new information for you as
well?

MS. TAMARA LICH: That is new information for me, yes.

MS. ANDREA GONSALVES: You’ve -- you’ve testified
in this Commission that you had to believe everyone who was
going involved was doing so for the right reasons; that they
were joining with the best of intentions, and these are at least
some examples of people who maybe didn’t have the best of
intentions, right?

MS. TAMARA LICH: Correct. Which is why I
continually was online advocating for peace; to remain peaceful,
to abide by the law, and to respect our law enforcement.

MS. ANDREA GONSALVES: Right. And in the various
press conferences and press releases that you were involved in
and that were being put out in the name of the Freedom Convoy;
the message was repeatedly being communicated that the convoy
was here to stay in Ottawa until the mandates were lifted,
right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: As long as that took, was
the messaging?
MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: Yeah. And you testified, both yesterday in response to questions from Mr. Champ this morning, about the deal that -- the exchange of letters that you engaged in with Mayor Watson. And I understand the broad strokes, he sent a letter to your team, with the assistance of Mr. Wilson you sent a letter back, or a letter was sent back in your name, right?

MS. TAMARA LICH: Yes, ma’am.

MS. ANDREA GONSALVES: And let’s pull up that letter. It’s HRF00000045.

(SHORT PAUSE)

MS. ANDREA GONSALVES: While we’re waiting -- oh, it’s there, but while we’re waiting for that, why did the letter go in your name; do you know?

MS. TAMARA LICH: I was President of the Board of Directors at that time.

MS. ANDREA GONSALVES: Okay. And the letter that’s written in your name, if we just go down to the -- sorry; a little too far -- third paragraph, starts, “We have made a plan.” And you write, or the letter says:

“We have made a plan to consolidate our [best] our protest efforts around Parliament Hill. We will be working hard over the next [40] 24 hours to get buy in from the truckers. We hope to start repositioning our trucks on Monday.”
And that’s worded that way because at that point the best that you could offer the Mayor was efforts to get buy-in from the truckers, right?

MS. TAMARA LICH: Well, we needed to go out and speak to them and talk to them about -- about what we felt was going to be a good idea, yes.

MS. ANDREA GONSALVES: Right. And after these letters were released publicly, we heard from Mr. Dichter in his testimony, and I believe you testified, that you knew at the time from him, that he had received many, many, many reactions on social media from those who were unhappy with this deal, right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: Yeah. You also were aware that Pat King had immediately put out his own messaging undermining this deal, right?

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And it was important to you, I take it, to make clear that what had been agreed to was nothing more than moving the trucks out of the residential neighborhoods, right?

MS. TAMARA LICH: It was a step one.

MS. ANDREA GONSALVES: Yeah.

MS. TAMARA LICH: That’s how I viewed it. It was progress, it was the -- more progress than we’d seen since we arrived.

MS. ANDREA GONSALVES: You, at that time, would not have put your name on any letter that agreed to a meeting if
it meant you had to force protesters to pack up, end their
protest and go home, right?

MS. TAMARA LICH: Sorry; can you repeat that?

MS. ANDREA GONSALVES: Yeah. Maybe I’ll do it a
little differently.

The understanding you had with Mayor Watson was
that you’re going to make best efforts to help get the trucks
out of the residential neighborhoods.

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And then he would sit down
with you for a meeting.

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: You were not going to
agree to a meeting if it meant you had to tell all those
truckers, “Get out of Ottawa, end your protest; go home”?

MS. TAMARA LICH: Sorry; can you repeat that
again, please?

MS. ANDREA GONSALVES: You did not, and you would
not have agreed to a meeting with the Mayor if the condition for
that meeting was that you and other leaders would have to tell
the protesters, “Get out of Ottawa, go home, end your protest”?

MS. TAMARA LICH: Well, that would have been
something that we would’ve had to talk about, that’s a what if.

MS. ANDREA GONSALVES: And when you messaged this
deal, you remember Mr. Wilson drafted up the Freedom Manifest
that was going to be used to help communicate to the truckers
what exactly they were being asked to do ---

MS. TAMARA LICH: Yes.
MS. ANDREA GONSALVES: --- and what the deal was with the Mayor? Right.

And so let’s pull that up, that’s HRF00001285. This is a document you had reviewed, and you agreed with it.

MS. TAMARA LICH: Yeah.

MS. ANDREA GONSALVES: Right.

And in the fourth paragraph, what you’re communicating here is:

“We have to stay in Ottawa for the long-haul to reach our destination. Just like we do every day with our routing logistics, we have to plan for the road ahead.”

MS. TAMARA LICH: Yes.

MS. ANDREA GONSALVES: And that’s what you and Freedom Corp. were saying to explain the deal to the protesters; that going along with what was being asked, moving those trucks out of the residential core to other areas in Ottawa, was a step necessary to make sure you could continue your protest for the long haul; correct?

MS. TAMARA LICH: Yes, we definitely would’ve loved to have stayed and continued to peace -- protest peacefully.

MS. ANDREA GONSALVES: Thank you. Those are my questions.

COMMISSIONER ROULEAU: Thank you.

Next is the Ottawa Police Service.
--- CROSS-EXAMINATION BY MR. DAVID MIGICOVSKY:

MR. DAVID MIGICOVSKY: Good morning, Commissioner.

Good morning, Ms. Lich. My name is David Migicovsky. I’m a lawyer for the Ottawa Police.

MS. TAMARA LICH: Good morning.

MR. DAVID MIGICOVSKY: You’ve been very clear in your evidence that it was your intent to plan a peaceful protest; correct?

MS. TAMARA LICH: Correct.

MR. DAVID MIGICOVSKY: And that was very important to you as one of the organizers?

MS. TAMARA LICH: Yes.

MR. DAVID MIGICOVSKY: And you did not plan to disrupt the lives of Ottawa residents or businesses?

MS. TAMARA LICH: No.

MR. DAVID MIGICOVSKY: And you obviously, consistent with that, obviously, didn’t plan to break bylaws, honk your horns continuously, defecate on people’s lawns, harass people, or block emergency lanes? That wasn’t the plan; was it?

MS. TAMARA LICH: I did none of those things.

MR. DAVID MIGICOVSKY: And it wasn’t the plan; was it? As one of the organizers, you wouldn’t have been in favour of condoning that kind of activity; would you?

MS. TAMARA LICH: No.

MR. DAVID MIGICOVSKY: And because it wasn’t your plan, and you in fact had a code of conduct, you wouldn’t have expected the police to turn the convoy away when they came to
Ottawa; would you?

MS. TAMARA LICH: No, they were excellent to deal with right from the start.

MR. DAVID MIGICOVSKY: And if that had happened and none of the trucks were allowed in, we’ve heard from OPP witnesses that that likely, at that point, would not have deterred the convoy, because some had driven from very far away. Is that fair?

MS. TAMARA LICH: If we would have been told that we couldn’t have driven up here, I don’t believe that we would have. We would have found alternative places, I guess.

MR. DAVID MIGICOVSKY: I’m saying that if, when you got here on the 28th and the 29th, the city was barricaded and you couldn’t go anywhere, the OPP witness indicated that that wouldn’t have turned the truckers away, because they’d come pretty far for this.

MS. TAMARA LICH: I don’t know how to even answer that question. I guess if there was barricades in place, how could we have done that?

MR. DAVID MIGICOVSKY: And no one from the Convoy organizers, to your knowledge, was on social media before the Convoy encouraging anti-social behaviour?

MS. TAMARA LICH: Not to my knowledge.

MR. DAVID MIGICOVSKY: Right. And you’ve seen the Lawton book about the Freedom Convoy?

MS. TAMARA LICH: I have, yes.

MR. DAVID MIGICOVSKY: And in his book, he says that the convoy organizers did not intend to be on residential...
streets?

**MS. TAMARA LICH:** Yes.

**MR. DAVID MIGICOVSKY:** And you would agree with that?

**MS. TAMARA LICH:** I would agree with that.

**MR. DAVID MIGICOVSKY:** But in fact, that is what happened?

**MS. TAMARA LICH:** There was some residential streets that had lots of trucks on them. Yes, sir.

**MR. DAVID MIGICOVSKY:** There were staging areas, but they were too far away from Parliament and people wanted to be closer; correct?

**MS. TAMARA LICH:** A lot of them did want to be closer, but there was also trucks that were out there too in those locations, yes.

**MR. DAVID MIGICOVSKY:** And you’ve been very clear in the affidavit you filed in court that there were truckers who came from all over?

**MS. TAMARA LICH:** Yes.

**MR. DAVID MIGICOVSKY:** And you indicated, specifically, in that affidavit, which is -- we don’t need to call it up, but for the record, it’s JCEP0012 [sic], and paragraph 2 and three, that you did not control the truckers? Those are your words?

**MS. TAMARA LICH:** Yes. No, we didn’t. They’re all human beings. I don’t control anyone, sir. I open up a dialogue with them and ---

**MR. DAVID MIGICOVSKY:** You’re agreeing with me?
MS. TAMARA LICH: I didn’t control anyone.

MR. DAVID MIGICOVSKY: I’m sorry?

MS. TAMARA LICH: I did not control anyone.

MR. DAVID MIGICOVSKY: You didn’t control the truckers?

MS. TAMARA LICH: No.

MR. DAVID MIGICOVSKY: And Supt. Drummond attended a meeting he’s heard with some of your representatives on the 13th of February. That was after the date of your letter with the Mayor. Those were on the 12th; correct?

MS. TAMARA LICH: The meeting -- oh, yeah, sorry, the initial meeting was, I believe, Friday. And so yes, correct.

MR. DAVID MIGICOVSKY: Okay. And so the agreement with the Mayor was reached on the 12th of February?

MS. TAMARA LICH: I believe so. The 12th.

MR. DAVID MIGICOVSKY: And then we saw that there was a meeting on the 13th that I believe Mr. Wilson may have attended with the Mayor’s ---

MS. TAMARA LICH: Yes, I believe.

MR. DAVID MIGICOVSKY: --- office?

And Supt. Drummond records in his notes, and again, I’ll give you the reference, but I -- in the interest of time, I won’t call it up, but it’s OPS14455 at page 47. The Convoy organizers, the representatives at that meeting, explained that they did not control Rideau/Sussex?

MS. TAMARA LICH: I wasn’t at that meeting.

MR. DAVID MIGICOVSKY: But you’re aware that that
was said ---

MS. TAMARA LICH: Yes.

MR. DAVID MIGICOVSKY: --- by ---

MS. TAMARA LICH: Yes.

MR. DAVID MIGICOVSKY: Okay. And that your representatives also said they didn’t control Coventry Road?

MS. TAMARA LICH: Yes.

MR. DAVID MIGICOVSKY: And so -- and they also said they could not be certain if the truckers there would move?

MS. TAMARA LICH: That’s correct I believe, yeah.

MR. DAVID MIGICOVSKY: And even for those groups whom you did have some control or influence on, I guess influence, we’ve heard that truckers are pretty independent minded people?

MS. TAMARA LICH: Yes, they are.

MR. DAVID MIGICOVSKY: They can’t be made to do what they don’t want to do?

MS. TAMARA LICH: I guess so.

MR. DAVID MIGICOVSKY: And in addition to not controlling the truckers, you also did not have control, obviously, of the protestors on the street and whether they could block trucks moving, for instance?

MS. TAMARA LICH: We didn’t have control, but no, but we worked very hard and very diligently with the gentlemen and women that were down there to open up a dialogue and assist them in opening up that intersection.

MR. DAVID MIGICOVSKY: And in fact, we heard about a previous effort by Mr. Wilson and Ms. Chipiuk on
February 10th at Rideau and Sussex where police were going to move the barriers so trucks could move, but the crowd dynamics got in the way, and the crowd stopped the trucks from moving because they didn’t trust the police; correct?

MS. TAMARA LICH: I was down there also. Yes.

MR. DAVID MIGICOVSKY: You were there as well.

And so you saw that. And you agreed that that would be dangerous then?

MS. TAMARA LICH: I didn’t feel like it was dangerous. There was a large crowd presence there and they were -- I think they were feeling that they had been lied to by the police. There was a lot of mistrust there. And they were down there singing Oh Canada and chanting “Freedom.”

MR. DAVID MIGICOVSKY: And you agreed it would be dangerous to move the trucks in that scenario? Because the crowd swelled?

MS. TAMARA LICH: There was a lot of people there, yes. Yes.

MR. DAVID MIGICOVSKY: And we have heard that notice was given to the demonstrators in advance that they would have to leave. You heard that evidence?

MS. TAMARA LICH: Which -- what are you referring to?

MR. DAVID MIGICOVSKY: We’ve heard quite a bit of that evidence, that demonstrators were told to leave?

MS. TAMARA LICH: I’ve never been told to leave.

MR. DAVID MIGICOVSKY: You didn’t know that?

Okay.
You’re familiar with the PLTs; correct?

MS. TAMARA LICH: I am now.

MR. DAVID MIGICOVSKY: I’m going to show you some
PLT logs. And you understand that the PLTs were a liaison with
the protestors?

MS. TAMARA LICH: Yes, sir.

MR. DAVID MIGICOVSKY: And would communicate with
them?

MS. TAMARA LICH: Yes, sir.

MR. DAVID MIGICOVSKY: Okay. I’m going to call
it up. I’m not going to start by taking you directly to it, but
I will take you to a particular passage. The document is
OPS00014053.

And so while that’s being called up, Ms. Lich,
those are PLT logs as of February 25th. And I can take you
through them in detail and show you, but in order to save some
time, I’m going to attempt to summarize what they say on the
issue of notice that was given to the truckers and protestors
before the Public Order Unit moved in to clear the intersection.

And so what I see in those is on February --
there were various zones in the city. And I see on February
16th, the PLTs attended SJAM and gave those present the letter,
and were told by protestors that the letter wasn’t legal because
it doesn’t have a signature.

MS. TAMARA LICH: Sure.

MR. DAVID MIGICOVSKY: That’s sort of similar to
what you said; correct?

COMMISSIONER ROULEAU: I’m sorry, excuse me a
MR. BRENDAN MILLER: If my friend could actually take the witness to the part in the document that states that so that we can see it? I don’t know if that’s what it says or not. I apologize.

MR. DAVID MIGICOVSKY: I will take her to it where it’s necessary. If she doesn’t agree, she doesn’t agree. That’s fine. I don’t wish to use my 15 minutes by going through the document in detail. If she can’t agree -- I will take her to portions of it.

MS. TAMARA LICH: Sure. Let’s do that. Take me to portions, please.

MR. DAVID MIGICOVSKY: So PLT say they attended SJAM and they were told by the truckers that it wasn’t legal, that notice, and it wasn’t significant. Do you know about that?

MS. TAMARA LICH: I wasn’t there, sir.

MR. DAVID MIGICOVSKY: Okay. Do you have any reason to deny that occurred as noted in the PLT logs?

MS. TAMARA LICH: I have no reason to.

MR. DAVID MIGICOVSKY: Okay. And I understand from those logs that the next day, on February 17th, they attended again and delivered the message again? And they attended again on the 19th and delivered it again to those who remained? Any reason to deny that that occurred?

MS. TAMARA LICH: I was not there. As a matter of fact, by the 19th, I was already in jail.

MR. DAVID MIGICOVSKY: Okay. And so you weren’t
being -- you weren’t on the 17th, were you?

MS. TAMARA LICH: I was arrested that day, yes.

MR. DAVID MIGICOVSKY: Right. And I'm pretty confident, because you were one of the organisers, that the truckers were communicating with you and telling you what was happening.

MS. TAMARA LICH: From SJAM?

MR. DAVID MIGICOVSKY: All over the city.

MS. TAMARA LICH: No, not necessarily.

MR. DAVID MIGICOVSKY: And then in Zone 2, and this is on page 7 of the same document, Mr. Marazzo met the PLT on the 16th and the message was delivered to him, and then it was delivered on Wellington Street and the PLTs describe hostile and screaming at the police, and the police then had to withdraw due to the hostility. Any reason to disagree with that?

MS. TAMARA LICH: I was not present there, sir.

MR. DAVID MIGICOVSKY: Any reason to disagree with it?

MR. BRENDAN MILLER: Sir, with respect, my friend's asking a witness who has no knowledge of something whether or not she disagrees with the document of which she didn't draft, of which was drafted by the police, and then asking if there's any reason to disagree with something she has no knowledge of. That's not a question, sir, that's permissible, it's not relevant. This witness, while this was all going on, was in jail without any form of ability to access phones and texts, et cetera. It's not an appropriate line of questioning.
MR. DAVID MIGICOVSKY: The witness can answer if she was aware of it or not. She wasn't -- I don't -- I think it's quite proper cross-examination.

COMMISSIONER ROULEAU: I am not sure it's very helpful in the sense that I'm not sure what you're getting at. She can neither confirm nor deny because she has no knowledge.

MR. DAVID MIGICOVSKY: Right.

COMMISSIONER ROULEAU: To say can she -- has she any, I mean, any -- the question's relating to whether she received communications about any of this, it may have some relevance, and she's answered that. So ---

MR. DAVID MIGICOVSKY: Well ---

COMMISSIONER ROULEAU: --- I mean, I -- you can go ahead, but you're ---

MR. DAVID MIGICOVSKY: In my submission, it is highly relevant because the witness said that no notice was given.

And I'm going to suggest to you, Ms. Lich, that the PLTs went to every single site and gave notice to everyone, and you're saying you didn't know that. Is that right?

MS. TAMARA LICH: If you say so.

MR. DAVID MIGICOVSKY: Okay.

I'm going to ask that we turn up OPS12205, page 60. Yeah, just at the top where it says Swiss Hotel.

I'm going to tell you something, and maybe you'll remember this, Ms. Lich:

"PLT Peace, Jim and OPS PLT Meg attended Swiss Hotel and met with Lich
and Bulford and O'Connor. Message was delivered and explained. All parties were upset and Lich was crying in regards to how unfair she felt this action was. PLT advised them to depart and message this out to others. All parties were upset when it was explained that people who are helping (logistics) can also be charged and held accountable. All understood messaging. They do feel that this message will harden participants' resolve as they feel it is a tactic of dictatorial government. Suggestion was made to have children leave the red zone."

Seems pretty clear to me that you were given the message; right?

**MS. TAMARA LICH:** I was never told I needed to leave.

**MR. DAVID MIGICOVSKY:** So the PLTs, that's fabricated; right?

**MS. TAMARA LICH:** I remember when they came in and we had the discussion, and I, as it says, became very upset. I believe I said something to the effect of "I cannot believe that you're about to do this to your own people." We were there protesting peacefully, and I -- the rest of that interaction, I was upset and I was crying and I ---
MR. DAVID MIGICOVSKY: Right.

MS. TAMARA LICH: --- don't recall the rest of it.

MR. DAVID MIGICOVSKY: You were upset and you were crying because it was over and they told you to leave.

MS. TAMARA LICH: I was upset and I was crying because of what they were proposing to do to Canadian citizens.

MR. DAVID MIGICOVSKY: And they told you to depart and they told you to message that to others; right?

MS. TAMARA LICH: I don't recall them telling me to message that to others or that I was -- that I needed to leave.

MR. DAVID MIGICOVSKY: I'm sorry, you don't remember?

MS. TAMARA LICH: It was suggested.

MR. DAVID MIGICOVSKY: It seems to me your memory is selective. When I take you to something that implicates you, you have no memory of it.

MR. BRENDAN MILLER: Sir, that's inflammatory, and I -- if my friend wants to take the stand and become a witness and give opinions about credibility that's fine, but that's not a proper question, sir.

MR. DAVID MIGICOVSKY: I'll move on.

You would agree, you've talked about the fact that you didn't know the truckers or control them, and you didn't police them?

MS. TAMARA LICH: I did not, no.

MR. DAVID MIGICOVSKY: You weren't surveilling
them?

MS. TAMARA LICH: No.

MR. DAVID MIGICOVSKY: You didn't know their past, you didn't have intelligence information about all of them?

MS. TAMARA LICH: I am not an intelligence expert, no.

MR. DAVID MIGICOVSKY: Right. And you would agree with me that there may be other individuals or organisations that would have more intelligence information about some of the protesters than you did?

MS. TAMARA LICH: Such as?

MR. DAVID MIGICOVSKY: Would you agree with that?

MS. TAMARA LICH: Could you ask me the question again, sir?

MR. DAVID MIGICOVSKY: Yeah. I said you would agree with me that there may be other individuals or organisations that would have more intelligence about some of the protesters than you did.

MS. TAMARA LICH: Yes.

MR. DAVID MIGICOVSKY: And you would agree with me as well that you have no background or formal training in crowd dynamics and what can incite a crowd to take action?

MS. TAMARA LICH: I don't, no.

MR. DAVID MIGICOVSKY: Or how to prevent a crowd from escalating or preventing violence?

MS. TAMARA LICH: No, I don't.

MR. DAVID MIGICOVSKY: And so just two more areas
if I may just have two more minutes, Commissioner.

COMMISSIONER ROULEAU: Go ahead.

MR. DAVID MIGICOVSKY: HRF00001510, if I may have that document, Mr. Clerk, please.

Is an email from Eva Chipuik. Eva Chipuik was one of the convoy lawyers?

MS. TAMARA LICH: Yes, sir.

MR. DAVID MIGICOVSKY: And so this is on February 15th. She indicates, and for some reason we have not been given the attachment, although we've been told that solicitor/client privilege was waived, but in the email it says:

"I've drafted something on the right to protest and have taken a very cautious approach, because I don't exactly know what the emergency orders are, but it's my understanding that they can limit the right to protest, and while that can be challenged in court, at the moment people who do not comply may be arrested.

I think if we're advising people it's important to let them know all the risks they are facing and let them make their own [decision]."

You've seen that from one of your lawyers?

MS. TAMARA LICH: I've seen it since in these hearings.

MR. DAVID MIGICOVSKY: So two possibilities:
either your lawyers didn't give that advice to you, or they did
give you that advice to you.

MR. BRENDAN MILLER: Sir, there is individuals cc'd or that email is to. She is not in it, and then the next
day, or just in two days she's not -- like you should first ask
her if she got the email. God. Sorry.

MR. DAVID MIGICOVSKY: I'm sorry, my friend have
a chance to examine. This is quite proper cross-examination.

COMMISSIONER ROULEAU: Yeah, I think it would be
helpful to know if she received the email before you question
her on it.

MR. DAVID MIGICOVSKY: Okay, I will get to that,
but I -- there's a reason why I'm asking it in the way I have.

COMMISSIONER ROULEAU: Okay.

MR. DAVID MIGICOVSKY: So two possibilities:
either your lawyer didn't give you that advice, or you did get
that advice from someone.

MS. TAMARA LICH: I did not receive this email,
and I don't recall. As I've said, there was a lot of chaos, we
had a lot of conversations, I can't recall.

MR. DAVID MIGICOVSKY: Okay, so you don't recall
whether your lawyer gave you that email or not.

MS. TAMARA LICH: I don't. I don't believe I've
seen it before.

MR. DAVID MIGICOVSKY: Okay. And I understand
that you've been charged with several Criminal Code offences,
correct? Mischief, obstructing justice, counselling others to
commit mischief, intimidation; correct?
MS. TAMARA LICH: That's correct.

MR. DAVID MIGICOVSKY: And I understand you understand that the purpose of this Inquiry is not to determine your guilt or innocence; correct?

MS. TAMARA LICH: Of course not.

MR. DAVID MIGICOVSKY: And you've received disclosure of documents from the Crown or partial disclosure I believe you said?

MS. TAMARA LICH: Yes, I have.

MR. DAVID MIGICOVSKY: And you understand because the criminal process is ongoing there's a principle -- a case called Wagg. And so as a result of that, you understand that I am not allowed to rely on documents that are part of the criminal brief -- the Crown brief in this proceeding. You understand that; correct?

MS. TAMARA LICH: If you say so. Again, I'm -- this is a new world to me.

MR. DAVID MIGICOVSKY: And so you understand that if that's the case I may not be able to challenge some of the statements you have said; correct?

MR. BRENDAN MILLER: Sir, my friend is arguing --

MS. TAMARA LICH: I don't.

MR. BRENDAN MILLER: --- a principle of law.

MS. TAMARA LICH: I am not familiar with the system.

MR. DAVID MIGICOVSKY: Okay. If I may just ask just one final question, then. You talked about concerns for
safety; correct?

    MS. TAMARA LICH: Yes.

    MR. DAVID MIGICOVSKY: And that would include concerns for officer safety?

    MS. TAMARA LICH: Absolutely.

    MR. DAVID MIGICOVSKY: And so we have heard evidence of police officers being swarmed by protesters, and I assume that you would be concerned about that.

    MS. TAMARA LICH: I never witnessed that, but I would be concerned.

    MR. DAVID MIGICOVSKY: Right. But you don’t have sufficient control over the truckers or the protesters to prevent that, that’s occurred; correct?

    MS. TAMARA LICH: I don’t control anyone, sir.

    MR. DAVID MIGICOVSKY: Thank you very much ---

    MS. TAMARA LICH: Thank you.

    MR. DAVID MIGICOVSKY: --- for answering my questions.

    COMMISSIONER ROULEAU: Thank you.

    Next is counsel for former Chief Sloly.

    (SHORT PAUSE)

    --- CROSS-EXAMINATION BY MR. TOM CURRY:

    MR. TOM CURRY: Good morning, Ms. Lich. Tom Curry for former Chief Sloly.

    MS. TAMARA LICH: Good morning, Mr. Curry.

    MR. TOM CURRY: I just have a few questions.

    MS. TAMARA LICH: Yes, sir.

    MR. TOM CURRY: Can I just show you the -- one
thing that my friend for the Ottawa Police Service was speaking to you about, just so that you have the full picture.

MS. TAMARA LICH: Yes, sir.

MR. TOM CURRY: Could I ask, please, Mr. Registrar, for the witness to be shown HRF00001520? I think this is the attachment that was referred to.

Just in case this helps your recollection, what is being projected now is a document with the title, “The Right to Protest.” Have you seen it? I appreciate you’re going to take a second to look at it, but just let us know, please, if you have seen that memorandum before.

MS. TAMARA LICH: I don’t recall seeing this attachment; no, sir.

MR. TOM CURRY: Okay. And it -- I gather from the record, that it is the attachment to which Ms. Chipiuk’s email, or that was along with Ms. Chipiuk’s email, and refers to the limits of the right to protest that were expressed in that cover. But that doesn’t -- that’s not something that you saw or heard?

MS. TAMARA LICH: I don’t believe so, no. It does not look familiar.

MR. TOM CURRY: Thank you. Just a couple of things, then, if I could.

The Commissioner -- one of the things that the Commissioner has to consider is recommendations about dealing with the Emergencies Act, and presumably perhaps even the right to protest and some of the limits that we’ve heard about. Could I just have a couple of additional facts from you?
You and Mr. Barber met, I think you told us, on the 24th of January to begin the trip ---

**MS. TAMARA LICH:** Yes, that is correct.

**MR. TOM CURRY:** --- here.

**MS. TAMARA LICH:** Yes.

**MR. TOM CURRY:** And you left from Redcliff.

**MS. TAMARA LICH:** Redcliff, Alberta, yes.

**MR. TOM CURRY:** And arriving in Arnprior the 29th.

**MS. TAMARA LICH:** We got in to Arnprior the evening of the 28th, I believe; the Friday evening.

**MR. TOM CURRY:** Okay.

**MS. TAMARA LICH:** I believe that was the 28th.

**MR. TOM CURRY:** Twenty-eighth (28th); Ottawa the 29th.

**MS. TAMARA LICH:** Yes, sir.

**MR. TOM CURRY:** And what I’m interested in knowing is -- of course, first of all the numbers of protesters exceeded your expectations; is that fair?

**MS. TAMARA LICH:** Yes.

**MR. TOM CURRY:** Wildly exceeded?

**MS. TAMARA LICH:** Yes.

**MR. TOM CURRY:** And you -- I think you told us that you imagined that you might be able to raise $20,000 for this convoy.

**MS. TAMARA LICH:** Yes.

**MR. TOM CURRY:** And of course the financial commitments that you garnered were far in excess of that. But the -- in terms of the numbers of protesters who you considered,
and I presume Mr. Barber considered in his conversations with
you, were not in the numbers that filled up the streets of
Ottawa in the way that you found them on the 29th; is that fair?

MS. TAMARA LICH: I’m sorry; could you repeat
that?

MR. TOM CURRY: Sure. Your expectation -- when
you got to Ottawa, you saw far more people than you believed
would be in attendance.

MS. TAMARA LICH: Yes.

MR. TOM CURRY: And am I right that you were not
the person primarily, or even at all, communicating with police
about how many people were going to attend?

MS. TAMARA LICH: I don’t believe so. I know the
road captains were in constant communication with law
enforcement.

MR. TOM CURRY: Got it. And insofar as you know,
the road captains would have had some information about the
numbers of members of their individual convoys that they had but
they would not have had a picture of the entirety of it because
people were coming from far and wide; is that fair?

MS. TAMARA LICH: We tried every day to get solid
numbers, and, like, with people joining and leaving, you know,
some people would travel with us for 200 kilometres; some people
would travel across the province and turn around. It was -- it
was very challenging, as much as we tried to get a count, it was
next to impossible.

MR. TOM CURRY: So much so that when you got
here, as much as you tried to understand how many would be
there, you missed the mark.

MS. TAMARA LICH: Yes.

MR. TOM CURRY: Now, then, just a couple of other things. In terms of the company, the not-for-profit, it was incorporated January 30th, I understand?

MS. TAMARA LICH: I think it was the 30th or the 31st, but it was right around there, yes, sir.

MR. TOM CURRY: And then I think in the record, the bylaws organized it, were prepared by February 3rd. So that, the company and the governance model that you had imposed was evolving only once you got here.

MS. TAMARA LICH: Yes.

MR. TOM CURRY: Then, finally, in terms of the description, you called -- you and Mr. Wilson have both called the scene, “Chaotic”. Can you tell the Commissioner; when did you first appreciate the sense of chaos that you have described? Was it when you arrived on the 29th?

MS. TAMARA LICH: It was sitting out on my kitchen table when we were organizing and -- because I had messages coming in and emails coming in and phone calls, and it was -- it was very busy times.

MR. TOM CURRY: Right.

MS. TAMARA LICH: Very busy times.

MR. TOM CURRY: And so by the time you got here and saw the situation in Ottawa, was it chaotic at that time as well?

MS. TAMARA LICH: There were times when it was chaotic. As you referred to, there was a lot of people here.
When we got into town, I just saw a lot of smiles and a lot of flags, and people hugging each other. But there was -- yeah. So I don’t necessarily mean chaotic all the time as a negative term, but it was, you know, a mixture of both.

MR. TOM CURRY: Understood. Just one last thing. I think one of the questions that you were asked about, what would have happened as you approached Ottawa, if the City had been -- I think the language was blocked or barricaded. Having regard to the numbers of people coming far and wide, and your inability to control them, is the likelihood that those convoy protesters would have just made their protest where the blockades were?

MS. TAMARA LICH: Again, that’s kind of a what if question that I can’t really speak to. Yeah, I don’t know.

MR. TOM CURRY: Okay, fair enough. Thank you, Commissioner.

MS. TAMARA LICH: Thank you, sir.

MR. TOM CURRY: Thank you so much.

COMMISSIONER ROULEAU: Thank you.

Next is the City of Ottawa.

MS. ALYSSA TOMKINS: Alyssa Tomkins for the City. The City has no questions for this witness.

COMMISSIONER ROULEAU: Thank you.

Ontario Provincial Police.

MR. CHRISTOPHER DIANA: Good morning, Commissioner.

The OPP have no questions. Thank you.

COMMISSIONER ROULEAU: Democracy Fund, JCCF,
Citizens for Freedom.

MR. ANTOINE D’AILLY: Good morning, Mr. Commissioner.

--- CROSS-EXAMINATION BY MR. ANTOINE D’AILLY:

MR. ANTOINE D’AILLY: Ms. Lich.

MS. TAMARA LICH: Good morning.

MR. ANTOINE D’AILLY: My name is Antoine D’Ailly, counsel for Citizens for Freedom, representing peaceful protesters in Windsor.

Ms. Lich, in yesterday’s testimony you indicated that at the beginning you were tasked with some of the fundraising and that you thought that a fundraising goal of $200,000 was way too much and that you expected maybe $20,000 in donations; is that correct?

MS. TAMARA LICH: Yes.

MR. ANTOINE D’AILLY: And that you certainly did not expect the level of financial support that the convoy did receive over that period of time; is that correct?

MS. TAMARA LICH: I think we were all quite shocked about that, yes.

MR. ANTOINE D’AILLY: Perfect. Do you agree that many Canadians who were unable or otherwise unwilling to go out and protest in the streets, instead donated to the convoy as a tangible demonstration of their opposition to the government mandates?

MS. TAMARA LICH: I do, and I remember -- I remember saying, I think it was maybe to Mr. Wilson, that it wasn’t even about the money; it was about the statement behind
the money.

**MR. ANTOINE D’AILLY:** Right. And so is it also your understanding that contributors to a GoFundMe campaign may leave a message of support when they donate?

**MS. TAMARA LICH:** Yes.

**MR. ANTOINE D’AILLY:** And did you review some of those statements of support?

**MS. TAMARA LICH:** Very briefly. I did scroll through some, yes.

**MR. ANTOINE D’AILLY:** So then based on your experience, would it be fair, then, to characterize the act of donating to the convoy’s fundraising efforts as a form of political expression?

**MS. TAMARA LICH:** I would. And encouragement and support. I think as it grew, people wanted to be a part of it in any way that they could show support, and that was one way that people that couldn’t attend or be on an overpass or drive to the side of the highway were able to support.

**MR. ANTOINE D’AILLY:** Understood. And is it true that the GoFundMe campaign for the convoy was active for less than a month?

**MS. TAMARA LICH:** Yes. Yes, it was.

**MR. ANTOINE D’AILLY:** And were you ever made aware that the convoy’s fundraising campaign, in that limited amount of time, enjoyed more donations from more Canadians than the Liberal Party of Canada did in either 2020 or 2021?

**MS. TAMARA LICH:** I believe somebody had mentioned that.
MR. ANTOINE D’AILLY: So we’re talking about large amounts ---

MS. TAMARA LICH: Yes.

MR. ANTOINE D’AILLY: --- of money here, right?

MS. TAMARA LICH: Yes.

MR. ANTOINE D’AILLY: And are you aware of any other grassroots fundraising campaign which has raised comparable amounts of money since March of 2022?

MS. TAMARA LICH: Not to my knowledge, but I haven’t also looked any up.

MR. ANTOINE D’AILLY: Fair enough.

MS. TAMARA LICH: Yes.

MR. ANTOINE D’AILLY: And lastly, we heard about some of the conditions and restrictions that you are now subject to while you wait for you your trial next year. In addition to those conditions, how many days have you spent in jail since you started fundraising for the convoy?

MS. TAMARA LICH: Forty-nine (49) days in total.

MR. ANTOINE D’AILLY: Those are my questions.

Thank you.

MS. TAMARA LICH: Thank you.

COMMISSIONER ROULEAU: Okay. And now for the convoy organizers.

MR. BRENDAN MILLER: Sir, I’m wondering if we can take the morning break a little early. I have to talk to three separate lawyers behind me about certain areas of examination. If we could take the morning break, I’d be very much appreciative.
COMMISSIONER ROULEAU: Only if you make the commitment to have a focused questioning so that it’s useful use of the break.

MR. BRENDAN MILLER: Absolutely, sir.

COMMISSIONER ROULEAU: Okay. Well, we’ll take the break early, then. Take 15 minutes, please.

THE REGISTRAR: The Commission is in recess for 15 minutes. La commission est lever pour 15 minutes.

--- Upon recessing at 10:39 a.m.

--- Upon resuming at 10:58 a.m.

THE REGISTRAR: The Commission is reconvened. La commission reprend.

COMMISSIONER ROULEAU: Okay. The convoy organizers.

--- MS. TAMARA LICH, Resumed

--- CROSS-EXAMINATION BY MR. BRENDAN MILLER:

MR. BRENDAN MILLER: Good morning. For the record, Brendan Miller appearing as counsel for Freedom Corp, and I think you know who I am, as I’m your lawyer.

MS. TAMARA LICH: Good morning.

MR. BRENDAN MILLER: So I just want to start out with some just general questions.

At any time during the protest, had you been given a Court order injunction to move the trucks or leave or what have you, what would you have done and how would you have acted?

MS. TAMARA LICH: I would have, obviously, followed the injunction. I never intended or came here to break
the law.

I would have asked if there was a way that we could remain -- if there was anything that we could work out so that we could remain and continue our protest.

MR. BRENDAN MILLER: Okay. And you heard yesterday the evidence from Mr. Dichter, did you not?

MS. TAMARA LICH: I heard some of it, yes.

MR. BRENDAN MILLER: Right. And he testified about not knowing about the deal that the convoy corp or Freedom Corp and the Board were going to enter into with the City. Do you have any comment about that?

MS. TAMARA LICH: I believe he -- he was obviously not able to attend because he was in a cast, but I believe we had dialed him in on the phone to be present at that meeting.

MR. BRENDAN MILLER: Right. And so at that meeting, what was discussed?

MS. TAMARA LICH: I believe that was the deal with the Mayor.

MR. BRENDAN MILLER: Okay. And what, if any, Board members objected to the dealings with the Mayor?

MS. TAMARA LICH: I don’t recall anybody objecting to it.

MR. BRENDAN MILLER: Yeah. And you heard him give evidence that the Board members were scared of the lawyers and what they were dealing with. Do you have any comment in that respect?

MS. TAMARA LICH: That was news to me.
MR. BRENDAN MILLER: Okay. Have any of the other Board members expressed such a fear to you?

MS. TAMARA LICH: No.

MR. BRENDAN MILLER: Okay. Thank you.

My friend, Mr. Champ, discussed with you at length the injunction, when you should have known you should leave. And though I haven’t given notice of this, I’d like to bring up document HRF00000073, which is the injunction order from February 7th.

And if we could just scroll down to the terms. Right. And so if I can just direct you to paragraph 7 of the injunction, can you read that?

MS. TAMARA LICH: Yes, sir.

MR. BRENDAN MILLER: And what’s your understanding of the injunction and this order at the time when it was obtained?

MS. TAMARA LICH: My understanding was that so long as we remained peaceful and complied with the order we were permitted to stay.

MR. BRENDAN MILLER: Right. And then there was a subsequent order and I understand that term, which states that “Provided the terms of the Order are complied with, the defendants or other persons remain at liberty to engage in peaceful, lawful and safety protest”, I take it that that term was in that order, too. Is that correct?

MS. TAMARA LICH: I’m sorry. What -- I didn’t hear all that. Sorry.

MR. BRENDAN MILLER: I apologize. I’ll speak up.
The term at term 7 there where it says that it’s
-- “Provided the terms of the Order are complied with, the
defendants and other persons remain at liberty to engage in
peaceful, lawful and safety protest“, I take it that was in the
following injunction order as well. Is that right?

MS. TAMARA LICH: I believe so, and I think it
was February 16th, but I’m not sure.

MR. BRENDAN MILLER: Thank you.

And so my friend with the Government of Canada
discussed with you what your knowledge was of violent offences,
et cetera, that was going on in Ottawa at the time. If Mr.
Registrar could bring up the document we just discussed, POE.HRF
a whole bunch of 0s 2. And if we could just rotate that?

And so the colouring on this is gone, but -- and
this is already in evidence, but between the date of the
beginning of the protest and the invocation of the Emergencies
Act, there was a total of four violent offences individuals were
charged with in that time period. Did you know any of those
individuals?

MS. TAMARA LICH: I did not.

MR. BRENDAN MILLER: Okay. Did you hear about
individuals being charged with violent offences?

MS. TAMARA LICH: Since we've been -- since the
convoy.

MR. BRENDAN MILLER: Okay. And my friend had
asked you questions about some of the statements that have been
given in this proceeding as well as in the media about all these
awful things that happened to people. And you've been here for
this entire time. Have you heard from any witness that they, in fact, were the victim of an assault, or witnessed an assault, or anything violent?

**MS. TAMARA LICH:** The only thing that I've seen and heard was not violence on the behalf of protesters. It was the video footage that I saw when the crackdown came.

**MR. BRENDAN MILLER:** Could you agree that if there were victims of actual violence, given that they know who's charged, it would have been relatively easy for those witness to be procured to testify before this Commission?

**MR. DAVID MIGICOVSKY:** David Migicovsky ---

**MR. BRENDAN MILLER:** I withdraw.

**MR. DAVID MIGICOVSKY:** --- for the Ottawa Police.

**MR. BRENDAN MILLER:** Withdraw. I withdraw.

Now I just want to talk with you about the letter and some of the reactions that you got from some of the protesters. Of course, we know that Mr. Dichter didn't appear to like the letter and Mr. King didn't appear to like the letter. What was your general responses that you were getting at the time with respect to the letter and the deal that was going to be done through the City?

**MS. TAMARA LICH:** Well, I can't speak to other places. I know that we printed off that letter and I went out to 88 and spoke with the gentleman that owned the property out there and some of the truckers that were there. Their response was very positive. I think that everyone felt that, as I stated earlier, this was a step one.

**MR. BRENDAN MILLER:** Okay. And again, what was
the sort of responses though that you were getting on the street
from some of the truckers after that deal was announced?

**MS. TAMARA LICH:** I don't remember.

**MR. BRENDAN MILLER:** Was -- can you remember if
it was -- was there some negative responses? Was there some
positive responses that you personally witnessed?

**MS. TAMARA LICH:** I didn't witness any negative
responses, no.

**MR. BRENDAN MILLER:** Okay. And I understand that
Mr. Marazzo, as you sat through his testimony, he stated that a
purpose of the meeting and the goal of Freedom Corp. and its
Board was not really to get a deal with the mayor. It was to --
or a meeting with the mayor, but it was to get this deal to make
things work peacefully. Can you elaborate on that?

**MS. TAMARA LICH:** Can you repeat that, please?

**MR. BRENDAN MILLER:** So the actual goal with
respect to Freedom Corp. as well as the protesters that you were
representing, their actual goal was not to achieve a meeting
with the mayor, but it was to deal with this in a peaceful
manner. Can you elaborate on that?

**MS. TAMARA LICH:** Yes, well, that was obviously
our goal, and again, to get the trucks off the residential
streets. We were hoping to find a way that the trucks that did
have to move their vehicles out of the city would have -- be
able to come back in and continue the protest. And again, we
felt it was a step in the right direction and meeting with the
mayor was not one of my goals, but I thought, again, it was a
way to open some dialogue with somebody in a position of
authority.

MR. BRENDAN MILLER: Okay. And just on my last point here, part of this Commission is about coming up with recommendations and things like that. I take it when you came into Ottawa, and we've heard evidence that a lot of the truckers were directed where to park and that's where they kind of stayed throughout the proceeding -- or throughout the protest?

MS. TAMARA LICH: M'hm.

MR. BRENDAN MILLER: And so there is this issue, and what we -- what I refer to and what's referred to in some of the jurisprudence is a speaker's corner. Have you ever heard of that?

MS. TAMARA LICH: I don't think so.

MR. BRENDAN MILLER: Okay. It's a place, a location in a government area, particularly out in front of Parliament or where have you, where protesters are permitted to go and is a designated area for protests.

MS. TAMARA LICH: Okay.

MR. BRENDAN MILLER: I take it when you were trying to get the protest moving, most of the protesters were wanting to get onto Wellington because it's in front of Parliament and they were protesting the federal government; fair?

MS. TAMARA LICH: Correct.

MR. BRENDAN MILLER: All right. And what is your understanding of the current state of Wellington today?

MS. TAMARA LICH: I believe there's -- it's blocked off.
MR. BRENDAN MILLER: Right. And if that area that's blocked off became a speaker's corner where individuals at any time could go and protest the federal government, what are your thoughts on that?

MS. TAMARA LICH: I think that would be a good idea. I think Canadians have a right to exercise their democratic rights, and they have a right to have their voices heard.

MR. BRENDAN MILLER: Right. And my friends from the Government of Canada put to you a whole bunch of evidence that you weren't familiar with until you got here with respect to threats. Can you elaborate on any of the threats you've received, ones that you know members of the protesters received as well as your -- the legal counsel, and even any of the legal counsel in this room since this proceeding started?

MS. TAMARA LICH: I know -- well, I heard when I was at the ARC that the ARC was receiving death threats against me, which is one of the reasons why -- one of the reasons why I left that location. I have messages on my phone from an Instagram account from a young man that wanted to -- not just shoot me, but also shoot the rest of the protesters -- or the convoy organizers. I know that my criminal lawyer has received some very nasty emails. I believe Mr. Wilson has received death threats and threatening emails.

MR. BRENDAN MILLER: Right. And so it's fair to say then that there has been a lot of threats on both sides?

MS. TAMARA LICH: That's fair.

MR. BRENDAN MILLER: Okay. But do you know
anybody who's made death threats to any of these individuals?

**MS. TAMARA LICH:** Of course not.

**MR. BRENDAN MILLER:** And when you walk in here every day for the past few days, there's a protester outside, and I'm sure you've heard everything she's been saying, and she's a counter protester and is against your cause. What are the sort of things that that protester has said to you while you've been coming in and out of this hearing?

**MS. TAMARA LICH:** Well, it's been very hard to hear because there's a lot of construction. I just hear her shouting my name a lot. I heard her say something I think just now about she can't wait until I go back to jail. But other than that, I haven't really ---

**MR. BRENDAN MILLER:** Did she mention anything about terrorism?

**MS. TAMARA LICH:** I believe that's right on her sign.

**MR. BRENDAN MILLER:** And what's it say?

**MS. TAMARA LICH:** It says, "go home terrorists".

**MR. BRENDAN MILLER:** Okay. Thank you.

**COMMISSIONER ROULEAU:** Okay. Any re-examination?

**MR. JOHN MATHER:** No, Mr. Commissioner.

**COMMISSIONER ROULEAU:** Okay. I just have one question. You were taken to a chart and told there were charges for violent offences?

**MS. TAMARA LICH:** Yes.

**COMMISSIONER ROULEAU:** Do you know who was charged? Do you know the four people?
MS. TAMARA LICH: With violent offences?

COMMISSIONER ROULEAU: Yeah, the four people?

MS. TAMARA LICH: I wouldn't know -- I have no -- no, I don't. Not that I can recall anyways.

COMMISSIONER ROULEAU: So you don't know if it's someone you know or someone you don't know?

MS. TAMARA LICH: I do not, sir.

COMMISSIONER ROULEAU: Okay. Well, thank you for your testimony ---

MS. TAMARA LICH: Thank you, sir.

COMMISSIONER ROULEAU: --- and you're now free to go.

MS. TAMARA LICH: Thank you.

COMMISSIONER ROULEAU: And thank you very much.

Okay. So that -- we move onto the next, which is the -- I believe the panel of two witnesses and there's an issue to be discussed about the, as I understand it, the relevance of that.

MR. DAVID MIGICOVSKY: Right.

COMMISSIONER ROULEAU: So maybe we'll deal with that now, if that's agreeable?

MR. DAVID MIGICOVSKY: Sure, thanks very much.

COMMISSIONER ROULEAU: Okay.

MR. DAVID MIGICOVSKY: So I'll remain seated here, Commissioner.

COMMISSIONER ROULEAU: That's fine, just identify yourselves because it's the same, the reporters have to know who's speaking.
--- SUBMISSIONS BY MR. DAVID MIGICOVSKY:

MR. DAVID MIGICOVSKY: Sure. It's David Migicoovsky, Counsel for the Ottawa Police Service. We have a very real concern with respect to the witness panel of Chris Deering and Maggie Dingman. I believe there is now a different name, and I apologize. It's Braun -- Hope Braun, I believe.

Those two individuals -- and our concern is essentially one of procedural fairness. Those two individuals were not on the list of witnesses provided by the Commission, and so last Friday, ---

COMMISSIONER ROULEAU: You mean they weren’t on the original list?

MR. DAVID MIGICOVSKY: Correct. And what we found out was on last Friday, October 28th at 12:37 p.m., we received an email from the Commission saying that these two individuals would be called as witnesses, and attaching two statements from these individuals. No information had been previously provided about these individuals, or about the issues that they were going to testify about, which are the -- how their arrest was handled, nor were there any documents provided by the parties, including the Ottawa Police Service, about the manner of arrest.

It appears that both of these individuals, from their statements, are going to give evidence about the circumstances of their arrest by unknown officers.

I’ve been able to determine in one case that it was not an OPS officer, one of them, but we are trying to find out information.
These are arrests that took place on February 18\textsuperscript{th}, after the invocation of the \textit{Emergencies Act}. These individuals were not arrested pursuant to the \textit{Emergencies Act}. They were arrested based on common-law powers and the \textit{Criminal Code}. And my concerns really are two-fold.

Firstly, the information we say is not relevant to your mandate under the Act, and the second question is one of procedural fairness. There were over 275 arrests made by the police in that period of February 18\textsuperscript{th} to the 20\textsuperscript{th}. None of the police witnesses were asked specifically about those arrests, no documents were requested. The last police witness who testified in this proceeding was on Wednesday, October 26\textsuperscript{th}.

Had those witness statements been provided prior to the completion of the police witnesses, then at the very least, we could have asked our witnesses to provide evidence with respect to the arrest plan, with respect to the circumstances of the arrest of those two individuals, and the other 275 people who were arrested.

I am not faulting Commission Counsel. I understand that the statements were provided to them and they provided them to us immediately after. But it was two days after the last witness testified.

Those statements were in the -- those were witnesses who are here represented by counsel, they had an obligation to produce documents. They chose, deliberately or otherwise, to not present that evidence and not allow me, then to respond to it. And it’s obvious that some of that information, they had beforehand.
And in fact, to add to the procedural unfairness, last night, we received an email from counsel for the Convoy organizers attaching seven more videos that also would have existed that were not disclosed.

There’s no explanation for why the Convoy organizers have not had to follow the same rules as everyone else. Those statements, even if they were relevant, and I don’t concede that they are, should have been provided prior to police witnesses testifying. It creates a serious and irreparable breach of procedural fairness to have you left with two arrests out of 275, which I am unable to provide evidence in response to, both those specific arrests, as well as the arrest plan in general.

And there are, I say, two possible solutions. The first is to not allow that evidence to be heard. It’s not relevant to your mandate. And even if it was, it would be very difficult to draw any conclusion from the evidence of two individuals out of 275 arrests when you’ve heard no evidence about any of the arrests of anyone else, or the arrest plans, or any explanation of those two particular arrests.

Alternatively, if you are inclined to allow that panel to testify, including adding new documents that were not on the database and were provided last night, then the OPS must, we say, as a matter of procedural fairness, be allowed the opportunity to call another witness to provide evidence about the arrest plans and the exercise of use of force options in connection with the exercise of police powers generally and specifically with respect to the scene that the officers
encountered on February 18.

You have not heard about what is involved when a Public Order Unit has to exercise tactical options.

The Commission didn’t lead this evidence, nor did we. Similarly, we didn’t provide any documents surrounding those arrests. So while my first submission is that you should not allow this evidence, as an alternative, if you are inclined to do so, then I would ask for the opportunity to call evidence so that in fairness, the police witnesses can address what should have been put to them by the Convoy organizers and which, for some reason, was not.

Those are my only submissions. Thank you very much.

COMMISSIONER ROULEAU: Okay. Thank you. Any other counsel wish to make submissions?

MR. BRENDAN MILLER: In response, sir.

COMMISSIONER ROULEAU: Okay. I’m just canvassing first.

MR. CHRISTOPHER DIANA: Yes. Perhaps I can speak to this, sir.

MS. EMILIE TAMAN: Commissioner?

COMMISSIONER ROULEAU: Okay. Go ahead.

MS. EMILIE TAMAN: Should I go ahead? Emilie Taman for the ---

COMMISSIONER ROULEAU: I take it you’re supporting the proposal -- or the objection?

--- SUBMISSIONS BY MS. EMILIE TAMAN:

MS. EMILIE TAMAN: That’s right. Yes. We agree,
just on behalf of the Ottawa Coalition of Residents and Businesses. We share the view conveyed by the Ottawa Police.

We understand that the Commission is working under difficult constraints and there have been limitations in counsel’s ability to get documents and other evidence to the parties in a timely manner, but in this case, we would agree that there is prejudice and that the evidence, at least as it pertains to the arrests, should not be admitted.

COMMISSIONER ROULEAU: Thank you.

Any other ---

MR. CHRISTOPHER DIANA: Yes, Commissioner.

Commissioner, it’s Chris Diana for the OPP. Can you hear me?

COMMISSIONER ROULEAU: Yes.

--- SUBMISSIONS BY MR. CHRISTOPHER DIANA:

MR. CHRISTOPHER DIANA: Yes, the OPP agrees with the position of our friend, Mr. Migicovsky, both the main position or the alternative position.

At this point, we don’t know if the OPP was involved or not in these incidents, and based on procedural fairness, we either -- that evidence either should not be permitted, or we should have a chance to respond to it.

I won’t add anything further to the comments by my friend, but the OPP supports that position.

COMMISSIONER ROULEAU: Okay. Any other submissions in support?

Okay. And then as I understand it, the Convoy organizers are opposing?

--- SUBMISSIONS BY MR. BRENDAN MILLER:
MR. BRENDAN MILLER: We’re of course in support of the witnesses testifying and all of the evidence being put before the Commission.

I’ll deal first with the point of law my friend raises about relevance and materiality.

With respect to the terms of reference under the Order in Council in this Commission, this Commission is to look at the efforts of police and other responders prior to and after the declaration.

So with respect to whether or not there was police brutality or misconduct, et cetera, it’s relevant and material within the terms of reference.

Second, with respect to my friend’s allegations of prejudice and it not being fair, with respect, they have not called a single victim or a single eye-witness to any of these reported violent crimes that they’re trying to lay at the hands of the protestors as a collective.

I don’t see how our clients being able to find some witnesses of which they had no control over and which approached them, trying to be able to call actual evidence of actual violence that isn’t just an assertion. And in my respectful view, it’s relevant material.

If you find that there is some form of prejudice suffered, what my friend is essentially alleging is a violation of the rule of *Browne and Dunn*. If this was a court, that leaves the court with various remedies, and one is to permit the recalling of a witness in rebuttal.

With respect to the rule of *Browne and Dunn*, I
did put issues with respect to arrest, et cetera, directly to Chief Bell, who was in charge of the operation at the time, and acting and asking questions about what was actually done. We’ve now provided the videos of those actual arrests.

I understand that all the police agencies don’t want that to be in the public eye and, with respect, I would submit that the public has a right to see these videos. It is in the public interest and any prejudice is easily repairable by permitting my friends to call a rebuttal witness if they so choose.

Subject to any questions, sir, those are my submissions.

COMMISSIONER ROULEAU: Okay. And any other party is opposing the application?

--- SUBMISSIONS BY MR. HATIM KHEIR:

MR. HATIM KHEIR: Hatim Kheir for the Justice Centre for Constitutional Freedoms. We support the Freedom Convoy Organizers position, and if I could just make a few points.

So first, the terms of reference in the Emergencies Act do require investigating and looking into the appropriateness of the measures that were used. Interim Chief Bell testified that using emergency powers were used to create an exclusion zone and that they relied on that authority, and so I would expect that these witnesses as arrestees would have evidence that would be relevant to the implementation of that authority.

Also, to the extent that my friend made the point
that these are but two arrestees of many, we did hear from two
Ottawa residents who provided their experiences as examples, and
that would then represent a broader class of individuals, so
this would also be two arrestees providing their experiences
which would then be emblematic of others in a similar position.

And I would just like to add on, my friend, Mr.
Honner, from The Democracy Fund provided submissions through
e-mail. He’s not here. I would just briefly read it in just to
provide his perspective as well:

“The Democracy Fund submitted that the
evidence of these witnesses is relevant
to the Commission’s mandate.
Specifically, the Commissioner has been
directed to examine issues to the extent
relating to the efforts of police and
other responders prior to and after the
declaration. Superintendent Robert
Bernier and others testified about the
mission statement contained in the OPS
Operational Plan of February 13th which
speaks to enforcing legislation with the
‘utmost respect to the individual’s
Charter of Rights’. There was evidence
before the Commission that this plan
evolved after the declaration of the
Emergencies Act and there was also
evidence that the OPS found the powers
available to them under the Emergencies
Act to be useful.
The Commission should hear evidence from these witnesses, as it will speak to how police enforcement was carried out during the state of emergency from a protestors perspective. If there are objections as to relevance as the evidence unfolds, those objections can be dealt with orally. If other witnesses need to be recalled, that decision can be made after the hearing of evidence from the witnesses in question.” (As read)

So that was Mr. Honner’s submission, which the Justice Centre also supports.

**COMMISSIONER ROULEAU:** Thank you.

Any other who are opposing or, rather, supporting the motion?

Yes, Commission counsel?

**MR. JOHN MATHER:** Mr. Commissioner, at some point Commission counsel would like to provide some points of context, but if you’re still canvassing, we can wait until that’s done.

**COMMISSIONER ROULEAU:** Okay. And you’d like to add something? Yes?

--- **SUBMISSIONS BY MS. EMILIE TAMAN:**

**MS. EMILIE TAMAN:** If I may, Commissioner, Emilie Taman, again, for the record.

I just wanted to respond to one point made by my
friends regarding the absence of evidence with respect to residents of Ottawa who experienced violence in the convoy and, for the record, would just like to note again that the Ottawa Coalition was very limited in the time that was allocated to tell the story of residents of Ottawa.

I would also note that there are many residents who continue to fear for their safety in being identified publicly as opposing the convoy, and with that said, I don’t think it’s appropriate to infer from the lack of evidence on that point that there -- that it didn’t happen. And I would also note in ---

COMMISSIONER ROULEAU: I think that’s -- you’re getting into argument now.

MS. EMILIE TAMAN: Well, it ---

COMMISSIONER ROULEAU: We’re dealing with whether or not there’s relevance to the evidence that’s being tendered.

MS. EMILIE TAMAN: That’s right. But one of the bases upon which it’s being asserted that it is relevant is that there’s been no evidence in relation to violence experienced by residents. And that’s something that my friend put to Ms. Lich this morning, and also Mr. Miller noted it in his submission to you just now.

COMMISSIONER ROULEAU: Okay.

Yes, Mr. Migicovsky.

--- SUBMISSIONS BY MR. DAVID MIGICOVSKY:

MR. DAVID MIGICOVSKY: David Migicovsky for the Ottawa Police.

The one point I want to respond to that has not,
with respect, been addressed by my friends and which is highly problematic, I suggest, is the convoy lawyer has indicated that he put an issue with respect to an arrest to Chief Bell. And that is correct. However, he provided no information, no details, no indication of who it was, when it was. It came out of the air.

And what makes that more problematic is that, obviously, that information was in his possession and there was no documentation provided beforehand.

This was sprung after the police witnesses had already testified when we then get these statements.

Had the rules been followed, that witness would have seen those statements, would have seen documents. We would have had the opportunity to put in documents and call evidence or asked to call evidence in response.

The final point I note is that my -- one of my friends indicated that two of -- that several of the convoy witness -- several of the Coalition’s witnesses testified and that is true. The difference is, the rules were followed and everybody knew before they testified what they were going to say.

So the Convoy Organizers had procedural fairness, as did everybody else.

In this case, procedural -- there is a serious denial of procedural fairness and that’s what we say must be addressed.

Thank you.

**COMMISSIONER ROULEAU:** Okay. And Commission
counsel, you wanted to provide some context? And among other things, I don’t know what the witnesses are going to say, so to what degree is it -- is this one of the witnesses that we saw the video about or is this something different?

Maybe -- go ahead.

MR. DAVID MIGICOVSKY: Sorry. I didn’t mean to cut off my friend.

This is not a witness. That one was also unfair, but we were at least able to get instructions and able to deal with it in cross-examination.

COMMISSIONER ROULEAU: Okay. So -- okay. That was a red herring, then. Okay.

I was worried that you were -- this was the same person.

MR. DAVID MIGICOVSKY: No, I have no objection, by the way, for you reviewing those statements so that you can understand the nature of the evidence.

COMMISSIONER ROULEAU: Okay. Commission counsel?

--- SUBMISSIONS BY MR. JOHN MATHER:

MR. JOHN MATHER: Thank you, Mr. Commissioner.

John Mather, Commission counsel.

Just two points of context. Again, we haven’t heard the evidence yet, but Commission counsel expect that while there may be some evidence given about the arrests, that’s not the focus of the -- I don’t expect it to be the focus of the evidence.

The two individuals who are being called, Commission counsel understands, participated in the protest both
before and after the invocation of the *Emergencies Act*. They 
are not individuals, again, as we anticipate, who identify 
themselves as organizers. To date, the Commission has called 
individuals who have identified themselves as organizers, and 
this is a different perspective and one that we anticipate 
exploring.

And then the second point, Mr. Commissioner, is 
that there has been evidence given by police witnesses about the 
measured responses in terms of ending the protests in the red 
zone in Ottawa. These are -- some of these matters have been 
before the Commission and prior to today without objection.

**COMMISSIONER ROULEAU:** Okay. Thank you.

Any further submissions by anyone? I’m being 
very generous about submission time.

--- **SUBMISSIONS BY MR. BRENDAN MILLER:**

**MR. BRENDAN MILLER:** Just one more, sir, and I 
just want to emphasize ---

**COMMISSIONER ROULEAU:** But don’t repeat, though.

**MR. BRENDAN MILLER:** I’m not. I’m not going to 
repeat.

**COMMISSIONER ROULEAU:** I always worry when 
someone says “I’m going to emphasize”.

**MR. BRENDAN MILLER:** I’ll take it back. I’m 
going to point out that, you know, when it’s with the Commission 
under the *Inquiry Act* and its provincial equivalents, it is an 
inquiry and it has different rules and it’s much more liberal 
when it comes to the permitting of evidence.

And though I understand my friend’s argument,
there is many more remedies available for a breach of the rule in *Browne and Dunn*, if you find that it occurred, than not permitting the evidence.

And I would submit simply that the least intrusive remedy in the truth-seeking function of this Commission would be to allow the evidence and on whatever teams you see just. Thank you.

**COMMISSIONER ROULEAU:** Okay. Just give me a moment.

Okay. I’m going to allow the panels to go ahead.

On Mr. Migicovsky’s first point about whether the information is relevant, I think the -- there is certainly evidence that may be, I haven’t heard it, but may be relevant as to the use of the *Emergency Act*, and in particular, the notices that are -- have apparently -- there’s lots of evidence, were circulated as recently as this morning.

So the use of the notices, the setting up of exclusion zones, is squarely within the mandate. And therefore, I think the information may well be relevant.

I also note that there has been evidence of police as to the fact that the protest was ended in an orderly manner and quite properly. I believe Insp. Beaudin talked about that. I believe another witness, maybe Chief Bell talked about the fact it was ended without burning of police cars, et cetera.

So the manner of ending is relevant, and this may go to some degree.

I think the -- and there was also cross-examination in -- I believe of Insp. Bernier, as to the
arrangements that were made and the processing, how the processing was done, the -- so there is evidence about how the operation, if you like, was carried out, including how the detainees were treated and the system arranged.

Now, having said that, the impact and relevance diminishes to a point where it’s -- it in fact becomes questionable as we get further along, further from the use of the Emergency Act notice, et cetera, because this Commission is not mandated to deal with arrests that were or were not done in accordance with the appropriate police procedures and so on. That’s a matter for similar criminal courts, if there have been issues in that regard.

So I think it moves quite -- well, I would say of marginal relevance, if any, to what the Commission is doing when you talk about the actual manner of arrest, as opposed to what I’ve described that is more squarely in the relevance.

So having said that, I’m not prepared to accept that it is -- that these -- this panel is not relevant.

I expect the accent will be on what I have set out is clearly relevant and what’s related to that. And obviously there will be some context. Context has been provided by other witnesses sometimes. And while I may hear that, it may not become an issue that I have to deal with.

Now, on the second point, the procedural fairness point, I have some concern about that, because obviously it is, as I’ve said many times, and I’m going to repeat it, the public wants to get to the bottom of this, and that means fair to all parties. And I am concerned that there may be unfairness to the
-- to some of the parties. In particular, the police forces, whether it be the OPP or the OPS, or in fact, to former Chief Sloly, or anyone else.

So fairness is front and center in my concerns, and if after we hear this evidence there’s a need to call further evidence, we’ve said we would sit evenings, and we will sit Saturdays. We will get to -- get the information that the public needs to know and that will lead to a fair treatment for all.

That’s -- I guess that’s my ruling.

Now, if you want something more formal in writing, I’m happy to do it. But I sense the panel is here waiting, and we want to get -- we all want to make sure we fully use our Friday. I thought I’d give my ruling now. If anybody wants it in writing and expanded upon, I’m happy to do that. But I think that sets out, really, my thinking in a general way.

And with respect to whether we will have another panel or another witness, I think that’s something we can deal with after the evidence is heard.

With respect to the videos, I’m a bit concerned about the videos. I haven’t seen them. And I would hope we’re not going to get too far afield to what’s relevant to the issues I need to deal with.

I don’t mean to minimize any issues about how an arrest was carried out. Those are obviously significant to individuals involved, including the officers, but that’s not central. In fact, is more anecdotal, I think, in terms of what
this Commission is dealing with, but it is part of the record so far, some of the evidence relating to that.

So that’s my ruling. And we can proceed with the panel, I believe.

And I will expect the parties, if there are concerns about the ruling and you wish it in writing, please notify Commission Counsel.

Well, it will be in writing because it will be in the transcript, but expanded upon.

**MR. BRENDAN MILLER:** Sir, I don’t believe the witness chair and desk are set up for two witnesses right now. They’d need to get another mic, as well as another chair.

**COMMISSIONER ROULEAU:** Okay. Well, we’ll take five minutes then to set up the panel.

**THE REGISTRAR:** The Commission is in recess for five minutes. La Commission est levée pour cinq minutes.

--- Upon recessing at 11:40 a.m.

--- Upon resuming at 11:44 a.m.

**THE REGISTRAR:** Order. À l’ordre.

The Commission is reconvened. La Commission reprend.

**COMMISSIONER ROULEAU:** Okay. Go ahead.

**MR. STEPHEN ARMSTRONG:** Good morning, Mr. Deering, and Ms. Hope Braun. My name is Stephen Armstrong and I’m Commission Counsel. Thank you for coming today.

I have 45 minutes to ask you some questions, and because you’re a panel, I’m going to ask questions mostly one at a time. But when I have questions for you as a group -- sorry,
you have to be sworn. I forgot about that. I got too eager.

THE REGISTRAR: Mr. Deering, ---

MR. CHRISTOPHER DEERING: Yes.

THE REGISTRAR: Will you swear on a religious document or do you wish to affirm?

MR. CHRISTOPHER DEERING: I wish to affirm.

THE REGISTRAR: For the record, please state your full name and spell it out.


--- MR. CHRISTOPHER GREGORY DEERING, Affirmed:

THE REGISTRAR: Ma'am, do you wish -- will you swear on a religious document, or do you wish to affirm?

MS. MARGARET HOPE-BRAUN: The Bible, please.

THE REGISTRAR: For the record, please state your full name and spell it out.


--- MS. MARGARET HOPE-BRAUN, Sworn:

--- EXAMINATION IN-CHIEF BY MR. STEPHEN ARMSTRONG:

MR. STEPHEN ARMSTRONG: So good morning again.

As I was just explaining, because it's a panel I'm going to ask questions mostly one at a time, but when I have a question for you as a group, I'll try to make that clear; okay?

So I understand, and this is for the panel, I understand that you've both provided statements to your counsel?

MR. CHRISTOPHER DEERING: That's correct.

MS. MARGARET HOPE-BRAUN: Yes.
MR. STEPHEN ARMSTRONG: And have you had a chance to review those statements before testifying today?

MR. CHRISTOPHER DEERING: Yes.

MS. MARGARET HOPE-BRAUN: Yes.

MR. STEPHEN ARMSTRONG: And did you want to make any corrections to those statements?

MR. CHRISTOPHER DEERING: No.

MS. MARGARET HOPE-BRAUN: No.

MR. STEPHEN ARMSTRONG: Okay. And so in the interest of time, I'm not going to put them on the screen, but for the record, Mr. Deering's statement is produced at HRF00001598, and Ms. Hope-Braun's statement is produced at HRF00001606.

So I just want to ask some questions about your background really quickly. So Mr. Deering, I understand that you're a veteran of the Canadian Armed Forces?

MR. CHRISTOPHER DEERING: Yes, sir.

MR. STEPHEN ARMSTRONG: And you served a tour of duty in Afghanistan.

MR. CHRISTOPHER DEERING: Yes, sir.

MR. STEPHEN ARMSTRONG: And I understand that you were wounded on that tour?

MR. CHRISTOPHER DEERING: I was.

MR. STEPHEN ARMSTRONG: Can you briefly tell the Commissioner about that event?

MR. CHRISTOPHER DEERING: Sure. I joined the military quickly in 2007, finished my training very quick. I was deployed to Afghanistan in 2008. So in less than
approximately two years, I was in Afghanistan. Four months into
my tour my vehicle was hit by a IED, which struck my vehicle,
sorry, it blew my vehicle about 100 feet in the air, killing
three occupants immediately and leaving me seriously wounded.

I came back to Canada, and -- sorry, I lost my
train of thought. I'm sorry.

MR. STEPHEN ARMSTRONG: That's okay, thank you.

I also saw, sir, and we'll take a moment, I saw that you're
wearing medals?

MR. CHRISTOPHER DEERING: Yes, sir.

MR. STEPHEN ARMSTRONG: Can you just explain what
the medals are?

MR. CHRISTOPHER DEERING: So left to right. Left
would be my Queen Jubilee medal. It was lost during the
protests with a scuffle with the police. Second is my Campaign
Star from my tour in Afghanistan; and my Sacrifice medal that I
earned for being seriously wounded in combat.

MR. STEPHEN ARMSTRONG: And I understand now that
you're retired from the Canadian Armed Forces?

MR. CHRISTOPHER DEERING: Yes, sir.

MR. STEPHEN ARMSTRONG: And you reside in
Hanwell, New Brunswick.

MR. CHRISTOPHER DEERING: I do.

MR. STEPHEN ARMSTRONG: Thank you.

Ms. Hope-Braun, I understand that you're from
Peterborough, Ontario?

MS. MARGARET HOPE-BRAUN: Yes.

MR. STEPHEN ARMSTRONG: And you studied
environmental studies at Sandford Fleming College?

**MS. MARGARET HOPE-BRAUN:** Sir Sandford Fleming, yes.

**MR. STEPHEN ARMSTRONG:** Sir Sandford. And you're a mother to two children?

**MS. MARGARET HOPE-BRAUN:** Yes.

**MR. STEPHEN ARMSTRONG:** Thank you.

So if I can ask Mr. Deering, I understand that you travelled to Ottawa to protest with the convoy. What made you want to come to Ottawa and protest?

**MR. CHRISTOPHER DEERING:** It really wasn't that I wanted to come to Ottawa, it was that I felt it was my duty and that I had no choice to be there. Seeing what was happening over the last few years was troubling, and I felt that... I was there two weekends, first to -- on -- between February 11th and 13th, in which a bunch of veterans took down the fence that was wrongly placed around the Memorial, and then I went home, and then within days the Emergency Act was being -- was looked at being enacted, and I rushed back to Ottawa to do what I could to protect the peaceful citizens of the Ottawa protests.

**MR. STEPHEN ARMSTRONG:** And so when you travelled to Ottawa, what did you understand that you were there to protest?

**MR. CHRISTOPHER DEERING:** The mandates. I was there to protest the mandates.

**MR. STEPHEN ARMSTRONG:** And why was that important to you?

**MR. CHRISTOPHER DEERING:** Because for the last
two years, personally, as a wounded veteran, I couldn't do anything. I couldn't take my family to a restaurant. I couldn't take my kids to gymnastics. I couldn't grieve my comrades in Nova Scotia because I wasn't allowed to cross the border in my own vehicle by myself to a cemetery where no one was living and lay my flowers for my mental health, and I was denied that for two years. There is many more reasons. And again, my train of thought is lost. I'm sorry.

MR. STEPHEN ARMSTRONG: That's okay.

I'll ask some questions now to Ms. Hope-Braun. I also understand that you travelled to Ottawa to protest. What made you want to come to Ottawa to protest?

MS. MARGARET HOPE-BRAUN: Yeah. It had been going on two years of mandates, and they just seemed to get more and more restrictive. I had tried every avenue available within our system to communicate the difficulty that I was seeing around me and experiencing to our government at various levels, and nothing was effective and the tone was not changing coming from the Federal Government, and I was just losing hope and really looking for options on how I could find more -- a more -- peace and safety for my family, and I felt really isolated.

And then I'm seeing the convoy begin. I also lived out west for 10 years, so I have a lot of -- a lot of my support network was there and I couldn't travel there. And so there was a lot of people who I know personally who were sharing stories about how it was affecting them where they were. And I just felt since I'm three hours away from Ottawa I have a duty to go as well and to not just represent myself but many
Mar. Stephen Armstrong: And so when did you come to Ottawa?

Ms. Margaret Hope-Braun: I came the second Saturday. I came the third weekend for the entire weekend, and I came back that Wednesday and stayed until the end.

Mr. Stephen Armstrong: And can you tell the Commissioner what your experience was with those protests?

Ms. Margaret Hope-Braun: Well, when we first arrived, I came with a girlfriend for the Saturday, and there was just a lot of energy. I was seeing people from all different backgrounds and cultures, different outfits and, you know, cultural outfits that I had never even seen before in Canada. I -- there was lots of hugs and there was -- walking up, there was just grown men crying and giving hugs and -- everywhere, and it was emotional and we cried.

We had spent a long time feeling like we were really alone and not being able to go out and really not being able to even talk or share our experience in our family gatherings because we were -- our -- we were not welcomed to speak openly about what we were experiencing. And -- so to be -- it felt like this was our family. And I saw so many good things I could just go on for an hour on that. Saw lots of flags. I saw -- yeah, I think that's good for now.

Mr. Stephen Armstrong: And if I could ask, Mr. Deering, building on that, what was your experience with the protests and how did it compare, how was it similar to or different from Ms. Braun's -- Ms. Hope-Braun's?
MR. CHRISTOPHER DEERING: My experience was that when we got to Ottawa -- so on the way to Ottawa, actually, when the convoy was making their way to Ottawa, we attended a few -- there were a lot of people that would stand on the bridges to show support. And so where we lived, we lived close to a military base, and there must have been four to five thousand people on this bridge waving flags and -- it was amazing. It was just -- the amount of support was incredible.

We made our way -- sorry. We made our way February 11th, the first weekend, just to kind of -- we wanted to see for ourselves what was going on because when we watched the news, there was one -- there was one narrative and we wanted to see for ourselves because on Facebook and social media you’d see a whole completely different other story. So we wanted to go there for ourselves.

So our first instance was myself and my wife. We went up to see what was going on. We -- I participated in the fence removal, again, went home.

The following -- I think it was the -- February 17th, I left my residence at 5:00 a.m. to go to the protest, but during the protest there was again -- there was hugs, there was homeless people being showered with food. I had read that crime was down.

It was -- it was the most amazing experience I’ve had in my life, and I don’t regret going or being there one bit. And sorry, could you refresh my memory on the question again?

MR. STEPHEN ARMSTRONG: I was just asking for
your experience.

And sorry, did you have anything more to add or were you done?

MR. CHRISTOPHER DEERING: There’s a lot more I could pack into that, but it was just -- it was the true Canadian spirit that was there.

MS. MARGARET HOPE-BRAUN: Can I -- can I add?

MR. STEPHEN ARMSTRONG: Please do, yeah.

MS. MARGARET HOPE-BRAUN: Okay. Yeah, the first weekend that I came, I came with my -- a female friend and she stayed at my house the night before and we were reading the news, the Global News, and they had something in there about we haven’t received a police report yet on how many -- how many additional rapes had taken place in the city since the convoy arrived.

And -- and that just really shook me that they would go to that extent to make just -- anyway, that way.

But when I got here, the experience was -- like the -- the positive masculine experience, the way that the men were behaving, they were complete gentlemens (sic). And you know, I felt not unsafe whatsoever in the city.

And when my phone died and I went back, I wasn’t familiar with the streets, I was approached and walked to my car and just treated with such respect by the men that were here.

MR. STEPHEN ARMSTRONG: And so for the panel, I understand that you both -- you were coming to Ottawa and then going home and coming back.

Once the Emergencies Act was invoked, why did you
either want to come to Ottawa or remain in Ottawa?

MR. CHRISTOPHER DEERING: So I remember they were voting on that and my wife and I were lying in bed. And we were terrified how the vote was going because we knew or we felt that the evidence would -- would not be able to substantiate such a call.

I felt there was a great need for me to be there not just as a veteran but as a seriously wounded veteran to be there to protect the Canadian people from what could potentially happen.

MR. STEPHEN ARMSTRONG: Ms. Hope-Braun?

MS. MARGARET HOPE-BRAUN: Could you repeat the question?

MR. STEPHEN ARMSTRONG: So after the Emergencies Act was invoked, why did you want to come back to Ottawa or remain in Ottawa if you were already there?

MS. MARGARET HOPE-BRAUN: Yeah, I came to Ottawa for Valentine’s Day, so that was the day that it was invoked, February 14th, if I’m correct.

That day, I witnessed hundreds of roses being offered to the police officers. There was a lot of love. There was a lot of trying to heal the divide that was trying -- that was being created between us and the police. And the streets of Ottawa were covered in roses that day.

And further to that, just listening to the Senators give their speeches, I felt that -- that as they were supposed to approve it, but then it was removed before they had a chance to approve it or not, it sounded like there was good
reason to stick to what I felt was right and stay.

And I don’t believe that -- if a government
passes a law it means that we have to go against what we believe
is right. We should still -- you know, we still have a right to
peacefully protest and assemble. And if we can’t do that in
front of the Parliament in Ottawa, I don’t -- I don’t know, you
know.

MR. STEPHEN ARMSTRONG: And so building on that,
Ms. Hope-Braun, once the Emergencies Act was invoked, what was
your understanding of your ability to lawfully protest in the
downtown area?

MS. MARGARET HOPE-BRAUN: Well, I believe that we
still had -- have a right to protest in the downtown area or
anywhere, that we were peaceful and as long as we remained so,
we had a right to assemble and -- yeah. I had another point to
that, but -- if you could repeat the question again.

MR. STEPHEN ARMSTRONG: Well, that’s okay. We
can come back to it.

I’ll just ask Mr. Deering, what was your
understanding once the Emergencies Act was invoked, of your
ability to lawfully protest in the downtown area?

MR. CHRISTOPHER DEERING: My understanding is
that it was a mandate. In my eyes, it was an unlawful mandate.

I’m a free citizen of this country. I’m a
taxpayer. I’m a veteran. I’m a good person. And I felt I had
the right to be there with my Canadian citizens to try to
protect them.

MR. STEPHEN ARMSTRONG: And so Mr. Deering, I
understand that on February 18th, 2022, you were in Ottawa
protesting as well; correct?

MR. CHRISTOPHER DEERING: Yes, sir.

MR. STEPHEN ARMSTRONG: Where were you staying in
Ottawa that day at that time?

MR. CHRISTOPHER DEERING: So I drove up February
17th. I left my house at 5:00 a.m. because it takes me
approximately 10 -- the drive is 10 hours. With my back and my
foot and my conditions, I have to stop every few hours.

So I arrived in Ottawa some time that evening. I
parked my car, I remember, on Bank Street. I walked up to the
memorial to just congregate with the veterans.

I went back to my car and, knowing me, I got lost
for an hour and a half. I walked around the city.

I eventually found my car, which is where I
slept. We had came up the previous weekend, which was about
1,000 bucks for the hotel and food and I didn’t really have the
means to pay for more hotel and lodging, so I slept in my car
the previous night.

MR. STEPHEN ARMSTRONG: Do you recall where on
Bank Street you parked?

MR. CHRISTOPHER DEERING: No, I don’t.

MR. STEPHEN ARMSTRONG: Was it in the downtown
area?

MR. CHRISTOPHER DEERING: I believe so.

MR. STEPHEN ARMSTRONG: And so you -- when you
drove in, did you pass any police checkpoints or anything like
that?
MR. CHRISTOPHER DEERING: I forget.

MR. STEPHEN ARMSTRONG: Okay. Ms. Hope-Braun, I understand that you were in Ottawa protesting on February 19th. That’s correct.

MS. MARGARET HOPE-BRAUN: That’s correct.

MR. STEPHEN ARMSTRONG: Where were you staying at the time or how did you -- how did you find yourself in Ottawa?

MS. MARGARET HOPE-BRAUN: I was at a hotel that was very close to Metcalf and Queen, I believe, so I’m not sure the names. I was at a hotel that weekend.

MR. STEPHEN ARMSTRONG: And when did you begin staying in that hotel?

MS. MARGARET HOPE-BRAUN: It would have been on the Thursday before the -- that weekend, 17th, maybe. I’m not sure.

MR. STEPHEN ARMSTRONG: Okay. And Mr. Deering, on the 18th -- and I’m going to stick with you for a few questions.

On the 18th, where was the protest that I understand you participated in? Do you recall where in the downtown it was?

MR. CHRISTOPHER DEERING: So I was at the memorial that day around 8:00 in the morning. I had my coffee and I was congregating with a few different vets. And then just, I would say, north -- or south -- my navigation’s a little off, but just about 100 feet from the memorial is where the police started to line up and that’s when the call-out went. All the veterans -- so there was about 20 or so of us. We lined
right up, we linked arms and the consensus was we were going to stay there and try and protect the people.

    MR. STEPHEN ARMSTRONG: And why did you want to do that?

    MR. CHRISTOPHER DEERING: It was our duty. When I joined the military, I swore an oath to protect people. I went to a war zone to protest those people. I never thought that some day I would have to do it on Canadian soil, but I did, and I will again. I would.

    MR. STEPHEN ARMSTRONG: Were you told at any time or informed at any time that you couldn’t be there or it was unlawful for you to be there?

    MR. CHRISTOPHER DEERING: No.

    MR. STEPHEN ARMSTRONG: And I understand that you were arrested on the 18th. Is that correct?

    MR. CHRISTOPHER DEERING: I was.

    MR. STEPHEN ARMSTRONG: Can you -- can you tell us briefly how you came to be arrested?

    MR. CHRISTOPHER DEERING: Sure.

    So I remember about 12:45 is when we -- we lined up, we linked arms -- 12:25, sorry. And we had a chance before the police decided to make their push -- we had about 15 minutes to kind of converse and I had the chance to speak with four or five officers. I left them know who I was, why we were there, what we were doing, the fact that we were peaceful.

    I showed them the photo of my crater of my bomb, just to get them some reference, so that if they did arrest me, and, again, I mentioned to every policeman I talked to, I said,
"If you arrest me, keep in mind I have a really bad back, please." Sorry, if you can repeat the question again? Sorry.

**MR. STEPHEN ARMSTRONG:** Just asking about how you came to be arrested.

**MR. CHRISTOPHER DEERING:** Okay, right. So I had a chance to converse with the police, multiple police. After I spoke with them, they would move down the lines. They didn't want to really have anything to do with me. Finally, there was one member that came up. He didn't know my situation as much. I did have a chance to refresh his -- to give him my reference points, my photo and my story quickly, but about 45 minutes into the pushing, I kind of underestimated the amount of physical toll it would take on my body after 14 years of not being able to do what I could do when I was 20. My muscles and my body was just -- I had given up. I was finished. And the video would show that I succumb, and I gave myself to the police. And as the police took me down, again, he knew, he kneeled me in my side, kicked me in my back. I was laying down. I was in the fetal position on my back. He kicked me in my ankle and my foot. As I was laying down, I had my hands completely up. I'm saying, "I'm very peaceful. I'm peaceful. I'm not resisting." I was then punched four or five times in my head. I had a knee on my back to keep myself down. I was on the ground for one-and-a-half to two minutes. My hands were zip tied. The officers slowly picked me up and then we slowly proceeded to the processing line.

We get to the processing line. The day was minus 20. I had no gloves on. At the beginning of the processing
line, we're standing there, and I had asked -- so and -- sorry, the duration of the processing line was one-and-a-half to two hours, so I was standing there in the cold for two hours. I asked the policeman who was on both sides of me, I said, "Do you mind, you know my conditions, is it okay if I sit or kneel because I'm in chronic pain?" It was obvious. My face was flushed, and I had cried multiple times, and I don't cry ever. I was -- it was the worst pain I had felt since I'd been blown up. The fact that I couldn't sit, or stand was, to me, cruel and unusual punishment. We would go 15, 20 minutes without even moving.

I also asked if I could have my medication, in which I had my prescription and my medication on my person, so that if I needed it, I could ask. I asked, and I was denied my medication to comfort my duress.

We finished the processing line after about two hours. Police took my -- on the whiteboard they put down my name, they took my photo. They then placed me in the back of the squad car. They read me what I was being charged with, which was mischief -- public mischief and -- sorry, I'm forgetting the other one. Public mischief and -- sorry, one minute.

MR. STEPHEN ARMSTRONG: Take your time.

MR. CHRISTOPHER DEERING: Public mischief and ---

MR. STEPHEN ARMSTRONG: It's okay, Mr. Deering.

Your statement is in the record, so if I could actually move you back in time. What were you and your group doing just before you were arrested? What activity were you taking part in?
MR. CHRISTOPHER DEERING: So we were -- again, we were linking arms. We were standing. We were not moving. We were not progressing, moving forward. We were telling the cops what they were doing was -- it was unlawful order. We had every right to be there under our Charter of Rights and Freedoms to peacefully protest, which we were doing. They had no right to do what they did.

MR. STEPHEN ARMSTRONG: And at any time, either before you were arrested or after, were you given the option to go to another place in Ottawa to protest?

MR. CHRISTOPHER DEERING: No.

MR. STEPHEN ARMSTRONG: Okay. Ms. Hope-Braun, I think as we said earlier, I understand you were protesting on February 19th ---

MS. MAGGIE HOPE-BRAUN: Yes.

MR. STEPHEN ARMSTRONG: --- in Ottawa? Where was that protest that you participated in?

MS. MAGGIE HOPE-BRAUN: It was all -- I guess at that point, we couldn't really go past Chateau Laurier, so I, for the most part, spent most of the protest up on Wellington, right in front of the Parliament building. I did walk around and see the sites a little bit, but that day, it was from Chateau Laurier to down Wellington, and then I was arrested when they had cleared Wellington and protesters were then on the side streets, so I was on O'Connor at that point.

MR. STEPHEN ARMSTRONG: And were you told before, or any point that day, or before or after your arrest that you were not allowed to be where you were?
MS. MAGGIE HOPE-BRAUN: Not -- no, not in that effect, no. There was -- no. The -- obviously, we got the sense that we weren't welcome there, but I wasn't directly told that I wasn't allowed to be there and -- in that way, that it wasn't lawful for me to be there.

MR. STEPHEN ARMSTRONG: What gave you the sense that you weren't welcome there?

MS. MAGGIE HOPE-BRAUN: The massive amount of police and their presence was taking over the city it seemed, so it -- and the news media, and Justin Trudeau's words and, you know, more that I wasn't welcome there, not that it -- I shouldn't -- that it was not lawful for me to be there. I believed it was lawful for me to be there, and I didn't hear otherwise.

MR. STEPHEN ARMSTRONG: And either before or after your arrest, were you given the opportunity or were you told about any kind of place you could go in Ottawa to peacefully protest?

MS. MAGGIE HOPE-BRAUN: No, there was no place provided or planned for us to go. And not only that, but afterwards, people were still coming from across the country, and places like Arnprior, they were assembling there, and the owner of that property was threatened with fines if he didn't have us disperse. So it wasn't even that we weren't welcome in Ottawa. We weren't even welcome to assemble an hour outside of Ottawa. So it extended beyond that red zone, in my opinion, in my experience.

MR. STEPHEN ARMSTRONG: And how did you come to
be arrested? Can you tell us about that?

MS. MAGGIE HOPE-BRAUN: So when police had effectively removed everyone from Wellington Street, they had all the streets with the trucks on them at this point, and I was on O'Connor and I had a bit of hope that they would stop there because we were remaining peaceful as protesters. We were there from all over the country. And there was a man who had the Charter of Rights, or I guess it was the Bill of Rights. It was a document. They look the same and they both represent human rights, and -- and so I took three copies of that. And there was three different police units it seemed. They had different types of uniforms, so they appeared to be -- so I spoke to each unit, and I said, "You may have been able to justify this up until this point, but if you keep moving forward and you -- onto the people, because we're just the people now, that you have the trucks, you will be trampling our Charter of Rights with your boots." And I put it down in front of each one of them, and I -- in the middle of the street, I knelt down, and in front of the Charter, and I told the police officers that if they move forward, I'm willing to not resist arrest and I won't move, at that point. So but that was my line in the sand so, yeah.

MR. STEPHEN ARMSTRONG: And just coming back to Mr. Deering, you had mentioned just before your arrest, you'd said something about an unlawful order. I just wanted you to clarify what you -- what were you referring to? What was the unlawful order? Take your time.

MR. CHRISTOPHER DEERING: Can you repeat, sorry?

MR. STEPHEN ARMSTRONG: Sorry?
MR. CHRISTOPHER DEERING: Can you repeat the question again, sorry?

MR. STEPHEN ARMSTRONG: You had mentioned an unlawful order, and I just wanted you to clarify what you were referring to.

MR. CHRISTOPHER DEERING: Sorry, I'm just having a bit of a brain fog at the moment.

MR. STEPHEN ARMSTRONG: So I think the context was I had asked you why you were there and you said that you were there -- well, I don't want to put words in your mouth, but I understood it to be sort of in defiance of an unlawful order, or you weren't leaving because of an unlawful order?

MR. CHRISTOPHER DEERING: From what I understand of the mandate is just -- it's just that, it's a mandate. It's not a law, we didn't vote on it; people didn't want it. It was pushed upon us, and I felt it was unlawful.

MR. STEPHEN ARMSTRONG: And what is the mandate?

MR. CHRISTOPHER DEERING: The mandate was the -- it was the Emergencies Act; sorry.

MR. STEPHEN ARMSTRONG: And for the panel, can you just tell us what was the impact (indiscernible)

MR. CHRISTOPHER DEERING: Sorry; was that for -- sorry; could you say it again? Was that for me?

MR. STEPHEN ARMSTRONG: We'll put it that what was the impact of these events?

MR. CHRISTOPHER DEERING: Of the impacts of these...?

MR. STEPHEN ARMSTRONG: On you personally.
MR. CHRISTOPHER DEERING: For the past two years?

MR. STEPHEN ARMSTRONG: Sorry; on -- the events

in Ottawa.

MR. CHRISTOPHER DEERING: In the events in

Ottawa. Sorry; I just need a minute.

MS. MARGARET HOPE-BRAUN: So for me, the impacts

where I was already -- I’ve always been concerned about our
government overreach, and we have to keep an eye on our
government. That’s what our duty, as people -- the citizens of
the country are, is to be politically active and involved and
aware of what’s going on. And over the years I’m just
increasingly starting to lose faith in the institutions and
what, you know, we say is -- we are Canadian, we’re a democracy;
we attract people from all over the world because this is a
place where we have rights and freedoms. And to me it -- the
impact was that 00 it was evident to me in a very clear way, and
seen among the entire world, that the Canadian government is not
acting on the -- is not -- this is my opinion, obviously, not
acting according to what we mandated it to -- what -- it’s not
protecting us, it’s not upholding its job. It’s not doing its
job.

And, to me, it just broke any allusion of that.

And at the same time, I think it’s important that we see that,
as Canadians in the world, so that we can fix it, so that we can
make it better. And we need to kind of keep that in check, you
know? It’s the nature of being in a world and -- filled with
people. We have to ---

MR. STEPHEN ARMSTRONG: And ---

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MS. MARGARET HOPE-BRAUN: --- balance it out.

MR. STEPHEN ARMSTRONG: And Mr. Deering did you, did you want to answer that as well?

MR. CHRISTOPHER DEERING: Can you repeat the question one last time? I’m sorry.

MR. STEPHEN ARMSTRONG: I’m wondering what the impact of your experience in Ottawa was and how it ended on you as a person?

MR. CHRISTOPHER DEERING: It’s such a loaded question, I’m sorry, there’s so many emotions going in my head in the last -- the last two years, it’s just been constant persecution after persecution. And I find that when -- the government has a role but when they want to get into your lives and tell you who you can see, when you can see them, and dictate everything about your life, and when they get too intrusive, the overreach for me was just -- it was just too much.

And, again, I just -- I had to be in Ottawa. It was just -- it was my duty; I had no choice.

MR. STEPHEN ARMSTRONG: Yes, Ms. Hope-Braun?

MS. MARGARET HOPE-BRAUN: More personally, the impact for me is -- after speaking to a therapist, just, you know, clear signs of PTSD-like symptoms around what happened. And my whole life was really turned upside down from that time forward, and has impacted my life. It’s a completely different life now, before and after that day, so...

MR. STEPHEN ARMSTRONG: Okay. And I’d just like to close out with the panel. I’m going to ask both of you -- let’s start with Ms. Hope-Braun; is there anything that I didn’t
ask you about that you wanted to say, that we didn’t get to talk about?

MS. MARGARET HOPE-BRAUN: I don’t think so. I’m good, thank you.

MR. STEPHEN ARMSTRONG: Mr. Deering?

MR. CHRISTOPHER DEERING: If I could, I’d like to speak directly to you, sir. I think I’d like to ask you and, as a veteran, I’m asking you that, if this never happens again, you have the power of a whole country behind your opinion. Please use it. Protect the Canadian people from this kind of misbehaviour from this government towards its people ever again, please.

Thank you.

MR. STEPHEN ARMSTRONG: Thank you.

Those are all my questions.

COMMISSIONER ROULEAU: Okay.

I think it’s the Ottawa Police Service, is going to go first.

(SHORT PAUSE)

--- CROSS-EXAMINATION BY MR. DAVID MIGICOVSKY:

MR. DAVID MIGICOVSKY: David Migicovsky; I’m counsel for the Ottawa Police.

Good afternoon, Mr. Deering. Good afternoon, Ms. Hope-Braun.

MR. CHRISTOPHER DEERING: Good afternoon.

MS. MARGARET HOPE-BRAUN: Good afternoon.

MR. DAVID MIGICOVSKY: Mr. Deering, you were looking at a statement that you had in front of you and that’s
the document that’s called, “Canada Freedom Rights Movement Statement - Chris Deering”?  

MR. CHRISTOPHER DEERING: Okay, I don’t remember that; sorry.

MR. DAVID MIGICOVSKY: You have a document in front of you ---

MR. CHRISTOPHER DEERING: These are just my notes, sorry, they’re so I can reference. Because of my traumatic brain injury, I need some things referenced, so...

MR. DAVID MIGICOVSKY: Sure. I just want to see what those notes are. Is it the same as your statement that you were referring to?

MR. CHRISTOPHER DEERING: Yes.

MR. DAVID MIGICOVSKY: Or is that still -- okay.

MR. CHRISTOPHER DEERING: It’s in there, yes.

MR. DAVID MIGICOVSKY: Right. And so what it is, it’s a document -- we can put it up on the screen, but I think that you have it in front of you. It’s called, “Canada Freedom Rights Movement Statement of Chris Deering,” is that right?

MR. CHRISTOPHER DEERING: I’m not sure of that document, sir. I’m going to look, but I don’t recall that.

MR. DAVID MIGICOVSKY: Sure. Have a look at it, and tell me what it says, or if you want to show it to me?

MR. CHRISTOPHER DEERING: Can you repeat the title, please?

MR. DAVID MIGICOVSKY: Sure. It’s called, “Canada Freedom Rights Movement Statement of Chris Deering.” Perhaps we can put it up on the screen so you can ---
MR. CHRISTOPHER DEERING: If you could it on the screen, sir, I would ---

MR. DAVID MIGICOVSKY: Sure, we’ll do that. I can’t recall the number, but I believe ---

THE REGISTRAR: Counsel, if it may be assistance, I believe that’s HRF00001598.

MR. DAVID MIGICOVSKY: Thank you. If you could just put that up so that Mr. Deering could see it?

(SHORT PAUSE)

MR. DAVID MIGICOVSKY: Is that what you had in front of you?

MR. CHRISTOPHER DEERING: Yes. I don’t have that with me, sir, but I have seen it, yes.

MR. DAVID MIGICOVSKY: So sorry; did you have something else with you?

MR. CHRISTOPHER DEERING: Notes, to reference, sir.

MR. DAVID MIGICOVSKY: These are notes that you made; when?

MR. CHRISTOPHER DEERING: Just recently so I can remember; sorry.

MR. DAVID MIGICOVSKY: Okay. Perhaps those notes can be filed at some point as well.

Those are not notes you made at the time of these incidents, right?

MR. CHRISTOPHER DEERING: No, sir.

MR. DAVID MIGICOVSKY: Okay. I didn’t realize, I
thought you had your statement in front of you when you were
testifying, but you had some other notes?

    MR. CHRISTOPHER DEERING: That’s right.

    MR. DAVID MIGICOVSKY: Okay.

Ms. Hope-Braun, I believe your statement also
says at the top of it, “Canada Freedom Rights Movement
Statement”; correct?

    MS. MARGARET HOPE-BRAUN: I don’t recall the very
tops -- top line; sorry.

    MR. DAVID MIGICOVSKY: Perhaps we could call up
Ms. Braun’s statement ---

    MS. MARGARET HOPE-BRAUN: I’m sure -- I’m sure it
is, if that’s what you’re looking at.

    THE CLERK: This is the Hearing clerk, just for
benefit of the record.

    That’s HRF00001606.

    MS. MARGARET HOPE-BRAUN: That’s correct.

    MR. DAVID MIGICOVSKY: That’s your statement as
well; correct?

    MS. MARGARET HOPE-BRAUN: Yes.

    MR. DAVID MIGICOVSKY: And so those statements
say at the top, “Canada Freedom Rights Movement Statements”; who
put that on them?

    MR. CHRISTOPHER DEERING: I’m not sure.

    MS. MARGARET HOPE-BRAUN: I’m not sure.

    MR. STEPHEN ARMSTRONG: I, if I can answer ---

    COMMISSIONER ROULEAU: No. Don’t worry, that’s
questioning, cross-examination.
Go ahead.

MR. DAVID MIGICOVSKY: You don’t know?

MS. MARGARET HOPE-BRAUN: I would imagine it would be the lawyers that were taking our statements.

MR. DAVID MIGICOVSKY: Those would be the convoy organizer lawyer?

MS. MARGARET HOPE-BRAUN: I don’t believe so, no.

MR. DAVID MIGICOVSKY: Okay.

It wasn’t any of the people at this table, was it?

MS. MARGARET HOPE-BRAUN: I was speaking to them on the phone, so I’m not sure.

MR. DAVID MIGICOVSKY: Right.

MS. MARGARET HOPE-BRAUN: I couldn’t see them.

MR. DAVID MIGICOVSKY: Who gave you the statement?

MS. MARGARET HOPE-BRAUN: Pardon?

MR. DAVID MIGICOVSKY: Who prepared this statement, ---

MS. MARGARET HOPE-BRAUN: It was ---

MR. DAVID MIGICOVSKY: --- typed it up and gave it to you?

MS. MARGARET HOPE-BRAUN: I was contacted through the Justice Centre.

MR. DAVID MIGICOVSKY: Right. And so one of the Justice Centre’s lawyers prepared this statement and sent it to you; correct?

MS. MARGARET HOPE-BRAUN: It was basically word
for word of they asked me questions, and I gave a response, and
this is exactly what I said to them on the phone, so yes.

MR. DAVID MIGICOVSKY: And then they gave it to
you, and they typed on it, “Canada Freedom Rights Movement
Statement of Chris Deering and of Maggie Dingman,” the original
ones that -- correct?

MS. MARGARET HOPE-BRAUN: Okay.

MR. CHRISTOPHER DEERING: Sure.

MS. MARGARET HOPE-BRAUN: Yeah, I'll agree with
that.

MR. DAVID MIGICOVSKY: Right. And that's the
same heading that we see on the statements of Tom Marazzo,
Canada Freedom Rights Movements. But you don't know what that
means.

MS. MARGARET HOPE-BRAUN: I do -- I don't know.
I'm not somebody who -- I understand that words can be titles
for things. To me, Canada Freedom Rights Movement are four
words that represent what I believe I'm part of. So I don't
know. It looks like a good heading to me.

MR. DAVID MIGICOVSKY: See, what I'm trying to
figure out is every -- most of the other witnesses here were
interviewed by the Commission and then we have statements that
are on Public Order Emergency Commission letterhead.

MS. MARGARET HOPE-BRAUN: Okay.

MR. DAVID MIGICOVSKY: You were not interviewed
by the Commission’s lawyers to prepare those statements;
correct?

MS. MARGARET HOPE-BRAUN: I was interviewed by a
lawyer who was here working on -- working with the Commission.

So I don't know.

MR. DAVID MIGICOVSKY: These -- you don't remember.

And how about you, Mr. Deering?

MR. CHRISTOPHER DEERING: Everything in this is correct. I wrote everything myself. Again, I do forget also who assisted with me, that's an effect of my traumatic brain injury, I'm sorry.

MR. DAVID MIGICOVSKY: And neither one of you have criminal charges against you; correct?

MR. CHRISTOPHER DEERING: No.

MS. MARGARET HOPE-BRAUN: No.

MR. DAVID MIGICOVSKY: And so you told your story to a -- one of the convoy organiser lawyers; is that right?

MS. MARGARET HOPE-BRAUN: The Justice Centre is who ---

MR. DAVID MIGICOVSKY: The Justice Centre, I apologise.

MS. MARGARET HOPE-BRAUN: --- took mine.

MR. DAVID MIGICOVSKY: And neither one of you, as I understand it, has filed a complaint with the Ottawa Police Service about your arrest.

MS. MARGARET HOPE-BRAUN: Not yet, no.

MR. CHRISTOPHER DEERING: Not yet.

MR. DAVID MIGICOVSKY: And neither one of you has contacted the Crown to say, "Hey, excessive force was used with me"?
MR. CHRISTOPHER DEERING: I have not contacted them, no.

MS. MARGARET HOPE-BRAUN: Yeah, at this point I have tried to contact the government so many times I'm kind of going to, you know -- it's very frustrating. I have spent a lot of time trying to contact government agencies and have assistance, and have not gotten anywhere for many years at this point.

MR. DAVID MIGICOVSKY: And complaints against the police can be filed with an office, a government office called the Office of the Independent Police Review Directorate, or IPRD. Neither one of you filed a complaint with them; correct?

MR. CHRISTOPHER DEERING: No.

MS. MARGARET HOPE-BRAUN: No.

MR. DAVID MIGICOVSKY: And the SIU, that's the Special Investigations Unit, you can investigate situations in which someone says they have been seriously injured by the actions of the police. And so I just want to be clear, there haven't been any complaints or investigations by the SIU have there?

MS. MARGARET HOPE-BRAUN: No.

MR. CHRISTOPHER DEERING: Not to my knowledge.

MS. MARGARET HOPE-BRAUN: Not to my knowledge.

MR. DAVID MIGICOVSKY: And I understand, Mr. Deering, that you have some notes, and you're going to share those notes with me; correct?

MR. CHRISTOPHER DEERING: Sure.
MR. DAVID MIGICOVSKY: Sure. And I understand, Ms. Hope-Braun, you do not have any notes?

MS. MARGARET HOPE-BRAUN: Not here with me, no.

MR. DAVID MIGICOVSKY: And you haven't filed any notes with your lawyers or the Justice Centre, lawyers?

MS. MARGARET HOPE-BRAUN: I provided them with a letter from my chiropractor who spoke to the state my back afterwards. Also, with a trauma specialist, a psychologist, filed a letter from that professional as well. And I believe that's all of the notes that I have provided them.

MR. DAVID MIGICOVSKY: And I didn't see that trauma specialist note ---

MS. MARGARET HOPE-BRAUN: No.

MR. DAVID MIGICOVSKY: --- in the database, but perhaps I missed ---

MS. MARGARET HOPE-BRAUN: I don't think it was submitted. It wasn't.

MR. DAVID MIGICOVSKY: It wasn't.

MS. MARGARET HOPE-BRAUN: No.

MR. DAVID MIGICOVSKY: So you did not give any documentation.

MS. MARGARET HOPE-BRAUN: Yeah.

MR. DAVID MIGICOVSKY: Mr. Deering, I understand from your evidence that you were in Ottawa on February 11th and then returned on the evening of the 17th and 18th?

MR. CHRISTOPHER DEERING: Yes, sir.

MR. DAVID MIGICOVSKY: And at that point the *Emergencies Act* had been passed; correct?
MR. CHRISTOPHER DEERING:  Sure.

MR. DAVID MIGICOVSKY:  And there was an exclusion zone. You knew that; correct?

MR. CHRISTOPHER DEERING:  I did.

MR. DAVID MIGICOVSKY:  You did?

MR. CHRISTOPHER DEERING:  Sure.

MR. DAVID MIGICOVSKY:  And you knew what the newspapers were telling people, not to go there unless you have an exemption ---

MR. CHRISTOPHER DEERING:  I didn't read the newspapers; sorry.

MR. DAVID MIGICOVSKY:  I'm sorry?

MR. CHRISTOPHER DEERING:  I didn't read the newspapers or listen to the news because they were lying constantly. Sorry.

MR. DAVID MIGICOVSKY:  And none of the sources on which you get information were telling you don't go into that zone.

MR. CHRISTOPHER DEERING:  Can you say it again? Sorry.

MR. DAVID MIGICOVSKY:  I'm sorry?

MR. CHRISTOPHER DEERING:  Can you say it again?

Sorry, I just ---

MR. DAVID MIGICOVSKY:  Yeah. None of the sources from which you get information were telling you don't go in that zone?

MR. CHRISTOPHER DEERING:  Sorry, I'm going to have to ask you to repeat one more time. I'm sorry.
MR. DAVID MIGICOVSKY: That's okay.

Ms. Hope-Braun, you presumably knew that you were
told not to go into that area unless you had specific reasons to
be there?

MS. MARGARET HOPE-BRAUN: That's not what I was
gathering from it, no.

MR. DAVID MIGICOVSKY: It wasn't -- you didn't
turn on the radio, you didn't read any social media, you didn't
go on Facebook?

MS. MARGARET HOPE-BRAUN: I knew that they wanted
to clear the area.

MR. DAVID MIGICOVSKY: Right.

MS. MARGARET HOPE-BRAUN: I was aware of that,
yeah.

MR. DAVID MIGICOVSKY: And you knew that the
Emergencies Act had been passed?

MS. MARGARET HOPE-BRAUN: Well, they were still
debating it in the house the day that I was arrested. So I
wasn't really ---

MR. DAVID MIGICOVSKY: What day were you
arrested?

MS. MARGARET HOPE-BRAUN: On the 19th.

MR. DAVID MIGICOVSKY: Yeah. The Emergencies Act
had passed.

MS. MARGARET HOPE-BRAUN: Okay, it passed, but it
was still being debated, and it hadn't passed the Senate.

MR. DAVID MIGICOVSKY: And so both of you, you
were in the area, you did not live in the area, you were not on
your way to an appointment; correct?

MR. CHRISTOPHER DEERING: No.

MS. MARGARET HOPE-BRAUN: No. I had a hotel, though, booked. So I was...

MR. DAVID MIGICOVSKY: And you both, I believe, fell to your knees and refused to move while the police operation was being carried out; correct?

MR. CHRISTOPHER DEERING: No, that's incorrect. I was pulled down and beaten. Sorry.

MR. DAVID MIGICOVSKY: I'm sorry, I didn't hear you. I apologise.

MR. CHRISTOPHER DEERING: Sorry. I said I was pulled down. I was not on my knees. I was pulled down and beaten. Sorry.

MR. DAVID MIGICOVSKY: Right. You were on your knees and you refused to move.

MR. CHRISTOPHER DEERING: No, I was standing up. Sorry, I was pulled down.

MR. DAVID MIGICOVSKY: And Mr. Deering, you indicated that one of the police officers even told you to hide.

MR. CHRISTOPHER DEERING: That's correct.

MR. DAVID MIGICOVSKY: So he gave you some advice, and in spite of that you stayed there.

MR. CHRISTOPHER DEERING: That's correct.

MR. DAVID MIGICOVSKY: And in fact, you wanted -- you believed as a veteran you should put yourself in the way of other protesters because veterans are better able to withstand what was about to come you said?
MR. CHRISTOPHER DEERING: I wouldn't say better able, I just said we're more accustomed to it. Most civilians are not ready to be beaten. I was ready for it.

MR. CHRISTOPHER DEERING: It was me who was on the knees.

MR. DAVID MIGICOVSKY: I'm sorry.

MS. MARGARET HOPE-BRAUN: Sorry.

MR. DAVID MIGICOVSKY: And you were on the road, Mr. Deering; correct?

MR. CHRISTOPHER DEERING: At what time?

MR. DAVID MIGICOVSKY: Yes.

MR. CHRISTOPHER DEERING: I was on the road. What's the question?

MR. DAVID MIGICOVSKY: You were on the road when you were arrested?

MR. CHRISTOPHER DEERING: I was on the road?

MR. DAVID MIGICOVSKY: Yes.

MR. CHRISTOPHER DEERING: That's hard to say. There was a lot of snow, so I don't know where I was, on the grass, on the road, I'm not sure.

MR. DAVID MIGICOVSKY: And so were you, Ms. Hope-Braun, weren't you?

MS. MARGARET HOPE-BRAUN: Everyone was on the road, yeah.

MR. DAVID MIGICOVSKY: Right. And so you understand you're obstructing a roadway; correct?

(LAUGHTER/RIRES)

MS. MARGARET HOPE-BRAUN: No, the big ---
COMMISSIONER ROULEAU: Please, if I could ask everyone to not act out, that would be appreciated. We're trying to keep this civilised.

Go ahead, I'm sorry.

MS. MARGARET HOPE-BRAUN: Everyone was obstructing a roadway that day.

MR. DAVID MIGICOVSKY: So everyone, all of the protesters who were arrested were obstructing a roadway; correct?

MS. MARGARET HOPE-BRAUN: And the police were also obstructing the roadway ---

MR. DAVID MIGICOVSKY: Yeah.

MS. MARGARET HOPE-BRAUN: --- if you think of it ---

MR. DAVID MIGICOVSKY: Right.

MS. MARGARET HOPE-BRAUN: --- like that.

MR. DAVID MIGICOVSKY: And there were also announcements made in both official languages telling people to move?

MS. MARGARET HOPE-BRAUN: Yeah.

MR. CHRISTOPHER DEERING: I didn't hear that.

MS. MARGARET HOPE-BRAUN: I did.

MR. DAVID MIGICOVSKY: And you were there, Mr. Deering, you said 15 minutes before and you saw the police were looking violent and aggressive, you said, and so you decided to stay on that roadway; correct?

MR. CHRISTOPHER DEERING: Absolutely.

MR. DAVID MIGICOVSKY: And you're both aware, I
take it, I'm just going to finish off, that there is an online fundraising campaign for both of you run by a group called Café?

MR. CHRISTOPHER DEERING: Not aware of that until just now.

MR. DAVID MIGICOVSKY: A Derek Sloan. He's actually sitting in the audience.

MR. CHRISTOPHER DEERING: Okay.

MS. MARGARET HOPE-BRAUN: That's wonderful.

Okay.

MR. DAVID MIGICOVSKY: You're aware of that?

MR. CHRISTOPHER DEERING: I am now.

MS. MARGARET HOPE-BRAUN: I am now, and I will be happy to ---

MR. DAVID MIGICOVSKY: And in fact, I see on that fundraising that he is fundraising for Chris Barber, Maggie Dingman, Brigitte Belton, Chris Deering, Danny Bulford and Tamara Lich.

You know all of those people; correct?

MS. MARGARET HOPE-BRAUN: I have only just met them here.

MR. DAVID MIGICOVSKY: Did you see Mr. Sloan today?

MS. MARGARET HOPE-BRAUN: I do, yeah.

MR. DAVID MIGICOVSKY: Right. And in order to benefit from that fundraising, I take it it’s important that you tell the story that you just told; correct?

MS. MARGARET HOPE-BRAUN: I’m not sure. Sorry. Can you -- benefit from? Can you say that again?
MR. DAVID MIGICOVSKY: In order to benefit from that fundraising, it’s important that you tell the story that you’ve just told; correct?

MS. MARGARET HOPE-BRAUN: I’m sorry. I’m not really very familiar with what you’re speaking to right now. Everything’s happening very fast, so I’m ---

MR. DAVID MIGICOVSKY: Mr. Sloan is associated with the Ontario Party.

MS. MARGARET HOPE-BRAUN: I understand, yeah.

MR. DAVID MIGICOVSKY: Right.

Okay. Thank you very much. I have no further questions.

Thank you both.

MR. CHRISTOPHER DEERING: Thank you.

MS. MARGARET HOPE-BRAUN: Thank you.

COMMISSIONER ROULEAU: Okay. Next are the Convoy Organizers.

--- CROSS-EXAMINATION BY MS. BATH-SHEBA VAN den BERG:

MS. BATH-SHEBA VAN den BERG: Good afternoon, Mr. Commissioner. Good afternoon, Chris and Maggie. My name is Bath-Sheba Van den Berg, and I’m counsel representing Freedom Corp and the protestors.

I’d like to start by asking you, Chris, a few questions about what happened to you on that Friday, February the 18th, 2022.

I understand that you were wearing your medals when you were arrested. Is that correct?

MR. CHRISTOPHER DEERING: I was.
MS. BATH-SHEBA VAN den BERG: And did they get damaged when you were arrested?

MR. CHRISTOPHER DEERING: They did. The first 20 minutes I had my medals on my jacket and with the shoving with the police, at one point one of my medals, my Queen Jubilee medal, broke off and I lost it.

MS. BATH-SHEBA VAN den BERG: Could I call up HRF00001566?

MR. DAVID MIGICOVSKY: Just to perhaps -- there are a lot of documents, obviously.

David Migicovsky, sorry, for the Ottawa Police. Perhaps before my friend introduces one of the documents she could just confirm whether it was something that was uploaded last night for the first time. I know there are seven videos that were sent to me last night that were not on the system, so if we could just indicate for the record whether that is one of those documents because I may have a specific objection to that.

COMMISSIONER ROULEAU: Okay. Given the late disclosure, apparently, could you make sure you tell us beforehand what it is we’re going to just so we can -- if there are problems, we can outline them in detail.

MS. BATH-SHEBA VAN den BERG: Yes, Mr. Commissioner.

I can confirm to my friend that I’m going to refer to a video that was presented in the document list by the Commission. And it is a video of the arrest of Chris Deering.

MR. DAVID MIGICOVSKY: And just so that we’re
clear, that would be what was produced in the last couple days; correct?

MS. BATH-SHEBA VAN den BERG: No, it was produced a while ago, my friend, and it was produced as part of the list by the Commission.

MR. DAVID MIGICOVSKY: We’ll address that later.

Thank you.

MS. BATH-SHEBA VAN den BERG: Thank you.

Mr. Cler, the numbers again for this video are HRF -- thank you.

(AUDIO/VIDEO PLAYBACK)

MS. BATH-SHEBA VAN den BERG: We can pause the video. Thank you.

Chris, can you confirm that that is you that’s being thrown to the ground and beaten by the police?

MR. CHRISTOPHER DEERING: Yes, it is.

COMMISSIONER ROULEAU: I’m not sure about that question. Let’s be a little careful with how we do that, please.

MS. BATH-SHEBA VAN den BERG: Can you confirm that’s you, Chris?

MR. CHRISTOPHER DEERING: Excuse me?

MS. BATH-SHEBA VAN den BERG: Can you confirm that is you in the video?

MR. CHRISTOPHER DEERING: It is me.

MS. BATH-SHEBA VAN den BERG: Thank you.

Now I’d like to ask you, Maggie, a few questions about what happened to you on Saturday, February the 19th, 2022.
And I’d like to bring up a document -- now, this is a video that I did disclose yesterday and it’s a video of the -- rather, is a photo. It’s a photo of when Maggie was kneeling in front of the police.

**MR. DAVID MIGICOVSKY:** David Migicovsky for the Ottawa Police.

For the reasons I’ve already articulated, that should not be allowed. These are things that should have been disclosed long ago and we’ve had no -- I get it sometimes things come up at the last minute, but we’ve had no explanation for why this was not disclosed.

**COMMISSIONER ROULEAU:** Okay. Well, let’s see what the -- if it’s just a photo of the -- of Ms. Hope-Braun kneeling -- is that all it is?

**MS. BATH-SHEBA VAN den BERG:** That’s all it is, Mr. Commissioner.

**COMMISSIONER ROULEAU:** Okay. I’m not sure what the prejudice would be, but let’s go ahead.

**MS. BATH-SHEBA VAN den BERG:** And the number -- the number for that photo is HRF00001612.

Just confirming to the right in the green jacket, that’s you kneeling?

**MS. MARGARET HOPE-BRAUN:** Yes, and the Charter is in front of me and there are several people also kneeling and praying.

**MS. BATH-SHEBA VAN den BERG:** Thank you.

**MS. MARGARET HOPE-BRAUN:** Or doing however they’re -- yeah.
MS. BATH-SHEBA VAN den BERG: Okay. Now, I’d like to call up a video, and this is a video of the arrest of Maggie. And she spoke about it and I think it is important, Mr. Commissioner, that everyone here sees it.

It’s simply a video of what she already described and put into evidence.

MR. DAVID MIGICOVSKY: David Migicovsky for the Ottawa Police.

I understand that is one of the videos that was disclosed last night as well.

MS. BATH-SHEBA VAN den BERG: That’s correct. And it’s also a video that was available to the public at large via the newspapers.

COMMISSIONER ROULEAU: And can you, for the record, explain why it is these things weren’t disclosed till last night?

MR. BRENDAN MILLER: Sir, if I may. Unlike some of the institutional individuals and representations here, we, of course, have no control over witnesses. They approach us. We get put in contact with them.

It’s -- we get the evidence when we get the evidence and we put before you as quickly as possible. These witnesses have no connection to our process as a party. They were folks that were heard about and were asked to put in contact with. That’s how that works, sir.

It just, unfortunately, didn’t happen until, I believe, we even got here in Ottawa, sir.

COMMISSIONER ROULEAU: I’m sorry. I wasn’t --
maybe I missed it.
Are you saying you didn’t get this video till yesterday?

MR. BRENDAN MILLER: I understand that there was essentially -- maybe Ms. Van den Berg can explain the background, but at the end of the day, I think we provided it as soon as we could. We didn’t have reference to it per se.
I’ll let Ms. Van den Berg speak to it.

MS. BATH-SHEBA VAN den BERG: Yes, Mr. Commissioner, that’s correct, is I did only have notice of it yesterday and I tried my very best to share it with everyone as soon as possible.

COMMISSIONER ROULEAU: Okay. Well, let’s have a look at it and see where we go.

MS. BATH-SHEBA VAN den BERG: Thank you, Mr. Commissioner.
The numbers for this video are HRF00001614.
And Mr. Clerk, I’m going to ask you to pause at two seconds, so to play the video and then pause at two seconds.

(AUDIO/VIDEO PLAYBACK)

MS. BATH-SHEBA VAN den BERG: Thank you.
Maggie, can you confirm that that is you in the green jacket and the blue toque?

MS. MARGARET HOPE-BRAUN: It’s me.

MS. BATH-SHEBA VAN den BERG: Thank you.
Do you agree that the meaning -- because I’m going to go into -- we’re going to -- actually, just let’s continue playing the video.
(AUDIO/VIDEO PLAYBACK)

MS. BATH-SHEBA VAN den BERG: Right. Do you agree that that appears to be a snatch-and-grab method — snatch-and-grab meaning ---

COMMISSIONER ROULEAU: All right.

MS. BATH-SHEBA VAN den BERG: --- snatching grabbing ---

COMMISSIONER ROULEAU: Firstly, this is -- this is a little bit leading, which I don’t think you’re entitled to do.

Number two, I’m not sure this is a witness who can talk about police tactics and I think now you’re getting into something that’s a bit unfair.

So I mean, you don’t have much time. In fact, you’re — you have one minute left, so you might want to use it more appropriately.

MS. BATH-SHEBA VAN den BERG: I would like to call up another video, unless I’m going to get objected to and lose another minute of my time. It’s a video of Maggie being arrested.

COMMISSIONER ROULEAU: I’m not sure this is really very relevant to what I have to decide, how the arrests were actually carried out and whether there were ---

MS. BATH-SHEBA VAN den BERG: Okay.

COMMISSIONER ROULEAU: --- no complaints. Now, if that’s how you want to use your last minute, I’m prepared to have a look at it.

MS. BATH-SHEBA VAN den BERG: I did want to ask a
question for the both of you, just to confirm that after you
were arrested, that you were driven outside the Ottawa City core
and told by the police that you ---

COMMISSIONER ROULEAU: Once again, that’s leading
for a phase you’re not supposed to be leading your witness.

MS. BATH-SHEBA VAN den BERG: We you were driven
outside of the ---

COMMISSIONER ROULEAU: That’s ---

MS. BATH-SHEBA VAN den BERG: Sorry.

COMMISSIONER ROULEAU: If you want to ask, the
way to ask I’m happy to assist. It’s you ask, “How did it, how
was it that, what proceeded after you were arrested? Where were
you taken?”

MS. BATH-SHEBA VAN den BERG: Chris, ---

COMMISSIONER ROULEAU: So ---

MS. BATH-SHEBA VAN den BERG: --- can you tell us
what proceeded after you were arrested?

MR. CHRISTOPHER DEERING: I believe last we time
we spoke, so when the processing line was finished, after the
two hours of standing in the freezing cold, not able to sit or
kneel, and denied my medication again, I was then -- I had my
information taken, I was then placed in the back of a squad car.
They read me what I was being charged with, which was public
obstruction and mischief. So I said I understood.

The police officer then -- the police officer
then left the vehicle for five minutes. He came back and he
said, “Well, today’s your lucky day. You’re not being charged.”
I said, “That’s great.” I said, “Can I know what’s -- why that
changed?” He said, “No, you don’t need to know that.”

So at that time, I felt that it was my understanding that I’m free to go because I’m not being charged with anything. Then the next five, 10 minutes they put me in a paddy wagon with no direction. They didn’t say, “Go in here.” So, again, I mean, I had no choice. I go in the paddy wagon. I’m there for 25 minutes. I don’t know where I’m going, don’t know how long I’m there.

Eventually, the paddy wagon does fill up over the next couple of hours. Then they drive us around for approximately half an hour to 40 minutes. It was very hard to tell because there’s no windows, of course, in the paddy wagon; you know, there’s no concept of time.

They then drove us to a Public Works building that was 10.2 kilometres away from Parliament Hill. When they let us out of the paddy wagons, they gave us our possession back. They gave us no paperwork. The police officer came out and he gave us a stern warning and said, “You don’t come back to Ottawa, or you’ll be charged.”

They gave us all our possessions back and -- sorry; most of us, due to the cold, our cell phones had died. No-one had any money; no-one had any masks. We couldn’t go into the building to make a phone call. So we were stranded. So we were forced to walk to a Wendy’s that was -- and I forget the approximate distance; we had to walk from that Public Works building in the snow, in the freezing cold to a Wendy’s. I had a called a friend that I had just met prior the night -- on the 17th, I met someone for five minutes and he said, “If you need
anything in Ottawa...” And this is the type of people we met in Ottawa. I met him for two minutes, five minutes, and he said, “If you need anything, you call me and I’ll pick you up right away,” and whatever. And he did exactly that.

I picked him up -- I called him at Wendy’s, I said, “Can you please us up? We have no money. We have no means. We don’t know where we are, we’re not from Ottawa.” It was just -- I never thought that I would get dumped out of the seat like trash by my -- by the police. It was ---

MS. BATH-SHEBA VAN den BERG: And Mr. Commissioner ---

COMMISSIONER ROULEAU: You’re way over your time.

MS. BATH-SHEBA VAN den BERG: Thank you. I was just going to ask if the same thing had happened to Maggie, just to confirm.

MS. MARGARET HOPE-BRAUN: I’ll be very brief. So when -- after I was behind the police line -- it’s all in my statement, that’s fair, but I was thrown to the ground and there was a lot of weaponry around, and I looked up and there was a gun pointed, it appeared to be, at my head.

And from there, I was taken outside the city and dropped off. And again I was at a towing -- place where they were towing the trucks and there was no shelter; there was no place to plug in your phone. There was nothing. And, thankfully, people came and got us, so yeah.

MS. BATH-SHEBA VAN den BERG: Thank you.

COMMISSIONER ROULEAU: Okay, thank you.

MS. BATH-SHEBA VAN den BERG: Thank you.
**COMMISSIONER ROULEAU:** Ottawa Residents Coalition.

**MS. EMILIE TAMAN:** Good afternoon, Commissioner.

--- **CROSS-EXAMINATION BY MS. EMILIE TAMAN:**

**MS. EMILIE TAMAN:** Good afternoon. My name is Emilie Taman; I represent the coalition of Ottawa Residents and Businesses.

And you’ve both described to us, and we’ve heard from other convoy participants, that your experience in Ottawa was generally a positive one?

**MR. CHRISTOPHER DEERING:** It was.

**MS. EMILIE TAMAN:** And that you found it to be a peaceful and loving atmosphere when you attended the convoy?

**MR. CHRISTOPHER DEERING:** It was amazing. It was the Canadian spirit.

**MS. MARGARET HOPE-BRAUN:** It was. And even between us and the police, up until those last days, it was a wonderful experience.

**MS. EMILIE TAMAN:** I’m going to ask that a video be pulled up. It’s COA00000135.

And just before we start it, this is a video, a compilation of images that were submitted to the Commission before these proceedings commenced, and for the purposes of the record, the video was accompanied by an affidavit with the number AFF00000002 explaining the origins of each part of the video and where it came from. But generally speaking, I can tell you these are videos that were taken by people in Ottawa during the convoy occupation.
So if we could play that video, and then I would just ask you to reflect on whether it accurately represents what you witnessed while in Ottawa.

[VIDEO PLAYBACK]

COMMISSIONER ROULEAU: Almost out of time.

MS. EMILIE TAMAN: Yes. Okay. Well, I guess we'll leave it there. Could I just ask each of the witnesses one questions, please, Commissioner?

COMMISSIONER ROULEAU: Well, you still have a minute or two.

MS. EMILIE TAMAN: Yeah. No, I understand that. It's been difficult to find an appropriate time to put this video into evidence by virtue of the limitations on cross-examination, so, yeah, if we could just finish it and I would just have one question for them.

(VIDEO PLAYBACK)

MS. EMILIE TAMAN: If we could stop it there.

Thank you.

And I would just ask you, Ms. Hope-Braun, as a mother of two young children, if a spectacle like this was unfolding in your community, in your neighbourhood, in your front lawn, would you feel safe and peaceful?

MS. MAGGIE HOPE-BRAUN: Given the events of the last couple years and the actions of our government, it would actually -- I felt very safe there and ---

MS. EMILIE TAMAN: I didn't ask you though if you felt safe there.

MS. MAGGIE HOPE-BRAUN: Sorry.
MS. EMILIE TAMAN: If this was happening in your neighbourhood in front of your house and you were not a part of this action, would you feel that it was safe and peaceful?

MS. MAGGIE HOPE-BRAUN: Again, I'm just going to say, given the context of the last couple years and the actions of our government, I -- I've -- would take -- be there with that. Yes, if it was outside of my -- if it happened outside of my door and I had people and I hosted people afterwards and ---

MS. EMILIE TAMAN: While your children were trying to sleep? That would be okay with you?

MS. MAGGIE HOPE-BRAUN: I won't deny the fact that that would be -- that there was a lot of energy being brought to Ottawa and ---

MS. EMILIE TAMAN: But I asked if it would be okay with you.

MS. MAGGIE HOPE-BRAUN: It would be okay with me, yeah.

MS. EMILIE TAMAN: Mr. Deering, if that was happening in your community and your front lawn, would that be okay with you?

MR. CHRISTOPHER DEERING: I'd probably join in, yes.

MS. EMILIE TAMAN: Thank you. Those are my questions.

MR. CHRISTOPHER DEERING: You're welcome.

COMMISSIONER ROULEAU: Okay. Next is the Ontario Provincial Police.

MR. CHRISTOPHER DIANA: Thank you, Commissioner.
My questions have already been asked and answered, so I have nothing further.

COMMISSIONER ROULEAU: Okay. Next is Counsel for former Chief Sloly.

MR. TOM CURRY: Thank you, Commissioner. We have no questions. Thank you.

COMMISSIONER ROULEAU: Okay. Democracy Fund, JCCF?

--- CROSS-EXAMINATION BY MR. ROB KITTREDGE:

MR. ROB KITTREDGE: Hi, Mr. Deering and Ms. Braun. I'm Rob Kittredge, Counsel for the Justice Centre for Constitutional Freedoms.

Mr. Deering, I think Counsel for the Ottawa Police Service asked you a question about whether you saw news reports telling you not to come to the protest area after the Emergencies Act was invoked. You replied that you weren't watching the news around that time because the media had been lying about the protest. Do you remember that question?

MR. CHRISTOPHER DEERING: Yes, I do.

MR. ROB KITTREDGE: But you saw news reports about the protest before that time; didn't you?

MR. CHRISTOPHER DEERING: I may have.

MR. ROB KITTREDGE: May have cleared some of my questions, but did you see news reports that lied about or misrepresented the protests?

MR. CHRISTOPHER DEERING: All the time.

MR. ROB KITTREDGE: Did media reports suggest that the protesters were aggressive?
MR. CHRISTOPHER DEERING: They did.

MR. ROB KITTREDGE: Racist?

MR. CHRISTOPHER DEERING: They did.

MR. ROB KITTREDGE: Violent?

MR. CHRISTOPHER DEERING: They did.

MR. ROB KITTREDGE: While you were at the protests, did you see any aggression or violent behaviour from protesters?

MR. CHRISTOPHER DEERING: From protesters or police, sorry?

MR. ROB KITTREDGE: From the protesters.

MR. CHRISTOPHER DEERING: Oh, no, not from the protesters, no.

MR. ROB KITTREDGE: From the police?

MR. CHRISTOPHER DEERING: Lots.

MR. ROB KITTREDGE: Did you see any racist behaviour while you were at the protests?

MR. CHRISTOPHER DEERING: No, it was a diverse culture.

MR. ROB KITTREDGE: Thank you.

Ms. Braun, some media reports and our Prime Minister have suggested that unvaccinated people are often racist and/or misogynist. Could you tell me whether you saw any racism or misogyny from unvaccinated people or anybody else while at the protests in Ottawa?

MS. MAGGIE HOPE-BRAUN: Absolutely not. If anything, if anyone had any of that, there was a lot of healing with that, coming together for freedom, from all over the world.
MR. ROB KITTREDGE: And things were a little bit rushed at the end of your conversation with Counsel for the Convoy Organizers, but you mention in passing that during your arrest a gun was pointed at your head. Can you tell me a little more about that?

MS. MAGGIE HOPE-BRAUN: That's right. So from the video, you saw that I was kneeling down. I had told the officers that I was willing to be arrested and that I would not resist. And at that point, they -- I ended up on the ground with my hands in front of me, and a very heavy knee went into my back, and there was several officers on me. And because I caught my fall with my hands and they wanted my hands behind my back, they kept saying, "Put your hands behind your back," but I couldn't because of the weight. And it took some time, at least a minute, at which point I thought, okay, I'm going to dare look up. And I looked up, and there was a gun right at my head, a long rifle gun.

MR. ROB KITTREDGE: Which end of the gun was pointed at your head?

MS. MAGGIE HOPE-BRAUN: It looked like it was the barrel of the gun.

MR. ROB KITTREDGE: And who was pointing it at your head?

MS. MAGGIE HOPE-BRAUN: It was one of the officers. And I remember it was more beige kind of camo.

MR. ROB KITTREDGE: All right. Well, thank you very much. Those are my questions.

MS. MAGGIE HOPE-BRAUN: Thank you.
COMMISSIONER ROULEAU: Okay. Before I go to Commission Counsel, Ms. Bath-Shéba van den Berg, normally, the Convoy would be last because you're the ones who -- they're your witnesses, so -- which is why you can't cross-examine, but normally, you'd gone last, so since I took you or you were taken out of order, I'll give you a little more time if you would like to wrap up.

Pardon me?

MR. BRENDAN MILLER: If it's okay, I'll just wrap up for Ms. van den Berg.

COMMISSIONER ROULEAU: That's fine.

--- CROSS-EXAMINATION BY MR. BRENDAN MILLER:

MR. BRENDAN MILLER: Okay. Hello?

MS. MAGGIE HOPE-BRAUN: Hello?

MR. BRENDAN MILLER: Okay. And so I just want to ask you a couple of questions about some of your other observations. You saw ---

COMMISSIONER ROULEAU: A short wrap up.

MR. BRENDAN MILLER: Yeah. So you saw the videos that my friend put up on there?

MS. MAGGIE HOPE-BRAUN: Yes.

MR. CHRISTOPHER DEERING: Yes.

MR. BRENDAN MILLER: All right. And she asked you some questions about your opinions on them. Other than those incidents and first it wasn't asked, did you observe those events that were in those videos?

MR. CHRISTOPHER DEERING: Some of them, but not majority of them. That -- there's a lot of streets that I
didn't see so.

MR. BRENDAN MILLER: Right. And two of the
photos in there, one had a Confederate battle flag, the other
had a Nazi flag. Did you see any such flags while you were in
Ottawa?

MR. CHRISTOPHER DEERING: No, never.

MS. MAGGIE HOPE-BRAUN: No.

MR. BRENDAN MILLER: All right. And what, if
any, conversations did you have with other protesters that you
might classify as racist, or misogynist, or any form of things
that you thought were inappropriate? Did you have any such
conversations either of you?

MR. CHRISTOPHER DEERING: Never. It was full of
love, unity and joy. It was the best time after the last two
years that I'd -- that we had had. It was incredible.

MR. BRENDAN MILLER: Did any of them ---

MS. MAGGIE HOPE-BRAUN: I didn't have any ---

MR. BRENDAN MILLER: --- call for the
overthrowing of the Government of Canada by violence?

MS. MAGGIE HOPE-BRAUN: No.

MR. CHRISTOPHER DEERING: No.

MR. BRENDAN MILLER: Did any of them ever call
for violence at all?

MR. CHRISTOPHER DEERING: No.

MS. MAGGIE HOPE-BRAUN: No.

MR. BRENDAN MILLER: Did you see anything with
respect to destruction of property?

MS. MAGGIE HOPE-BRAUN: No.
MR. CHRISTOPHER DEERING: No.

MR. BRENDAN MILLER: Thank you.

COMMISSIONER ROULEAU: Okay. And, Commission Counsel, any re-examination?

MR. STEPHEN ARMSTRONG: No re-examination, Commissioner.

COMMISSIONER ROULEAU: Okay. Well, thank you for your testimony.

MS. MAGGIE HOPE-BRAUN: Thank you.

MR. CHRISTOPHER DEERING: Thank you.

COMMISSIONER ROULEAU: And we're going to be able to take the lunch break for an hour, and we'll come back with our next witness.

Is it -- come back at 2:10.

THE REGISTRAR: The Commission is in recess for one hour. La commission est levée pour une heure.

--- Upon recessing at 1:10 p.m.

--- Upon resuming at 2:11 p.m.

THE REGISTRAR: Order. À l'ordre. The Commission is reconvened. La commission reprend.

MR. JOHN MATHER: Good afternoon, Mr. Commissioner. John Mather, Commission Counsel. The next witness is Jeremy MacKenzie. Mr. MacKenzie will be testifying via video videoconference, so if we could just make sure that Mr. MacKenzie can hear us and that we can hear him?

COMMISSIONER ROULEAU: Can you hear us, Mr. MacKenzie?

MR. JEREMY MacKENZIE: Yes, I can, sir.
COMMISSIONER ROULEAU: Okay. Good. Well, we're ready for your testimony, so we're going to have you sworn, and I see you have Counsel here, so let's -- should we first swear the witness and -- okay.

THE REGISTRAR: Mr. MacKenzie, will you swear on a religious document, or do you wish to affirm?

MR. JEREMY MacKENZIE: I will affirm.

THE REGISTRAR: For the record, please state your full name and spell it out.


--- MR. JEREMY MITCHELL MacKENZIE, Affirmed:

COMMISSIONER ROULEAU: Okay.

--- STATEMENT BY MR. SHERIF FODA:

MR. SHERIF FODA: Afternoon, Mr. Commissioner.

My name is Sherif Foda. I'm Counsel to Jeremy MacKenzie. Mr. MacKenzie was summonsed to testify here this afternoon. His testimony is compelled. I would just like to make clear that he is invoking his protections under the Canada and Ontario Evidence Acts to protect his interests against self-incrimination, and of course, he benefits from the protection of Section 13 of the Canadian Charter of Rights and Freedoms.

COMMISSIONER ROULEAU: Okay. And I will deem that the witness has objected to answer each and every question on the ground that his answers may tend to incriminate him or tend to establish his liability to a civil proceeding at the instance of the Crown or any person but for the Acts you've invoked. Okay? Is that adequate?
MR. SHERIF FODA: Absolutely. Thank you, Mr.

Commissioner.

COMMISSIONER ROULEAU: Okay. So, Mr. MacKenzie, we're ready to go.

Commissioner Counsel, go ahead.

MR. JOHN MATHER: Thank you, Mr. Commissioner.

--- EXAMINATION-IN-CHIEF BY MR. JOHN MATHER:

MR. JOHN MATHER: Good afternoon, Mr. MacKenzie, can you hear me?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: My name is John Mather. I'm one of the Commission Counsel. You are appearing today via videoconference from the Saskatoon Correctional Centre; is that correct?

MR. JEREMY MacKENZIE: That's correct.

MR. JOHN MATHER: And we understand that you're being held in relation to charges in a matter that is unrelated to the protest in Ottawa and Coutts; is that correct?

MR. JEREMY MacKENZIE: That is correct.

MR. JOHN MATHER: The Commission understands that you are from Nova Scotia; is that correct?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And where did you grow up?

MR. JEREMY MacKENZIE: I grew up in Pictou County, Nova Scotia.

MR. JOHN MATHER: And we understand that you were a member of the Canadian Armed Forces?

MR. JEREMY MacKENZIE: That is correct, from 2017
MR. JOHN MATHER: And what rank did you achieve in the Armed Forces?

MR. JEREMY MacKENZIE: I retired as a Master Corporal.

MR. JOHN MATHER: And you have produced a letter through your Counsel to the Commission and it's a letter that you sent to the Senate. Do you know what I'm referring to?

MR. JEREMY MacKENZIE: I believe so, yes.

MR. JOHN MATHER: So if we could pull up JMK00000003?

Mr. MacKenzie, can you first just let me know if you can see the document on the screen and you're able to read what it says?

MR. JEREMY MacKENZIE: Yes, I can.

MR. JOHN MATHER: Okay. Thank you. And is -- this is a letter that's entitled Diagolon's List of Demands to the Canadian Senate. Do you see that?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: Okay, and I'll ask you some questions about Diagolon in a moment.

And can you just confirm for us...

If we can scroll down to the bottom.

...just again for the Commission's benefit, but also potentially yours, we see that it has a signature block for you at the bottom. And there's no signature here. Do you know if you ever signed this letter?

MR. JEREMY MacKENZIE: No, I sent it digitally to
MR. JOHN MATHER: Okay. And do you recall when you sent it to the Senate?

MR. JEREMY MacKENZIE: It was several days before the Emergency Act was revoked by the government approximately --

MR. JOHN MATHER: And sorry, and with the audio I just didn't catch that. Did you say before it was invoked or revoked?

MR. JEREMY MacKENZIE: Before it was revoked by the government, perhaps three days, three, four days.

MR. JOHN MATHER: Thank you.

We can take the letter down.

But Mr. MacKenzie, I'm going to ask you some questions, and if you need to look at the letter just let me know; okay?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: In the letter to the Senate, you describe yourself as a podcaster and a comedian. I take it that's accurate?

MR. JEREMY MacKENZIE: Yes, it is.

MR. JOHN MATHER: And it's the Commission's understanding that you podcast under the name Raging Dissident; is that correct?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: And at one time you had a YouTube channel; is that correct?

MR. JEREMY MacKENZIE: Yes.
MR. JOHN MATHER: And do you know at -- do you know how many followers that YouTube channel had?

MR. JEREMY MacKENZIE: I have had several that have been removed by YouTube for various reasons. Several times it's been 10,000, 12,000. I think the highest may have been 12, 13,000.

MR. JOHN MATHER: And you also have a Telegram channel?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And how many followers have you had? I appreciate you were giving some ranges there on your Telegram channel.

MR. JEREMY MacKENZIE: Roughly, I would say upwards to around 14,000.

MR. JOHN MATHER: And on the YouTube and Telegram channel are you positing under the name Raging Dissident?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: And I understand that you also have an Instagram account using the name Raging Dissident; is that correct?

MR. JEREMY MacKENZIE: Yes, I do.

MR. JOHN MATHER: And are there any other social media that you use?

MR. JEREMY MacKENZIE: Those are the primary -- Rumble as well is another video-sharing website. Primarily those are the ones I use most heavily. I also have a personal page that I typically just use for advertising links and so on on Facebook, Gab, and -- yeah, I believe that's it.
MR. JOHN MATHER: And what's the URL for that personal website?

MR. JEREMY MacKENZIE: My own personal .com website?

MR. JOHN MATHER: Yeah, the one you were just referencing.

MR. JEREMY MacKENZIE: Oh, I have a -- I just have a Facebook page, there's a Rumble website URL, but my personal website is ragingdissident.com.

MR. JOHN MATHER: Thank you. And do you use the messaging service Slack to communicate?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Have you ever used Slack?

MR. JEREMY MacKENZIE: No, I've never heard of it.

MR. JOHN MATHER: In the letter to the Senate, you identify yourself as a founding member of the People's Party of Canada. Is that correct?

MR. JEREMY MacKENZIE: Yes. The -- when the party was stood up it required a certain amount of signatures to register federally, I believe maybe 250, 500, something in that range. Mr. Bernier put out a request for people that wanted to support his platform and see a party created to fill out the form and sign it and mail it into the appropriate address, which I did.

MR. JOHN MATHER: Right. And you describe yourself as an enthusiastic supporter of the party then?

MR. JEREMY MacKENZIE: I wouldn't go as far as
enthusiastic, but I am a supporter, yes.

MR. JOHN MATHER: Okay. So if we could pull up the letter to the Senate again, JMK3, and if we could scroll -- zoom in please. And just give me a moment. And continue scrolling down. Continue scrolling down, please. Stop there.

It says here in your letter, Mr. MacKenzie:

"I am also a founding member of the People's Party of Canada and enthusiastically supported the party through my social media."

So would you at least agree with me that you enthusiastically support the People's Party of Canada through your social media?

Oh. Is the -- it appears we're having some technical difficulties, so if everyone could bear with us for a moment.

MR. JEREMY MacKENZIE: We lost the audio. Hello? I can't hear anything. Hello?

MR. JOHN MATHER: So the technical team said that it'll be five minutes to resolve the issue, Mr. Commissioner.

COMMISSIONER ROULEAU: Okay, we'll take a five-minute break and then come back.

TECHNICAL ISSUES/AUDIO ISSUES)

THE REGISTRAR: The Commission is in recess for 5 minutes, la commission lever pour 5 minutes.

--- Upon recessing at 2:20 p.m.

--- Upon resuming at 2:29 p.m.

--- MR. JEREMY MacKENZIE, Resumed:
THE REGISTRAR: The Commissioned is reconvened.

La Commission reprend.

--- EXAMINATION IN-CHIEF BY. MR. JOHN MATHER, (cont’d):

MR. JOHN MATHER: Mr. MacKenzie, can you hear me right now?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: Okay, thank you, and I can hear you. And apologies for the technical difficulty and I appreciate your patience while we sort it out.

Before we got cut off -- and I’m not sure when you last heard me -- I had asked you whether or not you were an enthusiastic supporter of the Peoples Party of Canada and you suggested it wasn’t necessarily enthusiastic. I had then pulled up the letter that you’d sent to the Senate in which say -- and hopefully you can see it -- that you’re a founding member and you:

"...enthusiastically supported the party through my social media, public speaking, and attending events held by Maxime Bernier as well as personal friends, Mark Friesen and Randy Hillier."

Do you see that?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And so I take it you agree with me that you were an enthusiastic supporter at least to the extent you wrote that in the letter to the senate?

MR. JEREMY MacKENZIE: Correct. I misinterpreted
the question. I thought it maybe, perhaps, meant “at the
current time”. I haven’t been really involved in any party
politics since around this time. And in -- as it pertains to
the letter and “enthusiastically”, I guess I was referring to
throughout the previous federal election that had just
transpired in the fall.

MR. JOHN MATHER: And on your -- and you
mentioned earlier that you are a podcaster. The Commission also
understands that these podcasts are often videotaped as well,
and the video is streamed; is that fair?

MR. JEREMY MacKENZIE: That’s correct.

MR. JOHN MATHER: So it’s not just an audio
format when you talk about a podcast?

MR. JEREMY MacKENZIE: No, it’s both. I usually
extrapolate the audio and then upload it after to several
streaming platforms for typical -- more typical podcasting
consumption.

MR. JOHN MATHER: And on your podcasts, I take it
you -- would you agree that you’re outspoken about your
criticism of the federal government?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: Okay. And you’re also
outspoken about your criticism of the RCMP?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: And you were, as a general
matter, opposed to the Covid-19 public health mandates that were
imposed by the federal government?

MR. JEREMY MacKENZIE: In general, yes.
Mr. John Mather: Okay. And with respect to the RCMP, as I understand it, you’ve been critical of how they handled the mass casualty event in Portapique, NS, in 2020; is that fair?

Mr. Jeremy MacKenzie: Yes, sir. Several days after that event had taken place, I had reached out to some people that I knew in the area and tried to get a sense of -- before I just, you know, started speaking haphazardly without really having any -- you know, as much information as I could. And then I released a video on YouTube which garnered, roughly, anywhere between 500,000 to a million views across various platforms in the following week.

Mr. John Mather: I’m now going to ask you some questions about Diagolon. Again, referring back to the letter you sent to the Senate, you explained to them that Diagolon is a fictional country. Is that -- at least that’s how it -- it’s origin; is that fair?

Mr. Jeremy MacKenzie: Yes, sir.

Mr. John Mather: Right. And from the material the Commission’s reviewed, Diagolon, the origin of it was something you drew on your phone when you drew a line of -- over the continent of North America from the southeast to the northwest of the continent; am I describing that correctly?

Mr. Jeremy MacKenzie: Yes. So the concept was born out of a -- sort a long kind of stream of consciousness. I do a lot of analytical commentary on current events, politics, these kinds of things. At the time, I believe it was January 2021, the -- I observed, as many others had, Mid-Western United
States, Texas, Florida, South Dakota, and so on, Alberta, Saskatchewan, Alaska geographically formed sort of an oblique line that were resistant to or handling the Covid-19 approach in a different way. These are traditionally conservative areas in Canada, Republican in the United States, so we, you know, kind of found it amusing that there was this kind of geographically divide, almost, that you could find on a map and, you know, it became sort of joke that if this was a pretend, you know, a kind of parallel universe, a different world, and so on, and that’s how the concept was born.

The flag you’re referencing is what I created in the weeks following on my phone just as kind of a -- as a mechanism for branding symbolism kind of thing for, you know, community members and it started to become synonymous with myself and the podcast kind of as a -- as I guess a branding mechanism that people would, you know, display and they could buy patches, stickers, and things like this to basically denote that they’re a fan of mine.

MR. JOHN MATHER: So -- and I take it from reading your letter to the Senate and what you just said, you don’t take any issue and you agree that you are associated with Diagolon and the Diagolon flag?

MR. JEREMY MacKENZIE: Yes, it came out of my imaginations, yes.

MR. JOHN MATHER: Yeah, okay. And you talk about -- you mention there -- I think you said it began as a bit of a joke. But as I understand it, that joke has now evolved into an international community of your podcast fans; is that fair?
MR. JEREMY MacKENZIE: Yes. It’s also fairly synonymous with another thing that’s been reference, the, you know, so-called “Plaid Army”, which was several -- me and several other guys were just having a conversation one day and we all had similar shirts on. Someone made a joke about, you know, “What is this, the Plaid Army?” So it was kind of -- that evolved into this. It’s the essentially the same thing. It’s the same group of people and it’s a just, again, kind of branding mechanism, a way for -- to unite community followers and so on.

MR. JOHN MATHER: Right, and you specifically reference in your letter to the Senate that it has created an international community of your podcast fans; is that correct?

MR. JEREMY MACKENZIE: Yes, there are followers and fans in the United States, some in Europe, Australia.

MR. JOHN MATHER: And as I understand from your letter that these -- this community engages in regional meet and greets, barbeques, and family gatherings?

MR. JEREMY MACKENZIE: Yes, correct. Sometime in the summer of 2021, I believe, we tried to host it in -- just, people wanted to come out and have kind of a meet and greet with myself and some other guys, and we had, as I said, a barbeque, you know, had some drinks, the guys were playing guitars, and so on. I observed that there was a few dozen people that came from as far away as British Columbia, Ontario, even in Saskatchewan, and it struck me as in this time of a lot of people feel very isolated and depressed. A lot of them expressed to me how much this meant for them to feel as though they had some kind of
connection and kinship with other people that felt the same way as they did about the future and shared their fears and concerns.

So and I just observed how much it seemed to help them, heal them, and make them happy. So I began what I called a "find your friends" campaign. So I used -- using my online presence and my telegram channel and so on, set up kind of regional areas or chat channels to facilitate my -- I mean, not everyone can come all the way to Saskatchewan from PEI, Newfoundland, or so on. So if there's people that are like minded, that are in your area that share this, they're a fan of my podcast and so on and would like to meet each other and share in this kind of activity, then you can do so this way. I was just trying to create a -- you know, an avenue for them to pursue, and I encouraged people to do that rather than sitting at home looking at their screens and you know, being fed, you know, fear and what I believe is a lot of toxic messaging on the media and television and so on. And I thought it would be good for people to get out and have real, face-to-face human interactions and relationships again. And I thought it would be beneficial to their mental health, and I saw that they would -- there were good things coming from that, so I encouraged people to do so.

MR. JOHN MATHER: And you mentioned a first or an initial barbeque in either the summer of 2020, 2021. After that have you attended personally any of these other meet and greets that you encouraged people to participate in?

MR. JEREMY MACKENZIE: There was one other one in
Saskatchewan that I was present. There was another party sort
of barbeque in Ontario in perhaps April of this year, and there
was another gathering outside the City of Ottawa during the
convoy period of time in February.

MR. JOHN MATHER: And are there other former
Canadian Forces members in the Diagolon community?

MR. JEREMY MACKENZIE: Yes, there are. I've
often incorporated a lot of my commentary, my unique, I suppose
you could say, kind of lived experiences through and true to
military, my -- how I deal with my -- you know, the inherent
trauma and so on that comes with that. It has gathered a -- it
has attracted a fair amount of other veterans and military
personnel because they resonate with the things I'm saying when
they -- I'm speaking to something that they can understand or
identify with, so there is a fair number. I couldn't hazard a
number specifically, but a sizeable portion of the community,
especially early on where other guys that knew me from work or
so on but kind of spread through the areas, because I'm an
outspoken guy, right, and so on.

MR. JOHN MATHER: Do members of the Diagolon
community ever refer to themselves as bigots?

MR. JEREMY MACKENZIE: Yes, they do. This was my
doing to try and kind of take power out of the word, as it was
being used as a slur, as a sign or as a defamatory method
towards people like me and my followers and fans and so on.

So we just kind of adopted it as a tongue in
cheek kind of defiant way of shrugging it off as because it
doesn't bother us that these people are -- you know, actually,
if it doesn’t bother me, it shouldn't bother them and they shouldn't care what, you know, these people think. They should let -- allow them to, you know, attack them this way and get under their skin and make them feel bad just because they are who they are and they like who they like.

MR. JOHN MATHER: So you and your followers were being called bigots? It didn’t bother you and so as a way to show it didn’t bother you, you embraced it and identify yourselves now as bigots?

MR. JEREMY MACKENZIE: In a tongue in cheek kind of sarcastic tone, yes.

MR. JOHN MATHER: And is that sort of tongue in cheek sarcastic tone consistent with the sort of comedy that you perform on your podcasts?

MR. JEREMY MACKENZIE: I would say yes, I'm a fairly sarcastic person, yes.

MR. JOHN MATHER: And we already -- you already mentioned the Diagolon symbol or flag, and I'm going to pull it up just to confirm everyone can see what we're talking about.

If we can pull up COM906?

And again, Mr. Mackenzie, at any time, if you can't see anything that I put up on the screen, just let me know.

MR. JEREMY MACKENZIE: Okay.

MR. JOHN MATHER: So is that you in this photograph that’s on the screen?

MR. JEREMY MACKENZIE: Yes, it is. This was at one of the gatherings, I believe, outside Ottawa, sometime in
February. This is a still image from a video that was taken. I was standing on top of a table addressing the people that had arrived and attended and was just simply thanking them for showing up and encouraging them to keep taking care of each other and you know, I hope you had a good time, and so on.

MR. JOHN MATHER: And fair to say that the flag in the background, that’s a Diagolon flag?

MR. JEREMY MACKENZIE: Yes.

MR. JOHN MATHER: Okay. And the Commission understands that on February 15th, 2022, you said in a video that you could not wait until that flag is seen as a -- or is described as a hate symbol? Do you know what I'm talking about?

MR. JEREMY MACKENZIE: Yes. Again, I was being kind of tongue in cheek, in a way, because the people that I believe are deciding what is and what is not is a hate symbol are incredibly disingenuous and you know, kind of smear merchants.

It was -- would have been kind of a gotcha trophy over them, not as actually in a serious manner displayed as a hate symbol, but more of an achievement that kind of lured them in more to focus on myself.

MR. JOHN MATHER: And do you see -- and I take it then, that this is another sort of part of your comedy, wanting this to be called a hate symbol?

MR. JEREMY MACKENZIE: Yes. It's because it's again, no one in my community would be surprised to hear me saying these things, and it certainly isn't a symbol of hatred, but we find it amusing that our, I guess enemies, if you could
say, do believe this and believe these absurd claims of ours, and it's just kind of an inside joke at this point.

**MR. JOHN MATHER:** You sell Diagolon merchandise; is that right?

**MR. JEREMY MACKENZIE:** I personally -- I have a shop that has just recently gone online in the past two or three months. Previously, other friends of mine offered, like, the flags, for example, another man was selling patches he was making at cost just to help promote community visibility and give people something to -- I thought it would be nice if some people had something to hold in their hand and kind of have them -- bring them some attachment and just something for them to enjoy in this way.

**MR. JOHN MATHER:** So the people who were selling the merchandise, they were friends of yours?

**MR. JEREMY MACKENZIE:** Yes.

**MR. JOHN MATHER:** They sold it with your approval?

**MR. JEREMY MACKENZIE:** Yes, they did.

**MR. JOHN MATHER:** And they are also part of the Diagolon community?

**MR. JEREMY MACKENZIE:** They would likely identify as fans of mine, and yes. However, as you can probably observe, it's not a particularly complicate thing to reproduce, so I don't -- it's not a copyrighted symbol by any means. There's no real official ownership to it as of yet, so people would just approach me and -- of their own voluntary intention, and ask like, "Hey, do you mind if I make this or make that and sell
"This," you know, whoever.

I would say, "No, go ahead. If it gives you something to do, if you can make a few dollars from it and it helps you, then by all means."

MR. JOHN MATHER: Right. It's not a nuanced symbol, is it, in terms of its design?

MR. JEREMY MACKENZIE: No, it's essentially just a black square and I used my finger on my phone to do this about three times with a white paint maker selection, and as you can see, it's kind of an irregular -- it's not perfectly straight lines. They're kind of irregular and it's basically just my finger doing this a couple of times. And I sent that image fill off to be produced further.

MR. JOHN MATHER: So if someone wanted to show themselves as someone who supported your podcasts or supported the Diagolon community, it would be fairly easy for them to replicate the Diagolon flag; is that fair?

MR. JEREMY MACKENZIE: I would assume so, yes. It's not difficult to -- it looks fairly simple.

MR. JOHN MATHER: So Mr. Mackenzie, I think what I'm about to say will not come as a surprise to you, but in fairness, I want to ask you some questions about it.

The RCMP has described you in documents the Commission has received -- sorry, I should step it back -- the RCMP has described Diagolon let me be specific, has described Diagolon as a militia-like network with members that are armed and preparing for violence. The RCMP has also described Diagolon as having supporters that express sentiments akin to
accelerationism, viewing a coming collapse or civil war as necessary to right the course of the country.

In your letter to the Senate, you denied those sorts of allegations. Is that fair?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: Yeah. And in the letter to the Senate, you said that you are under RCMP scrutiny because of the criticisms that you’ve made about the RCMP and as I understand reading your letter, but please correct me if I’m wrong, I understand it -- I understand you to be saying that the RCMP sort of is looking at you closely because of the way you criticized them and that’s why they’re saying these sorts of things about you.

MR. JEREMY MacKENZIE: That is my personal belief, yes.

There is a -- many, many of the followers in the vans and so on are, you can say, conservative Canadians. There’s an aspect of, you know, firearms, supporting recreational culture and stuff, especially in western Canada, but there’s certainly not anything resembling a militia, right, to this extent.

MR. JOHN MATHER: Moving away from what the RCMP says about Diagolon, I appreciate you wouldn’t have been able to watch the testimony, but we had Superintendent Patrick Morris, who is the head of the OPP’s Intelligence Bureau, testify. He’s not a member of the RCMP and he testified at the inquiry that Diagolon is an extremist entity that holds extremist views.

I assume you also disagree with that statement.
MR. JEREMY MacKENZIE: Yes, sir. It’s my, again, belief and assertion that much of this narrative is coming from certain actors and members of the media. The Canadian Anti-Hate Network and so on has Astro-turfed and kind of laid the foundation of this -- this idea. They’ve been certainly paying me a lot of attention over the past few years and through personal disclosure documents of mine through various legal proceedings, it’s been revealed that the police are actually relying upon articles, if you can call them that, by the Canadian Anti-Hate Network as open source intelligence, so they’re relying upon what these people are saying about me as, you know, taking it at face value.

MR. JOHN MATHER: But to be fair, Mr. MacKenzie, you don’t know what the RCMP or the OPP are relying on in their entirety when they make these assessments, do you?

MR. JEREMY MacKENZIE: Correct.

MR. JOHN MATHER: I was going to ask you about two terms, one of which was the plaid army, but thank you, you’ve already explained that, so we can save that question. The next term that we’ve seen a reference to is a term that you’ve used sometimes called “the beach”, and it is our understanding, but again, you can correct me if I’m wrong, that when -- sometimes when you reference “the beach”, you’re referencing D-Day in World War II. Is that accurate?

MR. JEREMY MacKENZIE: Yes. It comes from a line in a movie I enjoy, “Saving Private Ryan”. There’s a line in it -- in that film right before the landing craft descend upon Omaha Beach, I believe, where Tom Hanks’ character says, “I’ll
see you on the beach”. It’s kind of a reassuring I will be there with you kind of sentiment, so I say this, again, as kind of -- and you know, my followers are familiar with this. I explained it several times.

But that’s just kind of a callback to that film and expressing a sentiment that, you know, whatever’s transpiring in the future will -- I will be there with you to support you and guys can support each other and so on.

It’s just a message of encouragement, I suppose.

MR. JOHN MATHER: You attended the protest in Ottawa in January and February 2022?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And you attended them with other members of the Diagolon community?

MR. JEREMY MacKENZIE: Yes, I did.

MR. JOHN MATHER: When did you arrive in Ottawa?

MR. JEREMY MacKENZIE: I can’t be certain of the exact date, but it was one or perhaps two days before the main body of the -- of the trucks arrived. I believe it was a Friday evening they showed up. So maybe perhaps that Thursday or Wednesday.

MR. JOHN MATHER: So you knew the convoy was coming to Ottawa and that’s why you showed up?

MR. JEREMY MacKENZIE: Yes, I did. I observed the -- it was very clear to me by monitoring social media and so on as part of what I do to comment on social -- you know, current events and, you know, analyze political commentary, that kind of thing, that this was going to be a very significant
event. It was very clear to me this was not going to be an in
and out, you know, weekend protest type of thing.

There was videos of long, long -- very long
convoys of trucks and vehicles. They were coming in from
multiple directions. There were open group chats or voice chats
and stuff where these people were communicating back and forth
you could listen in on.

It was clear this was going to be a pretty big
deal, so I -- again, this was going to be something I would be
talking about, that would have a lot of my attention anyway, so
I decided why not go and get a close look at it as it transpired
rather than watch it from -- you know, relying on other sources
from home to understand what was happening.

MR. JOHN MATHER: Right. And it attracted your
attention because the stated purpose of the truckers coming to
Ottawa was to end the federal COVI-19 mandates, and that’s a
political view you also held; right?

MR. JEREMY MacKENZIE: That seemed to be one of
their primary motivations, yes. There was a lot of other --
that was one of the main factors.

There was a lot of other discontent in various
groups. It wasn’t -- it wasn’t a monolithic that was the only
objective for people. Again, there was very -- not really any
hierarchy or any real organization that I could observe. It
seemed like just a grassroots kind of movement of discontent
with the federal government with things that had been
transpiring.

The cost of living is rising. Social division.
Just a lot of the rhetoric officials and stuff were using on television. A lot of people were very unhappy over the past couple of years and it -- basically it -- I would describe it as -- if I could use a metaphor, the pot had just simply boiled over and many people have decided that this was going to be the time that they were going to show up and exercise their right to peacefully demonstrate their discontent and their displeasure with the performance of the federal government.

MR. JOHN MATHER: And when you arrived in Ottawa, you met people there who were members of the Diagolon community?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And presumably, if you met someone who hadn’t heard of you or hadn’t heard of Diagolon, you would tell them about it and you’d tell them about your podcasts and encourage them to listen and support?

MR. JEREMY MacKENZIE: Yes. If someone was unfamiliar or they asked a question, I would just simply say I’m a social media guy, I have a podcast. It’s political commentary, comedy and some, you know, analysis and this kind of thing. If you’re interested, I have business cards that somebody made up for me. I would hand them out to me and say, “This is the web site if you’d like to check it out” and so on and, you know, have a nice day, kind of thing.

MR. JOHN MATHER: And those business cards, they would have had the Diagolon logo on them?

MR. JEREMY MacKENZIE: Yes, on one side.

MR. JOHN MATHER: Did those -- sorry. You might have cut out.
I asked you, did the business cards have the Diagolon logo on them?

MR. JEREMY MacKENZIE: Yes, they did. They have it on one side and then one of my other artistic logos on the other side with just simply the -- the web site on one side and then I think it says “Find me and tell your friends” on the other.

MR. JOHN MATHER: And you suggested this is something you’d do if someone came up to you, but I -- is it fair to say, Mr. MacKenzie, you’re in the media business and you want to promote your media so you would also actively hand out those cards?

MR. JEREMY MacKENZIE: Yes, sir. If someone asks or they’re interested or they express the desire to learn like what it is I’m doing, it’s just easier to just give them this. It directs them to the web site. All my social media links and so on are there. There’s a short video. They can go from there. If they like what they see, I presume they’ll continue. If not, then so be it.

MR. JOHN MATHER: Did you attend at any point in the protest with a person named Alex Vriend? Apologies if I’m mispronouncing the name.

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And who is Alex Vriend?

MR. JEREMY MacKENZIE: He’s someone I met online through -- through the evolution of my podcast, I suppose. I met Alex in person in the summer of 2021, I believe. We spent time together in Saskatchewan as he was
travelling around the country, meeting people.

And as I understood it, he was just kind of in between, you know, jobs in life and wasn’t really sure what -- he was just taking the opportunity to -- he bought a van and a dog and just kind of went on the classic Canadian road trip around the country and was meeting up with other people in the community that expressed a desire to, you know, meet them and, you know, hang out and he’d become kind of one of the prominent -- prominent person because of his -- he also is a content creator. He makes a lot of memes and jokes and comedic things like this and so people were interested to meet him and ---

MR. JOHN MATHER: And his content he posts under the name “Ferryman Stole”. Is that correct?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And we understand both from your letter to the Senate and some videos that your counsel submitted that when you were in Ottawa, you encouraged peaceful protesting. Is that fair?

MR. JEREMY MacKENZIE: Yes, sir.

I was concerned, especially because of the rhetoric and verbiage coming out of, again, the Canadian Anti-Hate Network, which was being parroted -- started to be picked up by other, more credible news outlets and so on that I was concerned that if something should happen outside my control or -- you know, I can’t really see the future but I wanted to state very clearly what my intentions were and what I expected of people if they were going to be representing myself or brandishing any of my -- I encouraged them not to because I
wanted this to be about Canada and that this about the country, “Bring a Canadian flag. This isn’t about me. This isn’t about -- I’m not trying to sell anything. This is more important. The bigger idea is more important. But if you do, you know, happen to have something, please conduct yourself appropriately because your action and decisions and things you say and you do will reflect upon me in the greater community,” and so on. So --

MR. JOHN MATHER: So just to ---

MR. JEREMY MacKENZIE: --- I wanted to have that on the record before, just in case.

MR. JOHN MATHER: So just to stop there, so you wanted someone who was wearing a Diagolon symbol to act accordingly -- I guess not “accordingly” but act as appropriately and peacefully. At this point in time, were you aware that there -- either the RCMP or other police agencies would be maybe monitoring what you do or what your supporters do?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: So you -- when you’re giving that direction, you’re aware that the authorities are watching?

MR. JEREMY MacKENZIE: I was under -- I was never explicitly given any notice, or no one had talked to me or spoken to anybody. It was pretty clear just on general observations, my own instincts, that this was -- we were probably on the radar somewhere, so I didn’t want anything to be misconstrued. I was trying to be very clear about my intentions and, you know -- you know, “Jokes aside, this is about, you
know, protesting the government’s performance and people exercising their rights to do so.” I didn’t want this to be misconstrued in any way. We were simply there to protest peacefully.

I said things like, “If there’s a speed limit on walking for some reason, then you will walk slower than that. Don’t even litter. Don’t spit. Don’t even throw a snowball. Don’t give anyone any excuse to point at you say, ‘Look what you’ve done. Look what you’ve incited,’” or created or fomented, and so on because that would have undermined the entire purpose of the -- of everything everyone was trying to achieve.

MR. JOHN MATHER: So, Mr. MacKenzie, I’m now going to read you, one by one, a list of names. And I may have some follow-up questions but all I want to know right now is, for each name, whether or not you communicated with this individual while you were -- either before you arrived in Ottawa or while you were in Ottawa; okay?

MR. JEREMY MacKENZIE: All right.

MR. JOHN MATHER: You understand?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: Tamara Lich.

MR. JEREMY MacKENZIE: No, I first spoke to Tamara, potentially, in July of this year, July/August, and that was it.

MR. JOHN MATHER: Okay. Chris Barber.

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: James Bauder.
MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Brigitte Belton.

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Benjamin Dichter.

MR. JEREMY MacKENZIE: I’m aware of who Mr. Dichter is. I personally have not had any interaction with him. I was aware that he was a -- some kind of alleged manager of YouTube channels for where he would set up GoFundMes and name himself as a beneficiary ---

MR. JOHN MATHER: Mr. MacKenzie, I don’t mean to interrupt and -- it’s just I want to make sure we get through it and you have time.

MR. JEREMY MacKENZIE: Right.

MR. JOHN MATHER: And I just want to know right now whether you communicated with these people. Your counsel will have an opportunity if there’s other things that you want to bring up.

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: Did you ever communicate, either before or while you were in Ottawa, with a Tom Marazzo?

MR. JEREMY MacKENZIE: Yes, I spoke to Mr. Marazzo once, possibly twice, over the phone, once as I was driving back from Ottawa to the Maritimes to drop off some people that had accompanied me. They could only stay for a couple of days and had families and kids and so on. So I spoke to him for a couple of hours. We talked about, you know, our shared experiences in the military and so on. He indicated to me that he was, in some capacity, nearby something resembling
people that were making decisions, I guess, and basically just
kind of connected in that, like, someone suggested we should
meet each other and I expressed to him that if there was
anything that I could do to help assist, get a message out or
something, that I was willing to do that. No one ever asked me
to. And likewise, I told him, if I saw or was made aware of
anything that I felt that would be relevant that they should
know about, that I would inform him, and so on. But I think
that was the extent of our interaction.

I didn’t have any real meaningful interaction
with Mr. Marazzo I think until around April when he was at a
benefit -- at a fundraising dinner for the Veterans for Freedom
Organization in Burlington.

MR. JOHN MATHER: In Ottawa, how many times did
you speak with Mr. Marazzo?

MR. JEREMY MacKENZIE: At least once, possibly
twice.

MR. JOHN MATHER: And when was the first time you
spoke with Mr. Marazzo?

MR. JEREMY MacKENZIE: It would have been some
time during the first week, I believe, of when the trucks
arrived. I was in the process -- I don’t know, I was driving my
truck and it was over the headset. The other guys were sleeping
in the truck while we were talking so somewhere in between and
Quebec and New Brunswick; I couldn’t say.

MR. JOHN MATHER: So sometime before January 28th?

MR. JEREMY MacKENZIE: I’m not sure. I’m not
sure of the dates of when the trucks arrived and when they left.
MR. JOHN MATHER: But -- sorry, and there’s evidence of trucks arrived but it was some point before the trucks arrived; is that correct?

MR. JEREMY MacKENZIE: No, it was after.

MR. JOHN MATHER: It was after. How long after?

MR. JEREMY MacKENZIE: I would say, roughly, a week ---

MR. JOHN MATHER: Roughly, a week.

MR. JEREMY MacKENZIE: --- so seven, to five, to eight days, perhaps.

MR. JOHN MATHER: Fair enough. When you were in Ottawa, did you communicate directly with any Ottawa Police or OPP?

MR. JEREMY MacKENZIE: Not to my knowledge. I did have some friendly conversations on the street, you know, just, “Hi, how are you? How’s it going? It’s cold out,” you know, that kind of thing, but nothing significant, no.

MR. JOHN MATHER: Did you receive from any -- sorry, I think there was a -- did you receive, from any sources, information about police operations or police enforcement plans while you were in Ottawa?

MR. JEREMY MacKENZIE: Yes, there was a user that contacted me, I believe, on Telegram, I would say again, summer of 2021 who self-identified himself as an RCMP member, just kind of friendly -- expressed that he enjoyed the podcast and liked what I was saying and so on, so there was a loose relationship with this -- whoever this person was.

And during that time in Ottawa, they had reached
out to me to inform me of -- to say that the POU, which I had find, you know, if that was -- I didn’t understand the nomenclature of a police officer but I understood it to be the Public Order Unit -- essentially the Riot Police were being activated to be sent to Ottawa. And further to that, after the Emergency Act had been invoked, this person had sent me -- well, they were screenshots, I guess, of either a WhatsApp group chat or a Telegram -- I’m not sure -- of various RCMP officers engaging in taking selfies of, you know, drinking and eating and so and celebrating the violence that they were bringing upon the people downtown and saying, “Wait until they hear our jackboots,” and this kind of thing.

He sent that to me and I said, “Well, is this real?” And he assured me, “Yes.” It seemed -- it looked very real and I said, “I will publish this.” And he said, “That’s why we sent it to you.” So I did and I released that on Telegram and that -- you know, it went out. Since then, that person has deleted their account sometime in March and I haven’t been in contact with them since.

MR. JOHN MATHER: Okay. Do you remember their name on Telegram?

MR. JEREMY MacKENZIE: The user handle was, like, “GK”, or “PK”, or something. It was two initials and a phone number. I think it was an Ontario area code but, other than that, I didn’t ---

MR. JOHN MATHER: Other than that user, did anyone else provide information about police operations or enforcement plans?
MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: If we could pull up OPP00001668. And then if -- sorry, if we could go to page 5, please. Yeah, scroll down more. So is an OPP Intelligence brief, Mr. MacKenzie. You may have seen it with respect to some of disclosure we provided, but I assume you -- have you -- you wouldn’t have seen the document before today. I’m going to ask you, if you look at Item 2, it says -- actually, for context, look at Item 1. It talks about a video posted to -- the name is redacted but it says the name of Instagram account and it says “Raging Dissident”. So that would be you, Mr. MacKenzie ---

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: --- as far as you know?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And then Item 2, again, talks about a video posted to the “Raging Dissident” account in which the poster shares information credited to police sources that disclose enforcement plans, and then it provides a bit of a description. Is that the information that the user on Telegram provided you?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: Okay. On this same -- on the same page, if you look at Item 3, it talks about on February 8th a user posted two videos to his Telegram channel, “Rage Board”. Is that your Telegram channel?

MR. JEREMY MacKENZIE: That was one of the previous names of it, yes.

MR. JOHN MATHER: Okay. And if you look there,
if you -- there’s a line break and then it says again:

"[Name redacted] says there’s supposed to be some negotiations taking place with a government delegate, but he hasn't heard how it went from organizers yet; he goes on state."

Do you see that?

MR. JEREMY MacKENZIE: No, sir.

MR. JOHN MATHER: Sorry. Let me -- I'm talking a little quickly. I'll slow down.

MR. JEREMY MacKENZIE: Oh, yes. Yes. Thanks.

MR. JOHN MATHER: Yeah, you ---

MR. JEREMY MacKENZIE: Sorry, I've caught up.

MR. JOHN MATHER: And take your time. I want to make sure that you're reading this before I ask you questions.

So this suggests that you were aware that there might be negotiations with a government delegate, but you hadn't heard from the organisers yet. Do you know what that's a reference to?

MR. JEREMY MacKENZIE: I can't recall. I remember being under the impression that there was some of form of negotiations taking place between some sort of leadership apparatus for the convoy and the perhaps City of Ottawa, RCMP, OPP, I'm not sure. The police and the convoy people.

MR. JOHN MATHER: Fair enough. How did you learn that information?

MR. JEREMY MacKENZIE: That's a good question. I think it may have just been kind of common knowledge that there
was -- something like that was taking place. More of a rumour, perhaps. The -- as it goes on, yeah, the Public Order Unit, I was -- that was a -- given to me specifically by this user on Telegram from the RCMP, that they -- allegedly they were.

MR. JOHN MATHER: Right. And you're talking, then, about the part that's in bold after that, is that correct?

MR. JEREMY MacKENZIE: Yes. Yes.

MR. JOHN MATHER: Are you aware that Tom Marazzo met with City Manager Steve Kanellakos on February 8th, 2022?

MR. JEREMY MacKENZIE: No, sir.

MR. JOHN MATHER: Did Mr. Marazzo ever talk to you about meeting with Mr. Kanellakos or meeting with any government officials in any of the conversations you had?

MR. JEREMY MacKENZIE: No, he did not.

MR. JOHN MATHER: Okay. Have you ever spoken with Keith Wilson or Eva Chipuik?

MR. JEREMY MacKENZIE: No, sir.

MR. JOHN MATHER: We can take that down. Thank you, Mr. Clerk.

Mr. MacKenzie, I think you'd agree with me it's fair to say that you were critical of the Federal Government's response to the protests in Ottawa and Coutts; is that correct?

MR. JEREMY MacKENZIE: Yes, sir. Initially, it was -- I had no issue. Actually, I thought it was handled very appropriately. There was a strong police presence, but also there was a large number of people, so apparently there was a danger that there's going to be -- you know, something could happen so it made sense. I didn't take any issue with anything
that I had seen until they started becoming a little more
aggressive here and there. There was an incident where some
fuel cans were stolen, or seized, or what have you, but it
wasn't really until the EMA was invoked that they became
extremely aggressive and violent and that is -- that was what I
took the most issue with.

MR. JOHN MATHER: Did you ever say that the RCMP
was intentionally cutting truckers off from essential supplies
in Ottawa and Coutts?

MR. JEREMY MacKENZIE: That is what I had been
hearing from people, yes.

MR. JOHN MATHER: And so -- and did you then
repeat that on your podcast?

MR. JEREMY MacKENZIE: I may have, yes.

MR. JOHN MATHER: Did you ever say that the RCMP
made -- attempted to disrupt cell phone towers to ensure
truckers could not communicate?

MR. JEREMY MacKENZIE: That again was another
scenario. There were people having a lot of issues with their
cell phones. That may or may not have been the conduct of some
kind of interference, it could have been just too many cell
phones and not enough towers, I'm not sure, but that again is
another kind of running suspicion/theory at the time.

MR. JOHN MATHER: Fair enough. And my question
right now is if you recall if that's something you said on your
podcast that that was something that had been -- was being said?

MR. JEREMY MacKENZIE: I may have, yes.

MR. JOHN MATHER: And did you ever say on your
podcast that -- or -- sorry, let me back up. Did you ever
distribute or know of anyone distributing contact information
about the members of the Ottawa Police Service?

MR. JEREMY MacKENZIE: Not to my knowledge, no.

MR. JOHN MATHER: If we can pull up
SSM.NSC.CAN.00001575_REL.0001.

Apologies for all those digits, Mr. MacKenzie.
So scroll up to the top, please, just so I can
give the witness some context.

So Mr. MacKenzie, this is a CSIS Analytical

And if we could go to page 3 of the brief,
please. And scroll down a bit further, please. Scroll down a
little bit further, please.

So this part of the brief says that:

"Since the initial weekend...key
figures within Diagolon have made
...appeals for participation in and
documentation of the demonstrations.
Further, Vriend has been collecting
donations to allow others to travel to
participate in demonstration in Coutts,
AB, or Ottawa, ON."

Do you see that?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: Do you have any knowledge about
whether or not Mr. Vriend was collecting donations to allow
people to participate in both Coutts and Ottawa?
MR. JEREMY MacKENZIE: I recall he was collecting some funds for someone. I don't think it was just in general open to whoever wanted them. I think there was one or two people potentially from western Canada expressed a desire to come down to Ottawa, they couldn't afford it, so I think that was roughly what was going on. And I wasn't directly involved, I can't recall entirely, but I think that's what was going on.

MR. JOHN MATHER: And then if we could scroll up in this document to the, sorry, the next page up. Sorry. Sorry, keep scrolling up. Stop there.

So this, again, this is a CSIS document, but it has a box here that says, In Jeremy MacKenzie's Own Words. It's -- the first one says:

"'This is the good guys versus the bad guys.... The showdown has finally fucking begun and it has begun in Canada... you could go be a part of the story now.'"

Is that something you've said?

MR. JEREMY MacKENZIE: It sounds like something I said, yes.

MR. JOHN MATHER: And is that something you have said with respect to the protests in either Ottawa or Coutts?

MR. JEREMY MacKENZIE: Probably, I believe so, yes.

MR. JOHN MATHER: And then the next quote is:

"'This is the beach, get yourself out there.'"
Is that something you said with respect to the
protests in either Ottawa or Coutts?

MR. JEREMY MacKENZIE: Probably, yes.

MR. JOHN MATHER: Okay. And in this case, when
you're using the "beach", are you referring to the analogy we
spoke about with D-Day?

MR. JEREMY MacKENZIE: I was referring to the
idea that this -- again, a lot of people had felt very powerless
and disenfranchised, upset, depressed, and this was an
opportunity for them to actually go and participate and have
their voices be heard and join these demonstrations, and rather
than sitting at home complaining and whining about it on the
couch, they could, you know, if you can, why not? Why not go
and be involved?

MR. JOHN MATHER: And I've heard you say that,
Mr. MacKenzie. I'm asking you if in this case when you're using
the word "beach" if you're -- it's using it in the same context
when you're alluding to D-Day? And the reason I'm asking this
is you know that the police and the government view you -- view
your group as potentially -- as extremist, and so this is the
sort of thing that would grab their interest. So when you're
talking about "beach" you're talking about D-Day; is that right?

MR. JEREMY MacKENZIE: I was trying to speak
directly to my audience that are familiar with my verbiage, my
kind of terminology and things I reference in the way that they
would understand, that this is something important that, you
know, we should -- you know, you can do together. It's not -- I
didn't -- certainly didn't mean it any kind of violent context
or D-Day invasion type scenario. I certainly meant it as an encouraging kind of call to the community at large that, "Hey, you know, if this is something, you know, you could be involved in rather than just, again, sitting at home by yourself."

MR. JOHN MATHER: So Mr. Clerk, you can take that document down. Thank you.

I now have some questions for you, Mr. MacKenzie, about the protests in Coutts.

Just first, simple yes or no, did you ever travel to Coutts personally?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Did you know anyone who was protesting in Coutts in February 2022?

MR. JEREMY MacKENZIE: I was aware that Mr. Chris Lysak was there, and I am loosely acquainted with Mr. Adam Skelly who had made a couple of trips there to deliver steaks and brisket and so on. There is a couple of comedians in the Edmonton and Calgary area that I know that travelled down to put on some, I don't know, a performance I think, and they just meet, greet, and leave, and that's about it.

MR. JOHN MATHER: What were the names of the two comedians?

MR. JEREMY MacKENZIE: It was Brendan Blackyer (ph) and a Sam Walker, or -- maybe -- I'm not sure if Sam attended, but Brendan for sure, and there was also Brett Fortier, who I don't know, personally I have not spoken to him. I was just made aware that they were there because they posted a video of them travelling there to say hi to everybody.
MR. JOHN MATHER: And so Chris Lysak, Mr. -- Adam Skelly, Brendan and Sam, are they members of the Diagolon community?

MR. JEREMY MacKENZIE: No. They may identify as fans. Mr. Lysak would, Brendan probably would, Sam, potentially, Mr. Fortier I've never met or spoken to.

MR. JOHN MATHER: If you're a fan of Diagolon, you're part of the community; right?

MR. JEREMY MacKENZIE: Again, it's just kind of self-identifying. You could say it's as simple as, you know, identifying as a Toronto Maple Leaf's fan by putting a sticker on your truck. It's really that simple.

MR. JOHN MATHER: So the answer to my question is yes?

MR. JEREMY MacKENZIE: I suppose so, yes.

MR. JOHN MATHER: Were you communicating with the individuals you just identified while they were in Coutts?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: How do you know Chris Lysak?

MR. JEREMY MacKENZIE: Mr. Lysak has been a long-time fan of the podcast. I'd met him personally in Saskatchewan in the summer of 2021, believe on the 1st meet and greet get-together I'd mentioned, and a subsequent one later in the year, perhaps September. There was a few dozen people. We, you know, had a beer and a steak, you know, with all these people, took photographs together at one of them, and that's pretty much it.

MR. JOHN MATHER: Did you talk to him when you were at either of those two meet and greets?
MR. JEREMY MacKENZIE: Yes, I talked to dozens of people, yeah.

MR. JOHN MATHER: Yeah.

MR. JEREMY MacKENZIE: Chris was one of them.

MR. JOHN MATHER: And I take it the topic of conversation at these meet and greets include the similar topics that you discuss on your podcast; is that fair?

MR. JEREMY MacKENZIE: I generally don't like to engage in that. I find it kind of exhausting and I try to just make it -- keep it kind of a social, you know, meet and greet, you know, casual kind of social event. I don't really try to talk politics or anything like that ---

MR. JOHN MATHER: But presumably ---

MR. JEREMY MacKENZIE: --- to people.

MR. JOHN MATHER: --- but presumably, your fans when they meet you in person, they want to talk to you about what they hear you talking about, your podcast. That's fair; isn't it?

MR. JEREMY MacKENZIE: Sometimes, yes.

MR. JOHN MATHER: Can we pull up COM00000907? So, Mr. MacKenzie, can you please identify the people in this photo?

MR. JEREMY MacKENZIE: Yeah, that's the fellow I just mentioned. I had posted it to my Instagram page. That's myself on the -- my left and Mr. Lysak on the right.

MR. JOHN MATHER: And this -- was this at the first event in Saskatchewan?

MR. JEREMY MacKENZIE: I believe so, yes.

INTERNATIONAL REPORTING INC.
MR. JOHN MATHER: Okay. And just to be clear, Mr. MacKenzie, other than that event in Saskatchewan and then the other event in September 2021, is there any other times you met with Mr. Lysak?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Did you communicate with him at any time other than at those events?

MR. JEREMY MacKENZIE: Mr. Lysak may have been in some larger online group chats where there's 30, 40 other people involved, never -- to my knowledge, never directly one-on-one. He has called me twice, I think, since he's been incarcerated, just simply to say hi and I just try to offer some encouragement to him and hope that he's doing well sort of.

MR. JOHN MATHER: So you spoke to him after his arrest in Coutts?

MR. JEREMY MacKENZIE: Yes, sometime this summer.

MR. JOHN MATHER: Okay. And I asked you generally about the people you identified who you knew in Coutts, but with respect to Mr. Lysak specifically, did you understand him to be a fan of your podcasts?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: And you understood him to be a member of the Diagolon community?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: Are you aware that Mr. Lysak, or at least there's been reports that Mr. Lysak had a Diagolon flag flying outside the house in which he lived with his father?

MR. JEREMY MacKENZIE: I have heard that, yes.
MR. JOHN MATHER: Yeah, so if we could pull up COM917?

And so have you ever read this article that's on the screen, Mr. MacKenzie?

MR. JEREMY MacKENZIE: I may have. It's tough to recall.

MR. JOHN MATHER: It's an article in the Toronto Star and you're quoted in it. Do you remember giving a quote to the Toronto Star with respect to an article they were writing about Mr. Lysak?

MR. JEREMY MacKENZIE: I think so. I've spoken with Toronto Star several times, yes.

MR. JOHN MATHER: Okay. And if you could go down to page 3 just so I can show you just -- you'll see in the middle of the page it says,

"When reached by the Star this week, MacKenzie said in an email that he'd met Chris [...] along with "thousands of people by now through my podcast and travels around the country."

Which is as you explained. So we can take that down.

Mr. MacKenzie, are you aware that on February 14th the RCMP executed a search warrant in Coutts, Alberta and arrested 13 people, and as a part of that arrest, they seized several weapons and body armour? Is that something you're aware of?

MR. JEREMY MacKENZIE: Yes, sir.
MR. JOHN MATHER: And how did you become aware of that?

MR. JEREMY MacKENZIE: I was made aware of it by once it hit the media either that evening or the following day.

MR. JOHN MATHER: And when did you become aware that Mr. Lysak was one of the people who was arrested?

MR. JEREMY MacKENZIE: It was right around the same time that word had spread around the community that he had been arrested was -- as part of the 13 or however many other people were arrested.

MR. JOHN MATHER: And are you aware that Mr. Lysak was charged with conspiracy to murder, uttering threats and possession of a weapon?

MR. JEREMY MacKENZIE: Yes, sir.

MR. JOHN MATHER: After the arrest, as the Commission understands it, you posted a video in Ottawa where you talked about the people who'd gotten arrested in Coutts. Do you know what I'm talking about?

MR. JEREMY MacKENZIE: Yes, sir, I do, sir.

MR. JOHN MATHER: What I'll do is I'll it up. I'm not going to play it for you because of our time, but if you can identify it as a video that you participated in, that would be helpful.

MR. JEREMY MacKENZIE: Yeah.

MR. JOHN MATHER: COM00000911. Actually, you might just play the first maybe 30 seconds.

(VIDEO PLAYBACK)

MR. JOHN MATHER: Okay. You can stop it there.
MR. JEREMY MacKENZIE: M'hm.

MR. JOHN MATHER: So is that a video you posted, Mr. MacKenzie?

MR. JEREMY MacKENZIE: Yes, that appears to be a clip from one of my podcast episodes probably shortly after that had taken place. At the time, and still presently, I'm very skeptical of law enforcement, especially considering the political nature in which there appears to be a lot of interference going on in the country. I was concerned that -- from that aspect of what was happening out there. Again, I don't know anything other than what's been posted in the media and what's been said other than that they've been charged with -- - what they've been charged with. Of course, if it -- evidence does appear or is presented that proves that these allegations are, in fact, correct, obviously, that is something I would denounce. I don't stand by that. As I said, this is not something that is supported by myself. It would undermine the entire purpose of these protests. And until then, I hope they get a fair trial, and we'll see what happens.

MR. JOHN MATHER: And you're correct, Mr. MacKenzie, the matter is before the courts, and so it is yet to be adjudicated in the appropriate setting.

MR. JEREMY MacKENZIE: Fair enough.

MR. JOHN MATHER: The media reports are that the people who were arrested, there was concern by the police that some of them were intending to use the weapons to harm police officers or murder police officers. Again, that is going to be dealt with another matter, but I assume if that was someone's
intent, you would denounce it ---

MR. JEREMY MacKENZIE: Yeah.

MR. JOHN MATHER: --- at -- is that what -- did I hear that correctly?

MR. JEREMY MacKENZIE: Absolutely, yes.

MR. JOHN MATHER: In the video -- you can take it down, thank you, Mr. Clerk -- you mention the boys in Alberta when you're talking about the arrest. Other than Mr. Lysak, do you know anyone else who got arrested in Alberta?

MR. JEREMY MacKENZIE: No, sir.

MR. JOHN MATHER: I'm just -- just to be clear, I'm going to read you the names and I just want you to say yes or no, yes, I know them, no, I don't know them.

MR. JEREMY MacKENZIE: Sure.

MR. JOHN MATHER: Ursula Gwen Allred?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Luke Berk?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Christopher Dean Carbert or Carbert?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Evan Banning Colenutt?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Johnson Chichow Law?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Jaclyn Francis Martin?

MR. JEREMY MacKENZIE: Ms. Martin I did have a conversation with maybe in June or July, and she was in one of
these video chats and introduced herself and mentioned that she
was -- well, maybe that wasn't her. Martin?

MR. JOHN MATHER: And, Mr. MacKenzie, just to
stop you there. I'm interested in people you knew as of ---

MR. JEREMY MacKENZIE: At the time?

MR. JOHN MATHER: --- as of February ---

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: --- 14th, 2022.

MR. JEREMY MacKENZIE: Right. Yeah, no.

MR. JOHN MATHER: Justin Lyle Martin?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Jerry Mitchell Troy Morin?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Easton Stewart Oler?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Anthony George Olienick?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Joanne Lyne Person?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Janx Anthon Zaremba?

MR. JEREMY MacKENZIE: No.

MR. JOHN MATHER: Mr. Commissioner, I’m almost
done, if I could have a few more minutes, please.

COMMISSIONER ROULEAU: Okay.

MR. JOHN MATHER: Mr. MacKenzie, I’m sure you are
no doubt aware that the RCMP released photos of the weapons and
body armour they seized, and why don’t we pull up two photos
first with COM915. And if we could just scroll out.
And this is just to give you some context, Mr. MacKenzie. This is the larger photo the weapons and the ammunition and the vests that were seized.

And then if we could pull up COM916. And what I’m going to show you is a photo that’s zooming in on the vest that if you’re looking at the photos to the right.

I expect you know what I’m going to show you at this point, Mr. MacKenzie.

MR. JEREMY MacKENZIE: Yes, I do.

MR. JOHN MATHER: So this was -- this is a zoom-in of the photo we’re looking at, and that’s one of the pieces of -- that’s a ballistic vest, as I understand it. Is that correct?

MR. JEREMY MacKENZIE: It appears to be some kind of tactical vest. If it was ballistic, it would have to have some kind of ballistic plates or Kevlar or something inserted into it. It’s not clear.

MR. JOHN MATHER: Right. Fair enough.

You see on there, there’s two patches with the Diagolon symbol; correct?

MR. JEREMY MacKENZIE: Yes. It does appear that that is the case. However, I was made aware of this shortly after this took place. And after some scrutiny and taking a closer look at the photos, they don’t appear to be -- as I said, there was man in Prince Edward Island who was making these and selling them at cost to whoever. Thousands of these went out across Canada, some to the United States, some to Australia.

These ones are -- appear to be homemade or made
by someone else. As of now, I don’t recall anyone coming forward to say that they had produced these or where these came from, so I can’t really speak to as their origins.

MR. JOHN MATHER: Right. But you agreed with me earlier, Mr. MacKenzie, that any one of your fans or anyone who is in the Diagolon community who supported you could have easily made a patch that looks just like that. Isn’t that right?

MR. JEREMY MacKENZIE: Yes.

MR. JOHN MATHER: If we could pull up -- and this will be the last document, Mr. Commissioner,

PB.NSC.CAN.0008508_REL.0001.

So Mr. MacKenzie, again this is a document -- this one’s from the RCMP “K” Division, and it’s a form of report about the arrests that we’ve been talking about in Coutts, Alberta.

And if we can scroll down to where it says “Current situation”, it says in the second bullet point:

“A ballistic vest was seized during the search warrant at the residence in Coutts which contained a patch reflective of the DIAGOLOON flag. It is believed that this vest belongs to one of the accused, Christopher LYSAK. Open source information has linked LYSAK to [redacted name].”

So Mr. MacKenzie, this isn’t your report, I know you didn’t produce it, but you would agree with me that from the RCMP’s perspective, they believed that the vest with the
Diagolon symbol was Mr. Lysak’s; correct?

MR. JEREMY MacKENZIE: That does appear to be what they believe, yes.

COMMISSIONER ROULEAU: Sorry. Your counsel had an objection.

MR. SHERIF FODA: It’s unfair to this witness to ask him to speculate what is in the RCMP’s mind and their perspective about intelligence.

COMMISSIONER ROULEAU: I think maybe the question wasn’t that well framed, but the quote speaks for itself. He could ask whether he agrees with the quote, is on the RCMP letterhead. I mean, it’s really not much further than that, I take it.

MR. JOHN MATHER: No, I actually withdraw the question, Mr. Commissioner. I agree that he has no -- he doesn’t know why the RCMP made their observations, so I agree with that and I withdraw it. And those are my questions.

Thank you.

COMMISSIONER ROULEAU: Okay. So now we’ll go with first the Convoy Organizers.

MR. BRENDAN MILLER: The Convoy Organizers are ceding their time to Mr. MacKenzie’s counsel, sir.

COMMISSIONER ROULEAU: Okay.

Government of Canada?

--- CROSS-EXAMINATION BY MR. STEPHEN AYLWARD

MR. STEPHEN AYLWARD: Good afternoon, Mr. MacKenzie. My name is Stephen Aylward. I'm one of the lawyers for the Government of Canada.
MR. JEREMY MacKENZIE: Hello.

MR. STEPHEN AYLWARD: Mr. MacKenzie, you described Diagolon as a grassroots community. Do I have that right?

MR. JEREMY MacKENZIE: No, I wouldn’t say it’s grassroots. It sprang from my imagination and I create the content from which the -- the entertainment and so on attracts people to it and which they will then either self-identify as a fan or not.

MR. STEPHEN AYLWARD: And you’ve described yourself as the de facto leader of Diagolon?

MR. JEREMY MacKENZIE: No, that’s not correct. I’ve never described myself in that manner. That’s a -- that’s been put forward into the media again by people at the Canadian Anti-Hate Network.

Again, this is a figment of my imagination in a fictional world.

MR. STEPHEN AYLWARD: I see.

MR. JEREMY MacKENZIE: I can’t really lead if -- a fictional world, exactly.

MR. STEPHEN AYLWARD: The letter to the Senate that Commission counsel brought up earlier, you had described yourself as the de facto leader in quotes, so I take it, then, you’re saying that was being used ironically in that context.

MR. JEREMY MacKENZIE: Yes, I was trying to identify myself as the person in question that the Senate was debating about and then the House of Commons were talking about -- which alarmed me, and I was acting in the interests of
protecting not only myself, but other people that identify as fans and followers of mine, and it was clear that this was an issue of national importance. And I felt obliged to say something about it rather than ignore it.

MR. STEPHEN AYLWARD: Right. And you have no formal authority over anyone who’s part of the Diagolon community. Is that right?

MR. JEREMY MacKENZIE: That’s correct. There’s no hierarchy and there’s no rank system, membership, code of conduct, uniforms, anything like this. It’s a very informal -- again, I would propose it as if you’re a fan of the Calgary Flames or Montreal Canadiens or not or something. It’s just as simple as saying you like it or you don’t.

MR. STEPHEN AYLWARD: Okay. And you view yourself as somewhat of a calming presence within the Diagolon community?

MR. JEREMY MacKENZIE: No, I would view myself as the, I guess, central figure from which the rest of it sort of orbits.

MR. STEPHEN AYLWARD: Earlier you agreed with Commission counsel that you had put out messages urging people in Ottawa not to use violence or to act unlawfully. You agree with that.

MR. JEREMY MacKENZIE: Correct. I did use my platform to try my best to, again, put forward messages and, I guess, responsible messaging.

MR. STEPHEN AYLWARD: And you were putting out those messages because you were concerned that some members of
the Diagolon community would use violence or would act unlawfully.

MR. JEREMY MacKENZIE: My concern was that something could happen outside of my control and I would rather have had -- say something on record of what I would expect people to -- you know, to behave lawfully and peacefully so that they -- if they follow me, listen to me, and they heard that and then chosen to act on their own and do something -- something outside the desires of, you know, myself, then that’s not really something I can control. I can’t control what other people want to do. But I did want to make it clear that this was -- this was -- my intention was a peaceful demonstration.

MR. STEPHEN AYLWARD: And you explained that there were other members of the Diagolon community with you in Ottawa at the time of the Freedom Convoy?

MR. JEREMY MacKENZIE: That’s correct.

MR. STEPHEN AYLWARD: How many, would you say?

MR. JEREMY MacKENZIE: There was a property that we were staying at outside the city limits that had been offered up by someone who was a fan. He had a vacant building, no furniture but, you know, it’s got a roof, it’s got heat, so you can stay there.

At times there were three or four or five of us. Other times, as many as 20.

MR. STEPHEN AYLWARD: And were there other people that you saw in Ottawa with Diagolon symbols who weren’t part of that group?

MR. JEREMY MacKENZIE: I didn’t personally
observe anyone. One individual I did see that had a kind of flag, but outside that, I didn’t see any symbolism of flags or patches or so on. I did encounter a number of people that recognized me and wanted to have a picture and talk and shake hands and so on.

MR. STEPHEN AYLWARD: Could we please call up SSM.NSC.CAN.00000079_REL_0001?

Mr. MacKenzie, are you aware of reports that members of the Plaid Army put out a YouTube video in which they expressed the hope that the Freedom Convoy in Ottawa would be the Canadian version of the January 6th riot in Capitol Hill?

MR. JEREMY MacKENZIE: I believe I know the -- the clip that you’re referring to, which is, again, taken out of context of a much larger presentation broadcast which I was not a party to. Obviously, I can’t speak to that person’s intentions or what they meant by that, but I will reinforce that, again, it was not my intention to see any kind of violence, political violence or anything like that because it again, undermines the intentions and objectives of the protestors, which was to peacefully demonstrate their discontent.

MR. STEPHEN AYLWARD: Thank you. If we could actually pull up the next document? It a video, PB.CAN.00001820_REL.0001, and if we could start the video at the 55-second mark, please?

And just while we're calling that up, you're aware that that there was a deal that was struck between some of the protest organizers in Ottawa and the City of Ottawa?
MR. JEREMY MACKENZIE: I don’t believe so, no.

THE REGISTRAR: Counsel, if you would just allow
a brief indulgence. We’re having a bit of difficulty locating
that.

MR. STEPHEN AYLWARD: Maybe I’ll move on to the
next topic and then I’ll come back to that.

In terms of the Coutts incident that Mr. Mather
was just discussing with you, were you aware that there were a
number of individuals who travelled from Ottawa who were at the
Freedom Convoy event in Ottawa who then travelled to Coutts?

MR. JEREMY MACKENZIE: No, sir.

MR. STEPHEN AYLWARD: And in particular, to
clarify, referring to individuals who were charged as part of
that RCMP operation.

MR. JEREMY MACKENZIE: No, sir.

MR. STEPHEN AYLWARD: When -- just a moment ago,
when you were describing the -- we were looking at a photo of a
-- some sort of body armour that had the Diagolon symbol on it,
and you were expressing some concerns about the authenticity of
the Diagolon symbol there.

Just to be clear, were you suggesting that the
Diagolon symbol had been planted there by law enforcement?

MR. JEREMY MACKENZIE: Again, at the time and
still, I am sceptical of the RCMP particularly, but law
enforcement Canada has a history of things like this taking
place. It's not outside the realm of possibility that something
like that is very easily replicated. Could it be planted? I'm
not suggesting that it certainly has or has not, but I would
leave that open to possibility, yes.

MR. STEPHEN AYLWARD: I take it there's still some issue in pulling up that video?

THE REGISTRAR: Correct, Counsel.

COMMISSIONER ROULEAU: Is it going to be a while?

Should this be put off til a little later?

THE REGISTRAR: This may take a little while, Commissioner.

COMMISSIONER ROULEAU: Okay. So maybe, if you're agreeable, you can complete your examination, subject to this video, and we can slot you in a little bit in maybe 10 minutes, whenever this is sorted out?

MR. STEPHEN AYLWARD: Yes, that's fine. I did have one other video clip that I wanted to play. Is it possible to pull up the -- a different video clip?

THE REGISTRAR: Oh, sure, Counsel. I can assist if you have the doc ID?

MR. STEPHEN AYLWARD: Yes. Okay. It's COM00000911, the video that was played earlier. And if we could just start that around the 30-second mark?

(VIDEO PLAYBACK)

MR. STEPHEN AYLWARD: And so earlier you mentioned that there were some videos in which you had urged people in Ottawa not to use violence, not to act unlawfully.

Do you view your comments, "You want to dance? Let's dance," or I believe it was, "Hold the fuck down," do you view those comments as in line with your earlier messaging?

MR. JEREMY MACKENZIE: It was my intention to
convey that the protestors and the demonstrators had no intention of relinquishing their life to peacefully demonstrating. It was clear at the time that the rumblings and things I'd been hearing and seeing that it was the intention of the federal government to use force to dispel these people.

So as I said in the video and I'd saying for a long time, is, you know to force a tyrant to act like one, you simply refuse to bend to their will, and they will reveal themselves to be who they are. In this case, they deployed the RCMP and various police forces and beat people with batons and shot them with tear gas canisters and trampled an Indigenous elderly woman with a horse. Another man was dragged lifelessly through a crowd, and so on.

So that was the price that people were willing to pay, endure, for the Canadian people, to show them the true face of what it was they were standing against.

**MR. STEPHEN AYLWARD:** Okay, thank you.

So if I might ask for just two minutes later to address that issue with the video?

**COMMISSIONER ROULEAU:** I think it's now available.

**MR. STEPHEN AYLWARD:** Oh, it is?

**THE REGISTRAR:** So Counsel, I believe it's been renumbered to POE.DOJ00000014. It's an eight-minute long video, correct?

**MR. STEPHEN AYLWARD:** Yes, that’s right. If we could start it at 55-second mark, please?

(VIDEO PLAYBACK)
MR. STEPHEN AYLWARD: That’s good, yeah.
So does -- I mentioned a deal earlier between
protest organizers and the City. Does that video -- does that
refresh your memory about that issue?

I was unclear as to what you were referring to. It's something
-- I think there was some kind of negotiation was taking place
to move some trucks from one place to another. I don’t --
again, I wasn’t intimately involved. I don't know exactly the
details about that, but to some extent. I'm not sure exactly.

MR. STEPHEN AYLWARD: Safe to say you were urging
your followers not to go along with that deal?

MR. JEREMY MACKENZIE: I was expressing concern
because at that time, there was a number of names that had
appeared that somehow had gotten into the leadership cadre or
something, as you describe.

Now, I was very sceptical of their intentions and
I had some scepticism and fear that this was -- things were
moving in a malicious direction.

MR. STEPHEN AYLWARD: Thank you.

COMMISSIONER ROULEAU: Thank you.

Next, I think it's the Ottawa Coalition of
Residents and Businesses.

(SHORT PAUSE)

--- CROSS-EXAMINATION BY MR. PAUL CHAMP:

MR. PAUL CHAMP: Good afternoon Mr. MacKenzie,
I’m not sure if you can see me there. My name is Paul Champ;
---
MR. JEREMY MacKENZIE: Hello.

MR. PAUL CHAMP: --- I’m a lawyer for the Ottawa Coalition of Residents and Businesses, the people from downtown Ottawa.

Just have a couple of questions for you.

MR. JEREMY MacKENZIE: Sure.

MR. PAUL CHAMP: You mentioned in your testimony about getting the screen captures of texts, group texts from RCMP officers. You got that from a current RCMP member, is that right?

MR. JEREMY MacKENZIE: At the time it was delivered to me, I understood that to be the case. I couldn’t speak to if this person is still employed or not.

MR. PAUL CHAMP: Okay. And do you occasionally have interactions of people who are fans, or interested in what you say, or supporters who are current members of law enforcement?

MR. JEREMY MacKENZIE: Yes, that’s correct.

MR. PAUL CHAMP: And while you were in Ottawa, were you -- during the convoy protests, were you in communication with some of these individuals who are current law enforcement members and are supporters of yours?

MR. JEREMY MacKENZIE: Not -- not directly, no.

MR. PAUL CHAMP: And have you ever been in contact with, or anyone communicated to you who is a current member of the Canadian Security Intelligence Service who’s a supporter of you, or a fan of you?

MR. JEREMY MacKENZIE: No. I’ve actually made
numerous overtures and offers to speak to the Canadian Security
Intelligence Service to try and shed some light on, you know,
myself and this community that they seem so concerned about, and
as of -- today is the first day that I have ever been asked a
single question by anyone in any official capacity about it.

MR. PAUL CHAMP: Right. And you mentioned that
you had three or four people, or sometimes as many as 20 people,
staying with you in the same location in Ottawa, is that right?

MR. JEREMY MacKENZIE: Correct, yes.

MR. PAUL CHAMP: And those were up to 20 people
who were supporters or fans of yours?

MR. JEREMY MacKENZIE: Yes, that’s correct.

MR. PAUL CHAMP: And some of these people were
former members of the military or current members of the
military; veterans like yourself?

MR. JEREMY MacKENZIE: I do not think so. I’d
have to go through a list to refresh my memory, but no, no-one’s
jumping out at me. I don’t think so. I believe they’re all
civilians.

MR. PAUL CHAMP: Okay. Did any of them -- did
any of them bring any firearms with them?

MR. JEREMY MacKENZIE: No, sir. And I actually
went out of my way to make sure that was adamantly very clear
that that would not be something I would endorse. And it’s not
a good idea, and again, it would be a very dangerous situation.
It’s illegal, and it’s undermining the objectives of the
protesters.

MR. PAUL CHAMP: For sure. Yeah, you were
concerned about that, right; that some people in the protest might undermine the purpose of the protest by becoming violent. And you didn’t want that to happen; correct?

MR. JEREMY MacKENZIE: That’s correct.

MR. PAUL CHAMP: And that’s why you made that message out to people to not be violent, is that right?

MR. JEREMY MacKENZIE: Yes, sir.

MR. PAUL CHAMP: Because you knew some of the people who were there could be volatile and could be violent, is that right?

MR. JEREMY MacKENZIE: I understand that, in great numbers of people, and tens of thousands of people, there is always going to be outliers of folks who, you know, may be unhinged, they may be mentally ill. There could be any number of factors that may contribute to something, and I was just doing my best to mitigate any potential -- any influence that I have to try to, you know, push things in a positive direction, rather than, you know, say nothing or worse, contribute to, you know, something negative happening.

MR. PAUL CHAMP: And when you were in Ottawa did you have contact with Mr. Randy Hillier?

MR. JEREMY MacKENZIE: I met with Mr. Hillier once, maybe twice. He didn’t have much of a voice; he was feeling under the weather, but yeah, I met him once or twice.

MR. PAUL CHAMP: While you were in Ottawa?

MR. JEREMY MacKENZIE: Correct.

MR. PAUL CHAMP: And when you got the information about the RCMP text, did you pass that on to anyone in the
convoy leadership?

MR. JEREMY MacKENZIE: No, sir. I looked at it, I sat with it for about 10 minutes, and I just decided to publish it on my calendar page for everyone to look at, and from there it went to Counter Signal Keean Bexte; Rebel News took it, various other -- various other independent journalists, and so on, took note of it.

Notably the legacy media CBC and so on did not comment or provide any coverage or insight of that, but I simply just put it out there and, you know, it went off on its own into the wild.

MR. PAUL CHAMP: And you met with Mr. Hillier. Did you meet with any other elected political officials while you were in Ottawa during the convoy protests?

MR. JEREMY MacKENZIE: No, sir.

MR. PAUL CHAMP: Either federally or provincially?

MR. JEREMY MacKENZIE: Not to my knowledge, no.

MR. PAUL CHAMP: And you’d indicated in your testimony that you met Ms. Tamara Lich this summer?

MR. JEREMY MacKENZIE: I spoke to her on the phone. I did see Tamara Lich briefly, she walked by me somewhere in a hotel lobby. But I hadn’t had any formal interaction, conversation or anything with her until I’d spoken to her on the phone sometime in, I want to say August.

MR. PAUL CHAMP: And the two of you, you were discussing -- what was the topic you were discussing; this upcoming Inquiry, or other issues?
MR. JEREMY MacKENZIE: No, she had actually called to express concern and so on for my legal situation.

MR. PAUL CHAMP: For your legal situation?

MR. JEREMY MacKENZIE: Yes, outside of the -- of this.

MR. PAUL CHAMP: Okay.

Thank you very much, Mr. MacKenzie.

COMMISSIONER ROULEAU: Okay, thank you.

Next, the Ottawa Police Service.

--- CROSS-EXAMINATION BY MS. JESSICA BARROW:

MS. JESSICA BARROW: Good afternoon, Mr. MacKenzie. My name is Jessica Barrow, and I am counsel for the Ottawa Police Service.

Can you see and hear me all right?

MR. JEREMY MacKENZIE: Yes, I can. Hello.

MS. JESSICA BARROW: Excellent.

I’m going to start with something that you testified to earlier, and you indicated that in the lead-up to the events in Ottawa you were of the view that this was not going to be what you referred to as an in-and-out event. But just to be clear, you were not one of the organizers of this event; correct?

MR. JEREMY MacKENZIE: That’s correct. I believe I may have been misconstrued as such, or perceived to be a bigger personality in this, simply because of my social media presence and a video that I had released, basically, reacting to the convergence of the trucks moving towards Ottawa. I was, you know, kind of excited by it and interested in what was going to
happen. That video, it’s achieved a fair amount of traction and play. So I think maybe people associated me with that for that reason. However, I -- no, at no time did I have any contact with any organizers. I didn’t ask for any money, take any money, give any money; I had no hand in the logistics planning, anything like that. I was simply there at my own volition to observe and, you know, just be there for the experience.

MS. JESSICA BARROW: So you really had no knowledge as to the specific intentions of the organizers, except for whatever, perhaps, you were seeing online; is that fair?

MR. JEREMY MacKENZIE: The -- as far as the intentions were concerned, I was basically just collating the information that I could find in social media and what people were saying. I was aware of who some of the people were for that reason, and they were echoing the same, you know, similar kind of sentiments; they were there to, you know, do the protest and show their discontent, and exercise their rights to do so, and so on. I didn’t have any -- I hadn’t seen anything disagreeable with that. I didn’t see any intentions of, you know, violence or so on.

MS. JESSICA BARROW: Right. But with respect to your comment, in terms of this not being an in-and-out event, ---

MR. JEREMY MacKENZIE: M’hm.

MS. JESSICA BARROW: --- are you aware that the organizers, or some of them testified earlier this week that this event become -- became much more significant than they had
really anticipated?

MR. JEREMY MacKENZIE: No, I was not. I haven’t been able to view much of it or hear much of what’s, you know, transpired earlier. It was apparent to me just simply because of the -- Canada’s a very large country, and the effort required just to simply go to Ottawa from Alberta and British Columbia, in Halifax and so on, indicated to me -- and the numbers in which people were going, indicated to me this was not going to be a quick trip to the city, as it were.

MS. JESSICA BARROW: Are you aware that, similarly, that some of the organizers testified that they had not anticipated staying as long as they ultimately did?

MR. JEREMY MacKENZIE: No, I’m not.

MS. JESSICA BARROW: Okay. I’m going to move on to the issue of social media.

Obviously, we heard some testimony from you today about your particular use of social media. Would you agree with me that social media is a tool that some people use to influence the actions of others?

MR. JEREMY MacKENZIE: Yes, of course.

MS. JESSICA BARROW: In fact, it’s actually a career now, being a social media influencer?

MR. JEREMY MacKENZIE: Yes, some people make a living that way.

MS. JESSICA BARROW: And it’s a tool that’s used to encourage people to buy things or used for social advocacy?

MR. JEREMY MacKENZIE: Yes, I think it's empowered a lot of people to express their voice in the world
and establish themselves as such if they want to act similarly to the way that corporate broadcasting and larger companies and stuff do to push whatever products, ideas and things that they want to they can now compete with them in the same kind of space I suppose.

MS. JESSICA BARROW: So then I take it you would agree with me that social media has the power, both unintentionally and intentionally, to influence the actions of others?

MR. JEREMY MacKENZIE: I would say that anything that anyone ---

MR. SHERIF FODA: Mr. Commissioner.

MR. JEREMY MacKENZIE: --- is paying any large amount of attention to ---

COMMISSIONER ROULEAU: Sorry, there's -- if you just hold on a moment, your counsel is standing up here.

MR. SHERIF FODA: I'm not sure social media can have an intent. I'm not sure if the question is precise, and I'm not sure how relevant it is in the circumstances. Perhaps social media users could have that kind of power, but my client, I don't think it's fair for him to testify about the power that social media has in terms of intent and lack of intent.

MS. JESSICA BARROW: I was speaking specifically to social media influencers, but I'm happy to be more clear if that's required.

COMMISSIONER ROULEAU: I think you have to be more clear. Social media is something we should be looking into, but ---
MS. JESSICA BARROW: Sure.

COMMISSIONER ROULEAU: --- if you could try and rephrase the question.

MS. JESSICA BARROW: Happy to.

So to be clear, Mr. MacKenzie, I'm speaking obviously specifically to the users that are using social media. And in terms of influencing others, my question was would you agree with me that those using social media can both intentionally and unintentionally influence others?

MR. JEREMY MacKENZIE: Yes, of course. I would imagine that any form of media, whether it's social media, television, movies, music, and if they're inundated, especially, you know, in sort of a way that that becomes a large focus of their day-to-day lives, then it would have an impact on the way that they view things, of course.

MS. JESSICA BARROW: And you indicated earlier that depending on the platform and depending on the specific post that anywhere between tens of thousands to hundreds of thousands of people have followed you.

MR. JEREMY MacKENZIE: It's unclear. There is no real way to measure, but tens of thousands would be -- probably be a fair assessment, yes.

MS. JESSICA BARROW: I think you may have indicated that one of your YouTube videos may have garnered up to half-a-million views. Do I have that incorrect?

MR. JEREMY MacKENZIE: No. Several of them have in the past, yes.

MS. JESSICA BARROW: Okay. So I'm not going to
take you to this specific document, but for the record, it's OPP835, and it's a document published by the Canadian Anti-Hate Network, which I take from your earlier testimony you disagree with, but it describes:

"Diagolon, also referred to as Plaid Army, as a conspiracy-based network that is increasingly evolving into a militia compromising neo-fascists who anticipate a violent revolution which they will seize power."  (As read)

I take it you disagree with that assessment of the organisation. Is that fair?

MR. JEREMY MacKENZIE: Yes, I disagree, and I don't agree that this is an -- my imagination is an organisation of any kind. I'm not clear on what neo-fascists accelerationist means, and in my opinion the Canadian Anti-Hate Network is not a credible news or information research source.

MS. JESSICA BARROW: Fair enough. But I take it you would agree with me that at least some people might interpret your messaging in that way because obviously the Canadian Anti-Hate Network does?

MR. JEREMY MacKENZIE: Again, sure. I can't control how people interpret or don't interpret, you know, any number of things. I can only control things that I say and conduct myself the best that I can, and if it's interpreted the wrong way then I'm happy to clarify. But I can't, again, be expected to control the interpretations of other people.

MS. JESSICA BARROW: Fair enough. I'll just ask
one more question because I believe I'm getting the signal that I'm out of time.

MR. JEREMY MacKENZIE: Of course.

MS. JESSICA BARROW: But as a follow-up to that, there were a few veiled references to violence that we saw earlier counsel take you to, and you indicated in response to those that it certainly wasn't your intention to promote violence and that your followers would know that. Is that a fair assessment of your answer?

MR. JEREMY MacKENZIE: Yes, I think so.

MS. JESSICA BARROW: But it's true that you have not obviously spoken to all of your followers; right?

MR. JEREMY MacKENZIE: Well, I don't exactly take attendance, so there's no way to know who is listening to me at any number of -- all I can do is use my platforms accordingly, and if it's listened to or not by individual people is not within my control.

MS. JESSICA BARROW: And so you obviously couldn't know how they're interpreting your message?

MR. JEREMY MacKENZIE: No.

MS. JESSICA BARROW: Okay. Thank you, those are my questions.

COMMISSIONER ROULEAU: Okay. Next, is the Ontario Provincial Police.

MR. CHRISTOPHER DIANA: Commissioner, I have no questions. Thank you.

COMMISSIONER ROULEAU: Okay, next is counsel for former Chief Sloly.
MR. TOM CURRY: Commissioner, also no questions for the witness. Thank you.

COMMISSIONER ROULEAU: Okay. Next, is the Government of Alberta.

UNIDENTIFIED SPEAKER: Thank you, Commissioner. We have no questions either.

COMMISSIONER ROULEAU: Okay, the Democracy Fund, JCCF?

MR. ANTOINE D'AILLY: Antoine D'Ailly for the Citizens for Freedom. Our group would like to cede our time to counsel for the witness.

COMMISSIONER ROULEAU: That seems to be a popular person. Mr. Foda, I guess it's your turn. You seem to have collected a lot of support.

MR. SHERIF FODA: I won't need all the time, Mr. Commissioner, but I'm happy to commence now.

COMMISSIONER ROULEAU: Go ahead.

MR. SHERIF FODA: Thank you, sir.

--- CROSS-EXAMINATION BY MR. SHERIF FODA:

MR. SHERIF FODA: Good afternoon, Mr. MacKenzie. Can you see me?

MR. JEREMY MacKENZIE: Yes, sir.

MR. SHERIF FODA: This is the first time you've seen me actually on video.

MR. JEREMY MacKENZIE: That is correct.

MR. SHERIF FODA: I want to start off with just covering some of the questions that you were asked by the last counsel, counsel for the Ottawa Police Service.
MR. JEREMY MacKENZIE: Okay.

MR. SHERIF FODA: The Canada Anti-Hate Network, you were asked about sort of the information that they have put out there about you.

MR. JEREMY MacKENZIE: Yeah.

MR. SHERIF FODA: Are you aware if the Canada Anti-Network has itself spread any misinformation during the convoy?

MR. JEREMY MacKENZIE: Yes, as a matter of fact the president or the chief, as I understand it, Mr. Farber, was on national television advising the Nation of Canada that antisemitic flyers were being distributed throughout Downtown Ottawa as a result of the nature of the people involved, when in fact that was a screengrab from an event in Miami, Florida that had taken place weeks earlier.

MR. SHERIF FODA: And do you know if the Canada Anti-Hate Network's views about you have been relied upon by law enforcement or other senior officials in the Federal Government?

MR. JEREMY MacKENZIE: Yes, I have, through, again, legal disclosure, documents referenced by law enforcement, open source intelligence and so on, there are a number of pages and articles and things written by the Canada Anti-Hate Network used as justification for their assessment of me.

MR. SHERIF FODA: And have you ever had any communication with anyone from the Canada Anti-Hate Network?

MR. JEREMY MacKENZIE: I have, actually. One of their journalists, Mr. Smith I believe, reached out to me in --
just as late as February, I was here. Previous to that, no one had ever approached me for a comment or explanation. They just were content to just publish things sometimes with no bylines whatsoever, written by ostensibly no one. I attempted to explain and kind of level, you know, man-to-man with Mr. Smith about, you know, who I am and so on. That didn't really go anywhere.

I had also been contact informally, casually with Mr. Kurt Phillips over Twitter over the past several months before I was banned.

**MR. SHERIF FODA:** And did your conversations have anything to do about the convoy or your alleged extremist activities?

**MR. JEREMY MacKENZIE:** No, they were pretty casual in nature. Just about kind of surface level things about other, you know, personalities and stuff, other maybe casual, some of the different beers that we enjoyed, things like this.

**MR. SHERIF FODA:** You were asked questions about social media and social media influencers and their ability to either unintentionally or intentionally influence others. What are your views on legacy media being able to do that?

**MR. JEREMY MacKENZIE:** Well, again, yeah, with seeing the size of the platform that it has and the amount of funding that's being dumped into it from the Canadian taxpayer, it's one of the bigger microphones that exists, and it's my opinion that it has an extreme amount of bias and has been almost weaponised in that way to push state and government messaging to influence and, you know, perhaps correct the way
that people are thinking as it benefits the people that pay
their bills.

MR. SHERIF FODA: I’d like to pull up
POE.JMK00000001. It’s an article from the Globe and Mail. Can
you see this article on your screen, Mr. MacKenzie?

MR. JEREMY MacKENZIE: Yes, sir.

MR. SHERIF FODA: Are you familiar with it?

MR. JEREMY MacKENZIE: No, I’ve never seen this
before.

MR. SHERIF FODA: Okay, if we could scroll down a
little bit, and stop right there for a moment. Could you please
read that, Mr. MacKenzie, and tell us when you’re done?

MR. JEREMY MacKENZIE: Yes, sir. Do you want me
to real aloud or just silently?

MR. SHERIF FODA: No, just to yourself.

MR. JEREMY MacKENZIE: Okay.

MR. SHERIF FODA: I’m going to just cover some of
the content in that.

MR. JEREMY MacKENZIE: Okay. Yeah, I got it,
thanks.

MR. SHERIF FODA: Okay, if we could go down a
little bit further.

MR. JEREMY MacKENZIE: Okay.

MR. SHERIF FODA: And a little bit further.

MR. JEREMY MacKENZIE: Okay.

MR. SHERIF FODA: And then just a little bit
further.

MR. JEREMY MacKENZIE: Okay.
MR. SHERIF FODA: So this -- this was an article that was published around February 16th, after the Emergencies Act was invoked by the government.

MR. JEREMY MacKENZIE: Okay.

MR. SHERIF FODA: And there are comments made by Public Safety Minister about -- that were later clarified by his spokesperson. Mr. Mendicino didn’t name any organization during the news conference but his spokesperson, Alexander Cohen, later said that the minister’s remarks were in reference to Diagolon.

MR. JEREMY MacKENZIE: I see.

MR. SHERIF FODA: If we could up just a little bit further to the comments that were actually made by Mr. Mendicino -- no, further up, please, right there. So:

"It could have been deadly for citizens, protesters, and officers. We need to be clear-eyed about the seriousness of these incidents and indeed several of the individuals at Coutts have strong ties to a far-right extreme organization with leaders who are in Ottawa."

How many members -- or, sorry, how many of the individuals at Coutts did you have any ties to?

MR. JEREMY MacKENZIE: Just the -- again, Mr. Lysak who I’d met twice.

MR. SHERIF FODA: And would you consider that to be strong ties?

MR. JEREMY MacKENZIE: No.
MR. SHERIF FODA: But would you consider this to be an example of misinformation or no?

MR. JEREMY MacKENZIE: Yes, I would.

MR. SHERIF FODA: I’d like to pull up some of the clips, sir, that counsel have referenced but that we’ve not actually gone over with you. If I could first ask that JMK000...- I think there’s seven zeros and 4. And this is a clip, I understand, from your social media dated January 23rd of this year, sir?

(VIDEO PLAYBACK)

MR. SHERIF FODA: Where was that video taken, sir?

MR. JEREMY MacKENZIE: That video was filmed outside downtown waterfront in Pictou, Nova Scotia, where I live.

MR. SHERIF FODA: And what was your intent in putting out that video?

MR. JEREMY MacKENZIE: That was the day -- or two days prior to being -- heading down to Ottawa, and there were a lot of people who were on their way. They were excited to go and so on, and I was -- it was my intent to try and set a tone of extreme levels of situational awareness and attentiveness to the fact that there would be a lot of scrutiny on everyone and so it was imperative that people conduct themselves in a responsible and lawful manner.

MR. SHERIF FODA: If we could play another clip, please, JMK00000002. This is a clip, I understand, Mr. ---

(VIDEO PLAYBACK)
MR. SHERIF FODA: Sorry, if we could just go back to the beginning. Mr. MacKenzie, I understand this was taken on January 28th. If you could please just watch it.

MR. JEREMY MacKENZIE: M’hm.

(VIDEO PLAYBACK)

MR. SHERIF FODA: Where was this video taken, sir?

MR. JEREMY MacKENZIE: That video appears to be taken in the residence I mentioned earlier that we stay at a large amount of time outside the City of Ottawa.

MR. SHERIF FODA: And what was the message that you were trying to convey?

MR. JEREMY MacKENZIE: I was just trying to keep people safe. And again, if they -- I obviously wouldn’t want them to intervene into something that seemed, you know, unsafe or dangerous but if they could, you know, I believe that the -- as dangerous as it could be, the Smartphones that people have can be their best defence. They can film, you know, what’s happening around them and protect themselves in that way. And if they were to encounter or see anything disturbing, or frightening, or alarming, then they should leave and get away from that, and then potentially even report it to authorities, if necessary.

MR. SHERIF FODA: Speaking about reporting things to authorities, have you ever reported extremist behaviour to authorities?

MR. JEREMY MacKENZIE: Yes.

MR. SHERIF FODA: Can you please tell us about
MR. JEREMY MacKENZIE: One example, let’s see, this is -- it would have been fall, I think, of 2021. There was a group online identifying themselves as “Awakes”—something. It was armed men in the woods with masks. One of them, specifically, said, “This is a call to arms,” which, as I understand, is an illegal thing to do. It was very clear that they intended to -- were promoting the idea of arming people, arming citizens -- I think it was an acronym for “liberating our neighbourhood” or something like that -- and to engage the, you know, forces of the state in violent confrontation. They were commenting on my videos and inferring that they were trying to connect with me and so on. I found this very alarming. And again, putting my -- potentially myself at risk but other, you know, people that follow me and could be exposed to this and have been scared in whatever was going on there, so I -- once I became aware of the video, I immediately called the mounted police about it.

MR. SHERIF FODA: And did you receive a response?

MR. JEREMY MacKENZIE: I did. They called me back. They asked me what I knew about, you know, if -- anything. And I said, “All I know is what I’ve seen on the internet. I’m simply bringing it to your attention because, if I were you, this is something that would concern me.” And that was pretty much the end of that interaction. I’m not sure whatever took place after that but ---

MR. SHERIF FODA: You didn’t have follow-up after that?
MR. JEREMY MacKENZIE: I don’t think so. I think there was one constable from Saskatchewan that they had called me to say they may have more questions in the future, but that was the end of that interaction.

MR. SHERIF FODA: Were you willing to have a continuous relationship with law enforcement to assist them in identifying legitimate threats to public safety?

MR. JEREMY MacKENZIE: Of course. If I could -- if there was anything for me to give them or assist them in any way, I would have, yes.

MR. SHERIF FODA: I’d like to play another clip, JMK00000001. And my understanding is that this is a clip from February 5th.

MR. JEREMY MacKENZIE: Okay.

(VIDEO PLAYBACK)

MR. SHERIF FODA: Where were when this video was taken, sir?

MR. JEREMY MacKENZIE: I believe I was driving, travelling back to Ottawa from the Maritimes.

MR. SHERIF FODA: Okay. Can you please tell the Commissioner sort of what your itinerary was during the convoy protests?

MR. JEREMY MacKENZIE: From beginning to end or --

MR. SHERIF FODA: Yeah. My understanding is that you were not in Ottawa the entire time. Can you ---

MR. JEREMY MacKENZIE: Yes. Yeah.

MR. SHERIF FODA: --- sort of just go over, in
general terms, your itinerary?

MR. JEREMY MacKENZIE: Okay. So I left the Maritimes, again, a couple of days -- I arrived one or two days before the trucks showed up. I picked up a couple of friends and associates. They wanted to go. There was kind of a carpool that year. I said I would take them. We were down -- so people stayed at the location I mentioned, and then after roughly five days or so, these gentlemen had to go home. I drove them home.

I only intended to stay for that length of time, and then when I got home, I decided I was -- it was unclear how long this was going to go on, so I decided to go back a few days later.

That’s around that time was when I made that video, and then I stayed in Ottawa, the Ottawa area, for the duration until probably three to four days after the invocation of the Emergency Act and everyone was cleared out of downtown.

Then my partner and I left and we headed back to the Maritimes.

MR. SHERIF FODA: When you were in Ottawa, did you engage in any illegal activity?

MR. JEREMY MACKENZIE: No.

MR. SHERIF FODA: Did you bring a vehicle?

MR. JEREMY MACKENZIE: Yes, I drove my personal vehicle, a pickup truck.

MR. SHERIF FODA: Where did you park?

MR. JEREMY MACKENZIE: Either on the farm where I was staying or hotel parking lots that, you know, were set up, or if it was in the interest of going downtown to see the...
protest, I would park at parking lots that were available as close as possible and then walk the remaining couple of blocks.

MR. SHERIF FODA: Did you pay for parking?
MR. JEREMY MACKENZIE: Yes.
MR. SHERIF FODA: Did you assault anyone while you were in Ottawa?
MR. JEREMY MACKENZIE: No.
MR. SHERIF FODA: Threaten anyone while you were there?
MR. JEREMY MACKENZIE: No.
MR. SHERIF FODA: Did you engage in violent behaviour?
MR. JEREMY MACKENZIE: No, sir.
MR. SHERIF FODA: Were you armed?
MR. JEREMY MACKENZIE: No.
MR. SHERIF FODA: Were you charged with any offences in relation to your participation in the convoy in Ottawa?
MR. JEREMY MACKENZIE: No, sir.
MR. SHERIF FODA: Do you believe or do you know whether or not your public political commentary has drawn the ire of officials?
MR. JEREMY MACKENZIE: That is my belief, yes.
MR. SHERIF FODA: Sir, you were asked questions about whether you had any -- whether Diagolon had any structure. I think you were asked if you had any formal authority over anyone in the Diagolon community, and I believe you indicated that there was no hierarchy or no formal structure?
MR. JEREMY MACKENZIE: Correct.

MR. SHERIF FODA: To be fair, you have a vice-president?

MR. JEREMY MACKENZIE: Yes.

MR. SHERIF FODA: Could you tell the Commissioner who your vice-president is?

MR. JEREMY MACKENZIE: The vice-president is -- of Diagolon, which is of my imagination, he is a -- my sidekick that has evolved over the years. He's a demonic goat figurine named Phillip with a very, very serious narcotics problem and a time-travelling goat.

MR. SHERIF FODA: Do you think any reasonable person who consumes your content, either regularly or semi-regularly would actually consider Diagolon to be an organization?

MR. JEREMY MACKENZIE: I would think not, no.

MR. SHERIF FODA: How do you explain what is included in intelligence reports and what is expressed in national media and expressed by ministers of the highest level in our country?

MR. JEREMY MACKENZIE: It's my opinion that the foundation work by the Canadian Anti-Hate Network as pertains to targeting me as a previously government-funded -- has enjoyed a fair amount of government funding, to target and smear people that they, you know, consider perhaps politically inconvenient or people they just want to shut up, they irregularly engage in defamatory statements while there action, things like this; out-of-context statements, they'll take a clip here, a sentence
there and stitch it together and make it appear as something that it is not.

From there, some media outlets, legacy media outlets, lazily -- unfortunately, it appears -- took it at face value, copy/paste, print the story then which is consumed by police officers, which again, unfortunately, rather than doing any digging themselves or investigating or asking me a single question, take these things at face value and compile these reports and up the network it goes until it lands on the desk of the public safety minister or you know, perhaps even the prime minister's office, where they're faced with these scenarios that have no basis in reality.

I consider this entire situation entirely avoidable. This -- none of this needed to happen, and it's absurd, and I consider the single most embarrassing and grotesque intelligence failure in national history.

MR. SHERIF FODA: Mr. Mather, when he first started asking you questions, clarified that you're obviously testifying from in custody?

MR. JEREMY MACKENZIE: Yes, sir.

MR. SHERIF FODA: Okay. And my understanding is you have no criminal record?

MR. JEREMY MACKENZIE: That is correct.

MR. SHERIF FODA: How do you intend on pleading to all of the charges that you face?

MR. JEREMY MACKENZIE: Not guilty.

MR. SHERIF FODA: Those are my questions.

COMMISSIONER ROULEAU: Okay. Thank you. Any re-
examination?

MR. STEPHEN ARMSTRONG: No, Mr. Commissioner.

Thank you.

Okay. Well, thank you for your testimony, Mr. Mackenzie, and good luck with your trials.

MR. JEREMY MACKENZIE: Thank you, Commissioner.

COMMISSIONER ROULEAU: Okay. Next, we're going to take the afternoon break and then we'll come back with our final witness of the day and of the week.

THE REGISTRAR: The Commission is in recess for 15 minutes. La Commission est levée pour 15 minutes.

--- Upon recessing at 4:21 p.m.

--- Upon resuming at 4:37 p.m.

THE REGISTRAR: Order. A l’ordre. The Commission has reconvened. La Commission reprend.

MR. JEFFREY LEON: Thank you, Commissioner.

Jeffrey Leon, co-lead counsel for the Commission.

The next witness is Daniel Bulford.

COMMISSIONER ROULEAU: Go ahead.

--- MR. DANIEL BULFORD, Sworn:

--- EXAMINATION IN-CHIEF BY MR. JEFFREY LEON:

MR. JEFFREY LEON: Good afternoon, Mr. Bulford.

Clerk, could you please put up HRF0001553?

Do you recognize this as a statement that you prepared for the Commission?

MR. DANIEL BULFORD: Yes, sir, I do.

MR. JEFFREY LEON: Okay. We will put that in evidence, and if you ever need to refer to the statement while
I'm asking you questions, you let me know, okay?

MR. DANIEL BULFORD: Yes, sir.

MR. JEFFREY LEON: You can take that down now.

I understand that you were born in Saskatchewan and resided in Northern Alberta for several years?

MR. DANIEL BULFORD: Yes, that's correct.

And is it necessary that counsel speaks to the protection?

MR. JEFFREY LEON: He's already given that ---

MR. DANIEL BULFORD: Okay, thank you.

MR. JEFFREY LEON: --- protection, but he may want to do it again.

UNIDENTIFIED SPEAKER: Sir, that's -- protection's already been marked as an exhibit. You're listed in -- invocation.

MR. DANIEL BULFORD: Okay, thank you.

COMMISSIONER ROULEAU: Simply for the record, I'll refer to the statement that's in the record and the fact that you are under subpoena from the Commission, and as a result, it will be deemed that you've objected to each answer to seek the protection of the relevant Evidence Act, okay?

MR. DANIEL BULFORD: Thank you, Commissioner.

MR. JEFFREY LEON: Thank you for that reminder.

Now, I understand that you spent 15 years in the RCMP?

MR. DANIEL BULFORD: That's correct.

MR. JEFFREY LEON: And tell us briefly your career in the RCMP.
MR. DANIEL BULFORD: I joined the RCMP in August of 2006. I graduated from the Depot Training Academy January 2007. I was posted to Whitehorse, Yukon as a general duty constable for roughly four years.

In December 2010, I transferred to Mayo, Yukon, a smaller, more remote community four hours north of Whitehorse. I was posted there for roughly two and a half years.

And then I transferred to Ottawa where, for the remainder of my career, I was a full-time sniper observer on the National Division Emergency Response Team.

MR. JEFFREY LEON: And you resigned from the RCMP in December 2021?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And why did you do that?

MR. DANIEL BULFORD: I spoke out publicly against the federal government vaccination mandate for COVID-19 vaccines and after speaking out publicly, my security clearance was revoked and I knew that I would be subject to disciplinary action. And after I reviewed what my options were in regards to that, I discovered that if I was terminated for misconduct, which I suspected would be the case, I could potentially lose roughly half of my pension transfer value, so I made the decision to resign out of fear that I would not be able to set my family up adequately financially in the future.

MR. JEFFREY LEON: Thank you.

And beyond that, has -- have the COVID-19 public health measures affected you or your family?

MR. DANIEL BULFORD: Yes, sir, very much.
MR. JEFFREY LEON: Can you say briefly why?

MR. DANIEL BULFORD: Well, the obvious beginning is that I felt it necessary to leave my 15-year career, which I was provided 15 dedicated years of service to the Mounted Police. I was not a complainer. I worked hard. I was passionate about my craft. I think I had a reputation of being a hard-working professional.

Then beyond that, my -- my wife and I were no longer permitted access to public spaces that we as taxpaying Canadians were helping fund. And that prevented us from being involved in our children’s activities such as minor hockey, which we were both heavily involved in for a number of years, roughly six years.

We couldn’t travel to see our family in northern Alberta, which, you know, living in the second-largest land mass country in the world, was problematic, so it’s roughly 40 hours of drive time.

And we lost neighbours and friends who were perfectly fine to have relationships with us until the vaccine passport deadline kicked in, and then we were no longer worthy to speak to.

And beyond that, there was a very heightened state of anxiety about how much further the situation in Canada would degenerate. And what I mean by that is that the dehumanization effort had begun, and that was in -- I believe that was in August of 2021 when the Prime Minister had initially announced the federal -- the impending federal vaccination mandate and then he was campaigning into September for his snap
And he was making comments regarding ---

MR. JEFFREY LEON: Okay, sir, we only have an hour, so ---

MR. DANIEL BULFORD: Okay.

MR. JEFFREY LEON: --- can we -- I think the Commissioner understands what you’re saying.

MR. DANIEL BULFORD: The ultimate problem was that the Canadian population was led to believe that people like myself and my family were a threat to other people and their children, which was not true, by his own admission in July of 2021 on camera.

MR. JEFFREY LEON: You’re a member of an organization, Mounties for Freedom, that opposes public health measures and specifically COVID-19 vaccine?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And also Police Stand on Guard for Thee, which are police officers, active and retired, whose stated mission includes “to repair and regain public trust being damaged or lost due to enforcement measures of” -- sorry, “due to the enforcement emergency measures”. Correct?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And then you’re also on the Advisory Board of Taking Back Our Freedoms?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: We’ve heard Taking Back Our Freedoms, about that organization, in previous evidence. I take it it was founded to push back against COVID-19 vaccine
mandates?

MR. DANIEL BULFORD: I would say that’s accurate, but -- and in general, the COVID measures that were resulting in a segregation of our society. So not just the mandate, but the passport as well.

MR. JEFFREY LEON: And its mission has expanded to focus on rejuvenating Canada’s democracy and institutions; correct?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: Now, when did you first learn of the Freedom Convoy?

MR. DANIEL BULFORD: At least one week prior to its arrival in Ottawa. Probably before that. Saw circulating videos on social media about its growing size and travel across Canada.

MR. JEFFREY LEON: And did somebody contact you to become involved with the convoy when it arrived in Ottawa?

MR. DANIEL BULFORD: So initially, I was supposed to work in a volunteer security capacity for a number of the doctors that were speaking out against the COVID-19 health measures and vaccinations because they had received a number of threats. So myself and a number of other individuals with similar training in close protection were going to be providing a volunteer security service to them.

MR. JEFFREY LEON: And who asked you to do that?

MR. DANIEL BULFORD: That was through Taking Back Our Freedoms.

MR. JEFFREY LEON: And was there somebody
specific that asked you?

MR. DANIEL BULFORD: George Bears.

MR. JEFFREY LEON: Thank you.

And I take it that before the convoy arrived, your role -- you were asked to take on an expanded role. Is that right?

MR. DANIEL BULFORD: Yes.

So I was -- it was the -- I believe it was the night of January 25th, I was called by a personal friend asking for help with volunteer security for Adopt A Trucker. So I met with the Adopt A Trucker volunteers the following morning with Mr. Chris Garrah was there. That was the first time I’d ever encountered him.

And based on what I saw from this small group of volunteers that had very little time to prepare for this major, major event that was about to land in Ottawa, I felt that I could be better put to you in assisting them and I could pass off the doctor security role to others.

MR. JEFFREY LEON: And you became in charge of VIP security?

MR. DANIEL BULFORD: No, that -- so that was the role that I passed off to others.

MR. JEFFREY LEON: Did you have a title in this new position?

MR. DANIEL BULFORD: The title would be volunteer security coordinator, and then I ended up becoming a police liaison as well.

MR. JEFFREY LEON: And when did you start? Do
you recall the date?

   MR. DANIEL BULFORD: That day, January 26th.

   MR. JEFFREY LEON: Okay. And were you told how many vehicles were going to arrive on the convoy?

   MR. DANIEL BULFORD: No, I was not. There was -- we were getting varied numbers from circulating social media, you know, anywhere between 10,000 vehicles upwards of 50,000 vehicles.

   I had no idea of an accurate number.

   MR. JEFFREY LEON: And how long did you understand that the convoy would be staying in Ottawa?

   MR. DANIEL BULFORD: At that time, my understanding was that the convoy intended to come to Ottawa and stay until mandates were lifted.

   MR. JEFFREY LEON: And you mentioned that you became a police liaison. Did you have communications with the Ontario Police Service?

   MR. DANIEL BULFORD: I ---

   MR. JEFFREY LEON: Or, sorry, the Ottawa Police Service?

   MR. DANIEL BULFORD: Yes, I had communication regularly with the Ottawa Police Service, the Parliamentary Protective Service, the OPP, and the RCMP.

   MR. JEFFREY LEON: And just generally, what function did you perform in liaising with those police forces?

   MR. DANIEL BULFORD: Well, there was a tremendous amount of information coming into me on any given day. And so what I viewed -- my primary function, what I spent the majority
of my time doing, was triaging information that could have been any type of threat to public safety, anything that I felt had any kind of credibility or something that could -- was beyond my scope to verify, I would forward to that to the police -- all the different police liaisons I was connecting with.

MR. JEFFREY LEON: And I take -- I understand you were working out of the Swiss Hotel where there was an operation and logistical support centre?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And you formed an incident command using that model?

MR. DANIEL BULFORD: Yeah, that’s correct. So there was a number of us volunteers that had worked in first-responder type jobs -- you know, police, paramedic, some -- a lot of firefighters from outside of the City of Ottawa -- and what we did was we tried to establish an incident command system -- like a network and a model -- an incident command model so that it was easily identifiable who was responsible for what so that it would make our communication more efficient and just to overall streamline our day-to-day operations.

MR. JEFFREY LEON: And one of the other individuals working with you was Vincent Gircys; have I got that right?

MR. DANIEL BULFORD: Yes, Vincent, he came to the Swiss Hotel very early on and we connected. And what eventually -- so he -- my apologies. He came to the Swiss. He was there for the first weekend, maybe, not a very long period of time. He returned home. And then he came to Ottawa, at which time,
when he asked me what he could do, I asked him if he could go
over to the Arc Hotel and support them.

MR. JEFFREY LEON: Thank you. And then, who was
the first police that you communicated with?

MR. DANIEL BULFORD: Cst. Isabelle Cyr-Pidcock of
the Ottawa Police Service.

MR. JEFFREY LEON: And did you call her or did
she call you?

MR. DANIEL BULFORD: I called her on the 26th.

MR. JEFFREY LEON: And could you tell us about
that conversation?

MR. DANIEL BULFORD: Yeah, I contacted her. I
gave a brief description of who I was and what I was going to be
doing in support of the convoy. Mr. Garrah had advised me that
he had already been in communication with her and that we were
expecting a map package from the Ottawa City Police as to where
the trucks were supposed to enter into the city and where they
were supposed to park and stage.

MR. JEFFREY LEON: And did she tell you anything
else, let’s say, about emergency vehicle lanes?

MR. DANIEL BULFORD: We may have discussed that
on the phone call but it was definitely -- there was specific
instructions delivered within the map package that she did end
up sending me on the 27th of January.

MR. JEFFREY LEON: And so could you put up,
please, HRF00001313. And if you could go to the next page,
please. Is this the map package she sent you?

MR. DANIEL BULFORD: Yes, I believe so.
MR. JEFFREY LEON: And we see it says under “Ottawa Truck Convoy”:

"Take direction from police whenever applicable. Leave open space for emergency vehicle access at all times. No closed trailer permitted on Wellington near Parliament Hill. All staging areas must be kept an adjacent emergency access lane..."

And emergency routes that are listed there:

"...no convoy access at any time."

Correct?

MR. DANIEL BULFORD: Correct.

MR. JEFFREY LEON: And did you communicate those instructions to anyone?

MR. DANIEL BULFORD: Yes, I emailed this map package to Tamara Lich with the understanding that they would be receiving a briefing in Arnprior the night before entering the city.

MR. JEFFREY LEON: And how did you know to email them to Ms. Lich?

MR. DANIEL BULFORD: Well, Ms. Lich had contacted me prior to the convoy arriving in Ottawa, not in regards to this but for support with monitoring and responding to social media, which I said that I agreed that the Mounties for Freedom could help her with. And I so forwarded that -- her contact information off to -- we had a social media committee at the time and then -- so I was already aware that she was -- like, I
would call -- describe her as “the face of the convoy” and so that’s who I communicated the map package to.

MR. JEFFREY LEON: Thank you. And if you can just scroll to the next page, please. This is one of the maps. There were one, two, three, four, five, five maps, if you can scroll up. And again, what were those maps of? What was that telling you?

MR. DANIEL BULFORD: These are the entrance routes for the various convoys that were approaching from different directions and where they would be directed to enter the city and where to park.

MR. JEFFREY LEON: And if we can go to the next page, please. This is from Cst. Cyr-Piddock, and it says: "Routes to staging areas."

And what did you understand that to mean?

MR. DANIEL BULFORD: Exactly what it says.

MR. JEFFREY LEON: And so you knew that there were -- you understood there would be certain staging areas?

MR. DANIEL BULFORD: I did.

MR. JEFFREY LEON: Yeah. And if you can go to the last page -- or, sorry, the next page over -- sorry, one -- yeah, there, there are certain instructions there including, "No parking on Elgin Street from Wellington to Highway 417," and so forth. And all of that, you say you passed on to Ms. Lich?

MR. DANIEL BULFORD: Yes.

MR. JEFFREY LEON: What police force was this Cst. Cyr-Piddock with?

MR. DANIEL BULFORD: Ottawa Police Service.
MR. JEFFREY LEON: Thank you. And where were you when the convoy started to arrive?

MR. DANIEL BULFORD: I was in the Swiss Hotel.

MR. JEFFREY LEON: Now, we’ve heard evidence that from time to time some emergency lanes were blocked either on a short-term basis or, for example, on Kent Street on a long-term basis. What observations did you make about emergency lanes?

MR. DANIEL BULFORD: I did see, when I would do a -- let’s refer to it as a perimeter walk -- that the only place that I ever observed that the emergency lanes were blocked was for roughly, I would estimate, two, maybe three blocks north and south on Kent Street.

MR. JEFFREY LEON: And that was it?

MR. DANIEL BULFORD: That’s all I recall.

MR. JEFFREY LEON: Okay. And then ---

MR. DANIEL BULFORD: My -- I apologise. Perhaps at Rideau and Sussex as well.

MR. JEFFREY LEON: Okay. We'll come to Rideau and Sussex.

If you can turn up, please, Mr. Clerk, PB.NSC.CAN.00001367, and go... And if you can go to page 10, please. A little further. Sorry, can you try page 11? Oh, no. Excuse me for one second.

Let me just ask you the question. At -- on -- did you have a further conversation with members of police forces on January 28th?

MR. DANIEL BULFORD: As referenced in this document?
MR. JEFFREY LEON: Yes. Let me just turn it up for you.

It's -- excuse me. One moment. All right, it's page 11 at the bottom.

You see it refers to you, that you're organising the volunteer security for the group warroomcanada.net. What was that?

MR. DANIEL BULFORD: That was the initial website domain that Mr. Garrah was operating Adopt-A-Trucker through.

MR. JEFFREY LEON: And it says on Friday, January 28, 2022, you:

"...reached out to points of contact within the RCMP, OPP, and the NCRCC seeking information obtained via open source on the demonstration."

Do you remember that?

MR. DANIEL BULFORD: Yes. I don't recall reaching out to the OPP that early, I could be mistaken, but I definitely reached out to Ottawa Police Service, PPS, and the RCMP. And when it references the NCRCC, that's a Command Centre that was at my old building of work ---

MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: --- and so the specific person I reached out to from the RCMP I believed to be working out of that location.

MR. JEFFREY LEON: And do you remember who that was?

MR. DANIEL BULFORD: Constable Chris Angel.
MR. JEFFREY LEON: And do you remember who you reached out to in the PPS?

MR. DANIEL BULFORD: Constable Émilie Gosselin (ph).

MR. JEFFREY LEON: And did you reach out again to Constable Cyr-Pidcock?

MR. DANIEL BULFORD: Yes, I believe so. And perhaps by that time I already had learned of Constable Paul Askin from the Ottawa Police Service as well.

MR. JEFFREY LEON: And if we go back to the document, it says:

"In his email, BULFORD noted 'The single largest concern of everyone involved is that outside influences will attempt to instigate an action that will damage the credibility of the official convoy group and supporters.'"

What -- why were -- was that your main concern?

MR. DANIEL BULFORD: Well, I've worked many of these large events in the NCR over my career, and consistently the biggest concern from a protective policing standpoint was always the potential for a lone wolf or a small group when you have a large crowd of people coming together, like a similar event like a Canada Day or a Remembrance Day. That was one of our primary function from my old unit was to be in positions where we could observe anything of a suspicious nature that could potentially become a lone actor or a small group attack.

MR. JEFFREY LEON: And I understand that you
reached out to, on January 29th, to Sergeant Front of the OPS.
Do you recall that?

MR. DANIEL BULFORD: Sergeant Frost?

MR. JEFFREY LEON: I believe it was Front. Is the name is Cross?

MR. DANIEL BULFORD: The OPS, Ottawa Police sergeant?

MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: That was a man by the name of Pat -- Sergeant Pat Frost.

MR. JEFFREY LEON: Frost. I'm sorry, it was a typo. And what did you discuss with him?

MR. DANIEL BULFORD: So that would've been very early in the morning I received a call from some of the truckers down at the intersection of Booth and Sir John A. MacDonald Parkway. They were frustrated that they had been blocked from continuing further up onto Wellington, like up towards the Supreme Court.

And so I went down just to see what would be possible, and while I was there, I ended up speaking with two of the young -- one of the officers was a younger man, and I spoke to those officers asking if it would be possible to have some of the trucks that were extended along Sir John A. MacDonald Parkway to condense closer to the, I would call it the main body of the convoy parked on Wellington at Parliament, and -- because there was a large gap. If I recall correctly, there was a large gap kind of around the Supreme Court of Canada all the way down the hillside of Wellington and then extending west ---
MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: --- to the Booth and SJAM.

And so they -- those officers got me into contact with Sergeant Pat Frost, and so I met with him at the Ottawa Police Headquarters, and I -- we drove around Downtown Ottawa together. And he relayed to me that he had managed a large tractor protest in the City of Ottawa before, and so he -- we were touring around the downtown core trying to determine what potential locations trucks could be brought in closer to Parliament, and you know, establishing what was a hard no-go, you know, like such as primary bus routes and emergency lanes.

MR. JEFFREY LEON: And what were your general observations of the protest during the first weekend?

MR. DANIEL BULFORD: Well, I didn't get out of the Swiss Hotel very much those first initial days, but when I finally did it was the largest event I have ever observed in Downtown Ottawa in my time here.

MR. JEFFREY LEON: And what about the conduct of the participants?

MR. DANIEL BULFORD: Well, it was a -- I'd say it was a very festive atmosphere. People were very emotional. Hugs all over the place. There was -- the stage, the crane stage truck had already been established up at the intersection of Metcalfe and Wellington by the time I got out for the very first time to go actually see it for myself.

And so that's where I went, and it was incredible. The crowd was humongous and people... If I recall correctly, the first time I got out was to actually go make a
speech on the stage truck, and it was a very overwhelming emotional experience because I felt that there was a sense of hope that Canada wouldn't go to a very dark place.

**MR. JEFFREY LEON:** And what was your speech about, just very generally?

**MR. DANIEL BULFORD:** It -- well, I know that I included some of those remarks in my speech, that prior to that convoy I was ready to leave the country. I was -- my wife and I had discussed that at length, moving somewhere where we would be, well, treated as an equal citizen, and especially for the future of our children, and that seeing the convoy and the rallying of support behind it all across Canada restored my faith in Canadians, that they weren't just going to let Canada degenerate further.

**MR. JEFFREY LEON:** Did you talk about security issues or behavioural issues?

**MR. DANIEL BULFORD:** I did. I gave a thank you to the first responders and I even kind of tipped my hat slightly to some of my old colleagues that were up on the roof of the Parliament buildings doing overwatch, you know, saying that I know a lot of these people, they’re good people and they’re here to protect us, too.

There was a great deal of mistrust of the police and -- and I reminded everyone or advocated for everyone to remain lawful -- peaceful and lawful at all times so that the government and the media could not label us with similar derogatory terms that they already had.

**MR. JEFFREY LEON:** And if we could go -- put back
up, please, HRF00001553.

And if you can just scroll through that to the
date February 1.

So if you can stop it just there.
I take it you took daily notes of everything that
you were doing?

MR. DANIEL BULFORD: Yeah, I tried to document as
much as I could.

MR. JEFFREY LEON: And that’s all set out in your
statement?

MR. DANIEL BULFORD: Yes.

MR. JEFFREY LEON: So for example, you were
dealing with issues like -- you identified on February 1st that
you received a call about an aggressive unidentified male at
Wellington and Metcalf, and you reported that to the police.

MR. DANIEL BULFORD: Okay.

MR. JEFFREY LEON: In the first paragraph there?

MR. DANIEL BULFORD: Yeah, I don’t recall if I
called the police. I think people that were present at the
stage truck at the time called the police.

MR. JEFFREY LEON: And if you just keep
scrolling, please, you’ll see there’s a number of events or
issues that you dealt with on February 1st and then into
February 2nd.

And then if we come to February 3rd, could you
put up, please, HRF00001287?

This is a letter from the Justice Centre for
Constitutional Freedoms to the Mayor, but it refers on page 2 to
a press conference that you gave on February 3.

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And so in the second paragraph there, you indicate that you’d like to put people’s minds at ease. The public is watching people that have concerns over what they’re seeing in regards to the heavy police presence.

What was your objective there?

MR. DANIEL BULFORD: Just to bring down the overall anxiety level of the protestors. In my mind, Ottawa residents have seen that type of police presence probably on a regular basis at large-scale events, but a lot of these people that travelled to Ottawa have likely never been here before and likely never participated in an event of this magnitude.

So I just wanted everyone to understand that when you have a massive crowd such as this come to the National Capital Region for a large event, it’s normal to have multiple police agencies involved, it’s normal to have specialized units moving around in more tactical-looking clothing, and it’s normal to have snipers on rooftops because that was something that a lot of people were really panicked about.

They were nervous about the presence of snipers being the roof and, that being my old job, I was able to speak to people and keep the -- you know, keep them calm. Like it’s totally normal. Don’t panic. That’s what happens here all the time.

MR. JEFFREY LEON: And if you can go -- put up, please, HRF00001289. And it’s page 11 of the document, I believe.
Can you just scroll back a bit? No, more.

This is an affidavit that you swore in connection with the proceedings, the class action commenced by Zexi Li.

MR. DANIEL BULFORD: Yes, that’s correct.

MR. JEFFREY LEON: And you talk about, at paragraphs 7 and 8, if you can scroll there, about a complaint from an Ottawa resident about honking through the night.

MR. DANIEL BULFORD: Yes, that’s correct.

MR. JEFFREY LEON: And you say you told him that quiet hours from 8:00 p.m. to 8:00 a.m. had been put in place. When -- what was your understanding of that? Who put that into place?

MR. DANIEL BULFORD: My understanding is that the truck captains had already put that into place even the day before, if not no -- if not that day, the day before.

That’s what was communicated to myself, and this was the one and only complaint I ever received about it.

MR. JEFFREY LEON: And what was your understanding moving to -- through the period of time that the convoy was in Ottawa? Did that change?

MR. DANIEL BULFORD: Well, there was -- the injunction came into place as well, which definitely impacted the horn honking. And I would -- I would say in my opinion, it reduced it even further.

MR. JEFFREY LEON: And can we go to paragraph 9 of your affidavit?

You say there:

“My primary concern is individuals or
groups with potential to deliberately
instigate conflict with the Freedom
Convoy movement and to discredit the
Freedom Convoy.”

Can you say what you’re -- how that -- why that
was your concern?

MR. DANIEL BULFORD: Well, I would go back
partially to my concern about a lone wolf or small cell that
could potentially try and leverage the large crowd for their own
agenda, but I also -- I also had concerns because I’ve done
overwatch at a number of protests and counter-protests in
Ottawa, and I’ve seen with my own eyes how aggressive groups
related to the Antifaa can be when they are much larger in
numbers than the group that they’re counter-protesting against
and how aggressive they can be overrunning the police line as
well.

MR. JEFFREY LEON: So when you were referring to
instigators, who were you referring to?

MR. DANIEL BULFORD: Well, people who were -- who
would deliberately try to initiate a violent interaction with a
Freedom Convoy protestors or maybe even someone who would try to
infiltrate the crowd with a racist-type flag to try and bring
discredit to the Freedom Convoy protest.

MR. JEFFREY LEON: And do you recall, and I
believe the date was February 8, having a conversation with
Constable Wierzbicki about your concern and displeasure with the
psychological operation being waged on convoy participants?

MR. DANIEL BULFORD: Yes, I do.
MR. JEFFREY LEON: And what was that about?

MR. DANIEL BULFORD: So in the initial -- I would say close to initial two weeks, I thought that Chief Sloly was pretty fair in his remarks regarding the convoy, you know, understanding his position as the Chief of Police of the City of Ottawa, but I thought that he was pretty unbiased. And then after the -- I think it was a Council meeting or a Police Services Board meeting, there was a lot of rhetoric regarding the Freedom Convoy protesters’ allegations of being extremists, insurrectionists, I believe even the term, “Domestic terrorism” may have been thrown around.

And I noticed at that time, that was -- that also coincided with a lot of that same rhetoric from the legacy media, and, you know, we’d already heard and seen the Prime Minister using similar language. And so I felt that that was -- that was definitely heightening the anxiety of the overall crowd, the fear that they were going to be labelled such and dealt with as such by law enforcement because they were under so much pressure from the -- from the different levels of government. And there was also -- I believe that was right around the same time that there was also -- they were being denied access to service, some of the portable toilets. So, I mean, you’re denying people their basic sanitation needs.

And there was also information beginning to circulate about the involvement of CAS, or Children’s Aid Society, I believe is what that stands for. And that, to me, was -- that was a clear red flag to me that if you are deliberately trying to provoke people to take action, if you
make them believe that you’re going to take their kids away,
that’s going to elicit a very strong emotional response, and I
believe that that was deliberately done in order to bully the
Freedom Convoy protesters.

MR. JEFFREY LEON: And we can put up, please,
document HRF00000568.

(SHORT PAUSE)

MR. JEFFREY LEON: Is this type of daily security
briefing that you would prepare on a day-to-day basis?

MR. DANIEL BULFORD: I believe there was a
mistake. I did not prepare these daily security briefings,
like, a document.

MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: That was another individual.
But, I mean, these are some of my -- some of the actions that I
took place in and in the conversations that I took place in.

MR. JEFFREY LEON: And who is Cst. Wierzbicki?

MR. DANIEL BULFORD: He is an OPP liaison
officer.

MR. JEFFREY LEON: And in this document, you
refer to in the -- under February 4 in the first paragraph to an
incident at Confederation Park, and then you refer to an
incident involving, “The New Queen of Canada” and next paragraph
down, you were asked about Pat King’s involvement in the convoy,
and you indicated that you, “Had limited knowledge...and almost
zero contact with” him.

And if you can scroll further down, please? Next
page. There is no next page.
And did you also at one time speak to Cst. Wierzbicki about a Memorandum of Understanding that was circulating?

**MR. DANIEL BULFORD:** I don’t recall speaking to Cst. Wierzbicki about that, no.

**MR. JEFFREY LEON:** Did you know about the Memorandum of Understanding?

**MR. DANIEL BULFORD:** Yes, I had heard about it, and I think I may have seen it circulating online ahead of the convoy. The first time I ever actually read it was just last week.

**MR. JEFFREY LEON:** Thank you. And you mentioned the intersection at Rideau and Sussex. Did you have occasion to go to Rideau and Sussex?

**MR. DANIEL BULFORD:** Yes. I walked through that intersection multiple times daily, at least probably twice a day when I would go out for a foot patrol and when I would come back.

**MR. JEFFREY LEON:** And what were your observations?

**MR. DANIEL BULFORD:** Well, they were primarily made up of Quebecois truckers, but then there was also -- like other witnesses have testified, there was also, like, a Polish or Eastern European contingent. And I actually encountered a Cuban Canadian who spoke to me at length about how he felt strongly about being there to support the convoy because he had lived through Communism and that Canadians could not give up their freedoms.
MR. JEFFREY LEON: And were you there at any time when there was attempts to move vehicles from Rideau and Sussex?

MR. DANIEL BULFORD: No, I was not.

MR. JEFFREY LEON: And what -- how -- what was your impression of the way people were behaving at the intersection?

MR. DANIEL BULFORD: Well, on weekends they would have a stage and music, and they would have, like, a nightly dance party, definitely on the Friday and the Saturday night, typically, is what I recall.

MR. JEFFREY LEON: And what about during the week; do you recall?

MR. DANIEL BULFORD: There was a lot of -- a lot of different food tents and barbeques; people were cooking and preparing food in clumps of people.

MR. JEFFREY LEON: Now, we heard evidence from Keith Wilson -- you know Mr. Wilson?

MR. DANIEL BULFORD: Yes, I do.

MR. JEFFREY LEON: That there were leaks in either the OPS, OPP or both because the convoy organizers were aware of police operations before they happened. Did you know about that?

MR. DANIEL BULFORD: I never had any active duty officers leaking me any sensitive information. I did have a number of police officers, former police officers, former military that were helping me with some of those different security tasks, and there was -- I’m not exactly certain of the number but there was officers that were on leave for various
reasons, whether it be the mandates or their own personal reasons -- I didn’t ask; it wasn’t my business -- that were also helping with some of the security tasks that I was coordinating.

MR. JEFFREY LEON: Okay. And if I can move to a different subject, did you continue to have contact with PLT of the police forces over the entire period?

MR. DANIEL BULFORD: In general, yes. There might have been -- there might have been the odd day where there was no communication. I know communication with the Ottawa Police Service liaison teams kind of -- I recall it reducing near the end, like, especially after the Emergencies Act had been invoked, but, from my recollection, the OPP was fairly regularly engaged.

MR. JEFFREY LEON: And did you -- concerning the OPS, did you have a view on how effective they were being?

MR. DANIEL BULFORD: Well, I think they were overwhelmed by the size of the convoy. I think that I actually had -- the young officer that I spoke to that -- early in the convoy, down at Booth and Sir John A. Macdonald, he actually said to me, “I can’t believe the size of this.” Something to this effect, “I can’t believe the size of this. We’re totally unprepared for something this size.” And I kind of laughed and I said, “Well, you guys have to stop listening to the CBC for intelligence.” And that was kind of the end of that interaction. But -- because if you had been paying attention to open source, like any kind of social media, it was obvious that this was a huge event that was about to land in Ottawa.

But coming back to how effective they were, I
have no complaints about dealing with them, but I don’t think it was ever really -- I never really felt as though there was any kind of a negotiation taking place. It was just my means to communicate with the police because we would try and do -- we would try and get simple returns from the police liaisons, like, something as simple as like, "Could we possibly get access to this location so we could drop some portable toilets?"

And we were getting shut down almost all the time. The only time I ever remember having any success with that was after I had expressed my displeasure about the psychological operation that was being conducted when I had that discussion with OPP Wierzbicki.

MR. JEFFREY LEON: And at one point, did you come to learn that Chief Sloly had asked for 1,800 police officers?

MR. DANIEL BULFORD: Yes, I did.

MR. JEFFREY LEON: And what was your reaction to that?

MR. DANIEL BULFORD: Well, I anticipated that at the very least, he was asking for a large number because this could be a sustained event and members would obviously need to be cycled out for sustainment, and likely, that they were preparing for a mass mobilization.

MR. JEFFREY LEON: And did you do anything as a result of hearing that information?

MR. DANIEL BULFORD: I mean, we had discussions about it. I don’t -- it didn’t change what my role was. My task was to just continue trying to keep things as safe as possible.
MR. JEFFREY LEON: And were you aware of negotiations that were taking place between the leaders in the convoy and the mayor?

MR. DANIEL BULFORD: I was made aware of that after the fact.

MR. JEFFREY LEON: Okay. And in terms of -- did you have any communication with anyone who was involved in the Ambassador Bridge protest?

MR. DANIEL BULFORD: No, I did not. I believe we had -- we've already seen an email that was forwarded to me by Ms. Lich ---

MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: --- during her testimony, and that was the only time I'd ever seen anything from Windsor, and that -- I didn't even open that until well after the Ottawa convoy had been dismantled.

MR. JEFFREY LEON: And what about Coutts?

MR. DANIEL BULFORD: No, sir.

MR. JEFFREY LEON: Emerson, Surrey?

MR. DANIEL BULFORD: None.

MR. JEFFREY LEON: Now, at what point do you recall learning that the Emergencies Act was to be invoked?

MR. DANIEL BULFORD: I believe the day that it was officially announced by the federal government.

MR. JEFFREY LEON: Did you hear anything about it prior to that date?

MR. DANIEL BULFORD: I think there was discussions, people wondering if it would be, and my thought
process was that -- well, I wasn’t going -- I would not have --

be surprised if it was because the City had declared a state of

emergency, the province had declared one. To me, it would not

surprise me in the least if the next logical step was the

federal government.

MR. JEFFREY LEON: And do you recall subsequent

to the invocation on February 16, holding a press conference?

MR. DANIEL BULFORD: Yes, I do.

MR. JEFFREY LEON: And that was with Mr. Gircys

and Mr. Cornell?

MR. DANIEL BULFORD: That’s correct.

MR. JEFFREY LEON: And who is Mr. Cornell?

MR. DANIEL BULFORD: He is one of the members of

the steering committee for the group, "Veterans for Freedom".

He's a combat veteran.

MR. JEFFREY LEON: And if I can just read you

what I understand you said at that press conference.

"The Emergency Order clearly states

that the protest is allowed to continue

if the protest is peaceful. The
government is trying to order the

police to use force against peaceful

protestors. We call on our fellow

Canadians to come to Ottawa to exercise

their legal right to assembly and

protest. The more Canadians that come
to Ottawa, the harder it will be for

the police to carry out the
government's illegal order."

Is that something you said?

**MR. DANIEL BULFORD:** That's correct.

**MR. JEFFREY LEON:** And did you receive advice as to your interpretation of the Emergency Order?

**MR. DANIEL BULFORD:** Yes. We had received a briefing from the legal team that based on, I believe it's Justice McLean's ruling, that as long as people did not come to Ottawa to engage in violence, disrupt trade, or block critical infrastructure, we still fell within the confines of a lawful protest.

**MR. JEFFREY LEON:** And did somebody request that you give this press conference, or did you do it on your own initiative?

**MR. DANIEL BULFORD:** Well, I was working with the media relations people from early on. I think my -- like you mentioned that my first press conference that I attended was on February 3rd, and so I did a number of press conference events during my time with the convoy.

**MR. JEFFREY LEON:** And at this point, isn't it fair to say that you believed that enforcement action could come at any time?

**MR. DANIEL BULFORD:** Perhaps I was naively hoping that my brothers and sisters in law enforcement would see the truth on the ground as opposed to what the government and the media was saying, and that they would take a historic opportunity to stand up for our Charter of Rights and Freedoms.

**MR. JEFFREY LEON:** And did you think about or was
it a concern to you that you were encouraging people to come into Ottawa where that sort of law enforcement activity might well take place?

   **MR. DANIEL BULFORD:** No, because at that time, like I said, I still had faith that frontline members would do the right thing.

   **MR. JEFFREY LEON:** Now, my understanding is that on February 18, your wife advised you that you were going to be arrested?

   **MR. DANIEL BULFORD:** Yes, that’s correct. I -- she advised me that she had received a text message from one of our neighbours that the news was reporting that the police were looking for me to arrest me.

   **MR. JEFFREY LEON:** And if we turn to the document PB.NSC.CAN00008924, the second page of the document? This is an RCMP document, and if you look at the bottom of the page, you'll see:

   "Information collected. Freedom Convoy organizers held a press conference at 1330 hours. Participants included ---

   "--- spoke to the same thing."

   And that’s blanked out.

   "--- spoke to the same thing."

   And you see what it says there about Canadians still being allowed to come to Ottawa with their children to engage in peaceful, lawful, protest. Is that what you said at your press conference?

   **MR. DANIEL BULFORD:** Yeah, I believe that’s
accurate.

MR. JEFFREY LEON: And you'll see the last paragraph there:

"All three individuals have contravened to section 5 of the Emergency Measures Regulations by inviting a person to participate in an assembly that may reasonably be expected to lead to a breach of the peace."

Now, I can come back, were you arrested on February 18?

MR. DANIEL BULFORD: Yes, I was.

MR. JEFFREY LEON: And can you briefly tell the Commissioner about that?

MR. DANIEL BULFORD: Well, after the press conference and my wife showed me the text message from our neighbour, I left the Lord Elgin Hotel, I walked down to Rideau and Sussex where I knew that the police action had already begun.

Initially, I encountered the Sûreté du Québec. No one would respond to me. So then I realized that there was RCMP, a line of RCMP officers over closer to the Senate or the old train station, and so I walked over to them. I approached the line. I presented myself and I said I -- something to the effect of, "I hear that you're looking for me to arrest me. Is that true?"

And then I was arrested for mischief.

MR. JEFFREY LEON: And were you ultimately
Mr. Jeffrey Leon: Were your bank accounts frozen?

Mr. Daniel Bulford: Yes, they were.

Mr. Jeffrey Leon: Can you tell the Commissioner about that, please?

Mr. Daniel Bulford: To my recollection, we realized that our bank accounts were frozen, so two different banks and a primary credit card. I realized — I think we — how I recall it going was that accessing online banking with our primary bank and it was just like a blank dash where the account balance would normally be. And then I believe my wife confirmed with the other bank. I attempted to use the credit card and it was declined and my wife spoke to a banking professional, a friend of ours, to ask if, with our accounts frozen, would our mortgage and automatic withdrawals still be paid, and we were advised that it would not be. And so I would say, roughly, a period of five to six days, we were completely dependent on what cash we had.

Mr. Jeffrey Leon: And after that? Well, how long were your accounts frozen?

Mr. Daniel Bulford: I believe it was — my accounts were unfrozen on the Tuesday, the 22nd or the 23rd of February when the — after the Emergencies Act had been revoked.

Mr. Jeffrey Leon: So they were frozen for how many days?

Mr. Daniel Bulford: I -- I believe I realized
they were frozen on the 17th, and then I think that was the
Thursday. I didn’t receive any kind of notification about it
until, I think, the bank -- one bank called me and left a
voicemail on the Saturday and then it was unfrozen after the
Emergencies Act was revoked.

MR. JEFFREY LEON: And were you able to meet your
day-to-day expenses during that period?

MR. DANIEL BULFORD: Well, fortunately, we didn’t
have a whole pile of expenses that we had to incur during those
days, but we had some help from some family.

MR. JEFFREY LEON: All right. Thank you, sir.

Those are my questions.

MR. DANIEL BULFORD: If I may add one thing about
the accounts being frozen ---

MR. JEFFREY LEON: Yes.

MR. DANIEL BULFORD: --- I was never notified by
the police that my accounts were frozen. Contrary to what was
said to Parliament by the RCMP when they testified in Committee.

MR. JEFFREY LEON: Thank you.

MR. DANIEL BULFORD: Thank you.

COMMISSIONER ROULEAU: Okay, next, we have the
Ottawa Police Service, please.

--- CROSS-EXAMINATION BY MR. DAVID MIGICOVSKY:

MR. DAVID MIGICOVSKY: Good afternoon, Mr.
Bulford. My name is David Migicovsky; I’m a lawyer for the
Ottawa Police Service.

MR. DANIEL BULFORD: Good afternoon, sir.

MR. DAVID MIGICOVSKY: Good afternoon. You
talked about your interactions with the PLT and I gather from reviewing your statement, you had many interactions with the PLT; is that correct?

MR. DANIEL BULFORD: That’s correct.

MR. DAVID MIGICOVSKY: And they were very helpful?

MR. DANIEL BULFORD: I think they desired to be, yes.

MR. DAVID MIGICOVSKY: And you had the sense that they wished they had more ability to negotiate?

MR. DANIEL BULFORD: Yes, I would say that’s accurate. I do recall -- I do recall a -- you know, when there was attempts to negotiate, occasionally receiving the reply to be, like, that was their decision to make.

MR. DAVID MIGICOVSKY: Right. In your statement you prepared, you have a statement that says, “Canada Freedom Rights Movement, a Daniel Joseph Bulford statement.” That’s the statement that was prepared for you by the Justice Centre’s lawyers?

MR. DANIEL BULFORD: No, sir, I prepared that myself.

MR. DAVID MIGICOVSKY: And you’ve put that logo on top, or that name on top, “Canada Freedom Rights Movement”? 

MR. DANIEL BULFORD: Yes, I did.

MR. DAVID MIGICOVSKY: Okay. And did you suggest that everyone else do that as well?

MR. DANIEL BULFORD: No, I did not.

MR. DAVID MIGICOVSKY: Okay. In that report, you
indicate a number of potentially criminal actions involving non-
convoy members that you reported to the OPS, and so I see things
in that report about bikers, about the new Queen of Canada,
false claims that bricks had been ordered in your name,
potential instigation, concerns about Canada unity, vandalism of
trucks, social media posts made by a Mr. Lacasse, a sabotage of
transport trucks, bikers, and bomb threats; right? Those are
all things that you referenced?

MR. DANIEL BULFORD: That’s correct.

MR. DAVID MIGICOVSKY: And you’re a strong
supporter, I take it, of law and order?

MR. DANIEL BULFORD: My dad was a police officer
for 38 years. Both of my older brothers were police officers.
Obviously, I was. And there’s only one of us remaining but the
-- my hometown in Alberta referred to us as the “Bezanson Blue
Bloods”.

MR. DAVID MIGICOVSKY: And I know from the Ottawa
Police Service Institutional Report that I won’t turn up in
order to save time that during the period of the convoy, there
were a number of criminal charges laid. In fact, we know -- and
it’s on page 14, that there were 533 of them, according to
Schedule C. But what I don’t see a single notation of in your
statement is where you brought any of those criminal offences to
the attention of the Ottawa Police.

MR. DANIEL BULFORD: Can you refresh on the dates
that you’re referring to?

MR. DAVID MIGICOVSKY: The dates, yes. You
statement -- I’m not sure when your statement was prepared ---
MR. DANIEL BULFORD: M’hm.

MR. DAVID MIGICOVSKY: --- but the evidence that we have in the record is that during the period of the Freedom Convoy, so from January 28th to a date in March, there were a total of 533 criminal charges.

MR. DANIEL BULFORD: Okay.

MR. DAVID MIGICOVSKY: Sorry, I can’t remember if that’s laid or people arrested. And so I didn’t see anywhere in your statement where you brought information about those -- that criminal activity to the attention of the Ottawa Police.

COMMISSIONER ROULEAU: Okay, just hold on one ---

MR. BRENDAN MILLER: I have an objection.

COMMISSIONER ROULEAU: Yes.

MR. BRENDAN MILLER: My friend is misstating the evidence to the witness and I object to it on that basis. The evidence is is that the vast majority of charges were laid after the fact and that actually, at least based on the one document in evidence, criminal charges that existed at the time, before the invocation, were only about 19 that -- of charges laid. So with respect to my friend stating, in the OPS document -- and I can advise the Commission that after I looked at what they had put together, I asked for disclosure from them with respect to when these charges were laid, and they’ve decided to provide that and they’re using a jumbled-up statistic. So, in my submission, sir, my friends can ask the witness about why he didn’t include OPS information in his statement that isn’t clear. I think he needs to actually put the actual evidence that is before this tribunal before him and not jumble it up
into a fact that these are 500-some-odd charges that may or may not have been laid during the time period that he was here, sir.

COMMISSIONER ROULEAU: Okay, well, maybe you can just ask the question without ---

MR. DAVID MIGICOVSKY: I think ---

COMMISSIONER ROULEAU: --- reference to the ---

MR. DAVID MIGICOVSKY: I think the question was fair and my friend’s now used a couple minutes of my time. But there were a lot of charges during the period of the Freedom Convoy; we know that. And I don’t see anywhere in your statement where you reference informing the Ottawa Police of the situations leading to those criminal charges.

MR. DANIEL BULFORD: Well, I often reported to the Ottawa Police, the various police agencies, anything that came to my attention that I believed to be criminal or a public safety concern. And I believe that the majority of those arrests and charges happened during the dismantle operation of the protest, a significant chunk of which I was in custody.

MR. DAVID MIGICOVSKY: You were in custody as of what date, sir?

MR. DANIEL BULFORD: February 18th.

MR. DAVID MIGICOVSKY: And -- well, the record will speak for itself. And so in your statement in paragraph 80 of your statement, you say you did everything to cooperate with the police and to maintain public peace and police safety; is that correct or is that incorrect?

MR. DANIEL BULFORD: That’s correct.

MR. DAVID MIGICOVSKY: Okay. And so I also note
that in the Institutional Report of the Ottawa Police that the communications centre received many emergency calls from businesses to have protesters removed because they weren't wearing a mask, to deal with complaints about being harassed while walking on the street with masks, to complaints of being sexually harassed and threatened. I see as well that questions were asked about OPS's enforcement plans. I see as well that there were noise complaints that were received and requests for charges against the protesters. And I don't see anywhere, sir, in your statement where you reference any of those things.

MR. DANIEL BULFORD: Well, sir, that's not my job to handle the call volume that the Ottawa Police receives. And there's a lot of allegations that I've heard during testimony at this Inquiry that I haven't -- I have no knowledge or have not seen any real evidence of. I'm not suggesting that it's not possible, but people were not calling me to report criminal offences to the police.

MR. DAVID MIGICOVSKY: You've heard the evidence of Councillors McKenney and Fleury?

MR. DANIEL BULFORD: Yes.

MR. DAVID MIGICOVSKY: And you heard about what their constituents had to put up with; correct? You heard that evidence? I'm just asking you that question.

MR. DANIEL BULFORD: Yes, I heard their evidence.

MR. DAVID MIGICOVSKY: And so either -- did you believe what Councillor McKenney and Fleury said, or did you think the issues they were raising were trivial?

MR. DANIEL BULFORD: I wouldn't characterise what
they were saying as trivial, but again I have come to the point where I am not going to believe anything until I see actual evidence of it.

MR. DAVID MIGICOVSKY: You told me about you clearly respect law and order. I take it you have a lot of respect for the Canadian court system. Correct?

MR. DANIEL BULFORD: I sincerely hope it's still functioning the way it is intended, yes.

MR. DAVID MIGICOVSKY: It's important that decisions of the court be respected?

MR. DANIEL BULFORD: Yes.

MR. DAVID MIGICOVSKY: And one of the decisions was that the convoy had negatively impacted residents and the convoy protesters were breaching by-laws. You're aware of that?

MR. DANIEL BULFORD: Could you specify the by-laws?

MR. DAVID MIGICOVSKY: Were you aware of that, sir?

MR. DANIEL BULFORD: Well, again, sir, it's not my profession to enforce by-laws in the City of Ottawa.

MR. DAVID MIGICOVSKY: And as a police officer you understand that disclosing confidential information is an offence?

MR. DANIEL BULFORD: What type of confidential information are you referring ---

MR. DAVID MIGICOVSKY: Confidential information. It's an offence under the Police Services Act and it's also an offence under the Code of Conduct for the RCMP; correct?
MR. DANIEL BULFORD: That's correct. You mean like as it relates to information I learned during my time as a police officer?

MR. DAVID MIGICOVSKY: No, I'm just asking you the question generally, that the disclosure of confidential information is an offence; correct? While -- if a serving police officer discloses information that is an offence; correct?

MR. DANIEL BULFORD: Like under the -- if I was to disclose something confidential as a -- as an active serving police officer that would be an offence under the RCMP Code of Conduct?

MR. DAVID MIGICOVSKY: Right.

MR. DANIEL BULFORD: I would agree with that, yes.

MR. DAVID MIGICOVSKY: Right. And same thing would apply to a municipal police officer who discloses information they had as a police officer?

MR. DANIEL BULFORD: I -- I'm not entirely certain. I would assume you're probably accurate, but I didn't fall under the Police Services Act.

MR. DAVID MIGICOVSKY: Okay, sure. It would be breach of confidence if that's of assistance. But it can also potentially be a criminal offence as well, correct, breach of trust?

MR. DANIEL BULFORD: Yeah, probably.

MR. DAVID MIGICOVSKY: And being a person who supports law and order, you would not condone that kind of
thing, would you? You wouldn't want police officers to be breaching their oaths and providing confidential information to members of the convoy, would you?

MR. DANIEL BULFORD: No.

MR. DAVID MIGICOVSKY: And so Mr. Wilson in his witness statement talks about people working at the Swiss Hotel. That was where you were?

MR. DANIEL BULFORD: That's correct.

MR. DAVID MIGICOVSKY: And so he said, "There were former law enforcement officers, they had radios, maps, many of these ex service personnel were connected and brought in intel. Wilson is unaware of the sources, but the Freedom Convoy was receiving leaked information from law enforcement." (As read)

I just want to be clear, you never became aware of any leaked information from Ottawa Police Service ---

MR. DANIEL BULFORD: I ---

MR. DAVID MIGICOVSKY: --- officers, did you?

MR. DANIEL BULFORD: I will be 100 percent clear. At no time did I receive sensitive information from an active duty Ottawa Police officer.

MR. DAVID MIGICOVSKY: And you never received confidential information from an Ottawa Police officer, did you?

MR. DANIEL BULFORD: No.

MR. DAVID MIGICOVSKY: Okay. And Mr. Wilson
never told you who these people were.

MR. DANIEL BULFORD: No.

MR. DAVID MIGICOVSKY: And you were very involved in the security response and the incident command that was going on at that hotel; correct?

MR. DANIEL BULFORD: That's correct.

MR. DAVID MIGICOVSKY: So one would expect that you would know if there was leaked confidential information; correct?

MR. DANIEL BULFORD: Yes, I expect I would.

MR. DAVID MIGICOVSKY: And you're not suggesting, obviously, that if such a thing had occurred that the Ottawa Police Service would condone that kind of thing; correct?

MR. DANIEL BULFORD: I think it's fair to say that the Ottawa Police would not condone that.

MR. DAVID MIGICOVSKY: Right. And one of the things you reference in your statement at paragraph 80 is you accused the police leadership, and I'm just going to quote you of, quote:

"...knowingly attempting to instigate a strong emotional reaction from convoy participants by using inflamed rhetoric and threatening the involvement of Child Protective Services." (As read)

MR. DANIEL BULFORD: Yes, that's correct.

MR. DAVID MIGICOVSKY: Okay.

Mr. Clerk, I wonder if I could ask you, please, to call up HRF00001553, and if we go to page 22, please. At
paragraph 103. Thank you.

And I'll just read that sentence, the first sentence, sir, "I also advised" -- and this is from your statement; correct?

MR. DANIEL BULFORD: That's correct.

MR. DAVID MIGICOVSKY:

"I also advised him of my belief that our own Government was committing crimes against humanity, allowing thousands of Canadians to die because they've been denied life saving treatment and others have been disabled or have died from the vaccine, something a homicide detective may want to consider."

And would you agree with me that that would be an example of inflammatory rhetoric, attempting to instigate a strong emotional response?

MR. DANIEL BULFORD: I don't think it's an example of inflammatory rhetoric, I think it's absolutely factually true.

MR. DAVID MIGICOVSKY: Okay.

MR. DANIEL BULFORD: And that I was trying to elicit a response from Detective Benson ---

MR. DAVID MIGICOVSKY: Okay.

MR. DANIEL BULFORD: --- because he, as a homicide detective, should be investigating something of that nature.
MR. DAVID MIGICOVSKY: And in -- I won't take you to the paragraph to save time, but in paragraph 121 of your statement you also talk about the extreme dehumanisation of unvaccinated people. And I guess you don't see that as inflammatory rhetoric either; correct?

MR. DANIEL BULFORD: No, sir.

MR. DAVID MIGICOVSKY: And in your witness statement you talk about the police breaching windows and extracting protesters during the tactical operation, the POU operation. Do you recall that?

MR. DANIEL BULFORD: I do.

MR. DAVID MIGICOVSKY: And you know, of course, from your experience in law enforcement that it's easy to be an armchair quarterback and say what's wrong with the police carrying out a tactical operation after the fact; correct? It's very difficult to be on the ground and in the theatre of operations, isn't it?

MR. DANIEL BULFORD: I would agree with that, and I think to add context to the answer, is that I believe in my statement I outlined why I believed that occurred.

MR. DAVID MIGICOVSKY: And you would agree with me that in the theatre of operations police may be dealing with situations that may be volatile and more dangerous than appear to onlookers; correct?

MR. DANIEL BULFORD: That's correct.

MR. DAVID MIGICOVSKY: And you're aware from the police operations that were carried out by the Ottawa Police Service, the OPP, the RCMP and a number of other Public Order
Units, you're aware from your experience that there would
generally be an arrest and detention plan prepared for those
type of circumstances; correct?

MR. DANIEL BULFORD: Yes.

MR. DAVID MIGICOVSKY: And so OPP04 --
OPP00004286, if we could just briefly call that up.

COMMISSIONER ROULEAU: You're going to have to be
wrapping up pretty soon.

MR. DAVID MIGICOVSKY: If I might just have one
more minute?

COMMISSIONER ROULEAU: No problem.

MR. DAVID MIGICOVSKY: Thanks very much.

That is -- if you’d just be good enough to scroll
down. That is the arrest and detention plan with respect to the
operation that was carried out and you wouldn’t presume to say
that it wasn’t an appropriate arrest plan, would you?

MR. DANIEL BULFORD: I can’t -- I don’t feel I'm
qualified to speak to that for a major Public Order operation
such as what occurred. My typical experience with an arrest
plan was in a much smaller context and it was very simple.

MR. DAVID MIGICOVSKY: Okay. And finally just to
finish off, you testified in answer to my friend, that you
expected when -- although there was an announcement of the -- a
large number of police officers and you realized that they were
preparing for a tactical or a public order unit response, you
testified that you thought that the police officers would do the
right thing, correct?

MR. DANIEL BULFORD: I had hoped so.
MR. DAVID MIGICOVSKY: And you thought that they would disregard the situation and simply allow the status quo to continue, correct?

MR. DANIEL BULFORD: Yes, I had hoped that they would see through the false narrative and stand up for us and do what was right and protect us.

MR. DAVID MIGICOVSKY: Thank you very much, those are all my questions.

COMMISSIONER ROULEAU: Okay. Next is the Ottawa Residents Coalition.

--- CROSS-EXAMINATION BY MR. PAUL CHAMP:

MR. PAUL CHAMP: Good evening now, Mr. Bulford, I guess we can say. My name is Paul Champ, for the record, for the Ottawa Coalition Residents and Businesses.

Mr. Bulford, I just want to ask you about the first thing you were talking about. You were concerned about being disciplined for speaking out about vaccine rules and restrictions?

MR. DANIEL BULFORD: The federal vaccine mandate.

MR. PAUL CHAMP: And you were concerned about being disciplined for speaking out about that?

MR. DANIEL BULFORD: Yes, I was.

MR. PAUL CHAMP: I’m very sorry to hear that. I think that would have been totally inappropriate.

MR. DANIEL BULFORD: Well, that’s my lived experience with the RCMP, sir.

MR. PAUL CHAMP: Yeah, I've represented RCMP officers for over 20 years, including people for speaking
publicly and if things had been different I would have been
happy to represent you on that.

Now, I want to ask you some questions about your
drive around with Sgt. Frost on the eve of the protests. So the
two of you drove around looking at appropriate spots for the
trucks to park; is that right?

MR. DANIEL BULFORD: That’s correct.

MR. PAUL CHAMP: And during that drive, did the	
two of you discuss in any way about how long the protest might	
last?

MR. DANIEL BULFORD: I don’t recall. It may have	
been. It may have come up and at that time I didn’t have an	
accurate timeline.

MR. PAUL CHAMP: Sure, because you’ve told us	
that you expected the protest would last until the federal
government dropped the vaccine mandates and rules; is that	
right?

MR. DANIEL BULFORD: That was my impression, yes.

MR. PAUL CHAMP: And is that what you conveyed to	
Sgt. Frost?

MR. DANIEL BULFORD: Potentially.

MR. PAUL CHAMP: Okay. Now, I just want to ask	
you as an aside about the crowd size. You indicated that it was	
the largest crowd you had ever observed in Ottawa?

MR. DANIEL BULFORD: I would say that’s accurate,
yes.

MR. PAUL CHAMP: I believe some of the records we	
have from police records that the size of the crowds were in the
10,000 to 15,000 range; does that sound about right?

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: What did you think the size was?

MR. DANIEL BULFORD: Based on my experience doing overwatch on Canada Day and seeing the large crowds, especially like, let’s say, Canada Day 150 where it was probably the biggest I had seen -- I would have estimated the crowds in downtown Ottawa on Parliament Hill, Wellington, that general vicinity ---

MR. PAUL CHAMP: M’hm.

MR. DANIEL BULFORD: --- I would have estimated close to 100,000.

MR. PAUL CHAMP: So do you think that the police were recording false information deliberately or they just assessed it differently than you?

MR. DANIEL BULFORD: I can’t say. Well, I doubt very much that they would record it false deliberately.

MR. PAUL CHAMP: Could it be that you maybe just -- it was hard for you to assess because all the trucks took up so much space, it was tough to assess the size?

MR. DANIEL BULFORD: I thought about that. The trucks do take up a lot of space. But the crowd even between the trucks was jam packed from the Supreme Court almost all the way to the Chateau Laurier. And I don’t recall seeing that before. I recall seeing large crowds moving around Parliament Hill, along Wellington, into the Byward Market. But those numbers encompass a much large geographic area than what I'm referring to.
MR. PAUL CHAMP: Right. And when you do 
overwatch you’re up on top of the buildings, like Langevin Block and stuff like that, so you’d have a better eye view of the crowd.

MR. DANIEL BULFORD: That’s correct.

MR. PAUL CHAMP: And you weren’t able to be up on those buildings during this time, right?

MR. DANIEL BULFORD: No.

MR. PAUL CHAMP: Okay. Now, I want to ask you about the dance parties you told us about. You thought those parties were Fridays and Saturday nights?

MR. DANIEL BULFORD: I believe so.

MR. PAUL CHAMP: But you and I, I don’t think, are so far off in age. You weren’t going out to the dance parties every night, I gather, Mr. Bulford?

MR. DANIEL BULFORD: I didn’t have time, sir.

MR. PAUL CHAMP: Yeah, I understand. And so if there were dance parties on Wednesdays and Thursday nights you wouldn’t necessarily know.

MR. DANIEL BULFORD: I seem to recall them being restricted to weekends. But I could be mistaken.

MR. PAUL CHAMP: Okay. Now, I want to ask you some questions about your interactions with law enforcement. We’ve already heard a lot of your evidence on that, about your interactions with PLTs. But you also had interactions with officers who were off duty; is that right?

MR. DANIEL BULFORD: No. Like, you mean, active officers?
MR. PAUL CHAMP: Yes, exactly.

MR. DANIEL BULFORD: No.

MR. PAUL CHAMP: And just to be clear, I’m not going to be asking for names. I’m just trying to understand, because we heard the testimony from Mr. Wilson the other day who ---

MR. DANIEL BULFORD: Yes, I understand.

MR. PAUL CHAMP: And I just want to understand it. So was Mr. Wilson getting that information from others?

MR. DANIEL BULFORD: I can’t say for certain.

But all of the officers that were supporting me in a security context were either off work for their own personal reasons ---

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: --- or they had left their service.

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: They had made a similar decision to me and had decided to leave policing.

MR. PAUL CHAMP: How many people are we talking about here, roughly?

MR. DANIEL BULFORD: A dozen.

MR. PAUL CHAMP: A dozen. And so each one of those officers would have had their own network of contacts in law enforcement; is that right?

MR. DANIEL BULFORD: Possible.

MR. PAUL CHAMP: And could have been getting information from current law enforcement?

MR. DANIEL BULFORD: I don’t know, sir. But you
have to remember, it wasn’t just -- it was people from all
across Canada, from multiple multiple agents. Like, they had
worked for multiple agencies. It wasn’t just one service.

MR. PAUL CHAMP: Right. I want to ask you about
a different topic, Mr. Bulford. Now, the convoy organizers --
Ms. Lich, Mr. Barber, others, yourself -- you were doing
everything possible to convey to protesters to refrain from any
kind of violence, correct?

MR. DANIEL BULFORD: Yes, I would say so.

MR. PAUL CHAMP: But because you were security
you were dealing with threats at times; is that right?

MR. DANIEL BULFORD: Yeah, but not threats from
within the convoy protest. Most of the -- anything that I was
receiving that was information of a public safety concern was
typically someone who was committing a criminal act or
potentially a criminal act against the protest.

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: There was one or two
instances where there were some vehicles that people had
reported that they were kind of presenting the idea of blocking
the intersections.

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: And those instances were
reported to me by convoy protesters which then I passed on to
the police because we were trying to act within the confines of
we do not want to block all of the intersections.

MR. PAUL CHAMP: But Mr. Bulford, my
understanding is you were concerned and were doing what you
could to protect the convoy organizer leaders; is that right, like, coordinating with some of the other officers to ensure that Mr. Barber and Ms. Lich and so forth were safe?

Mr. Daniel Bulford: Ms. Lich did end up getting a former military member to provide some security for her ---

Mr. Paul Champ: Yeah.

Mr. Daniel Bulford: --- because she had received a number of death threats.

Mr. Paul Champ: Right.

Mr. Daniel Bulford: Other than that, the only people that were really receiving, like, a close protection detail, if you want to call it that ---

Mr. Paul Champ: Yeah.

Mr. Daniel Bulford: --- were the doctors and former Premier Peckford when he was in town.

Mr. Paul Champ: Right.

Mr. Daniel Bulford: Because especially three of the doctors in particular had received a number of death -- or a number of harassing -- or they had been subject to harassment and a number of threats themselves.

Mr. Paul Champ: Now, Ms. Lich, she very successfully raised large money -- amount of money from GoFundMe but, you know, we heard her testimony. She was encountering all kinds of difficulty in accessing any of that money. You knew about that at the time; correct?

Mr. Daniel Bulford: Yes.

Mr. Paul Champ: And there was many people who were very angry at her for not being able to produce that money.
1 There is different theories and so forth that she was
deliberately not giving the money to them and so forth. There
was that going around; right?

2 **MR. DANIEL BULFORD:** There was -- there was
fractures within the -- within, I would say, the freedom
movement. Maybe not just specific to Ottawa, but even ---

3 **MR. PAUL CHAMP:** Right.

4 **MR. DANIEL BULFORD:** --- people -- I found that
the people who were the biggest critics of people like Ms. Lich
were people who were not here presently in Ottawa.

5 **MR. PAUL CHAMP:** Sure.

6 But what I’m getting at is that, you know,
although Ms. Lich was trying to convey what she was, you know,
trying to do to get -- to get the access to the GoFundMe money
to help the truckers, which, you know, we’ve seen all the
documents. That’s what she was doing. But some people at that
protest who were wanting access to that money, perhaps had
driven a long way, they were getting very frustrated and she was
-- was she getting threats from some of those people?

7 **MR. DANIEL BULFORD:** Not that I recall.

8 **MR. PAUL CHAMP:** No, none.

9 **MR. DANIEL BULFORD:** No.

10 **MR. PAUL CHAMP:** So what was the security detail
for?

11 **MR. DANIEL BULFORD:** Well, my impression was that
she was being -- receiving threats from people that were opposed
to the convoy being in Ottawa.

12 **MR. PAUL CHAMP:** And everyone else who wanted
access to that money who’d driven across the country, spent thousands of dollars, they were just content to sit and they weren’t angry about not getting access to the money.

MR. DANIEL BULFORD: I don’t have any information or evidence to support that, sir.

MR. PAUL CHAMP: Sir -- Mr. Bulford, you’re a professional; right?

MR. DANIEL BULFORD: Yes.

MR. PAUL CHAMP: You’re a professional security detail protecting very important people; correct?

MR. DANIEL BULFORD: In my past career, yeah.

MR. PAUL CHAMP: Right. Let’s just like be honest with each other.

Someone in her situation, if you’d assessed that as a professional, you would have thought she might be at risk, her physical safety. The people wanting access to that money who weren’t getting it were frustrated.

That was a -- that was a reasonable threat assessment, was it not?

MR. DANIEL BULFORD: It could be potential, yes, but I didn’t have -- I didn’t have any intelligence or evidence to support that notion other than the fact that, yeah, she was -- she was the face of the convoy. They had raised a substantial amount of money. But my experience when you’ve seen Ms. Lich in public, people loved her.

MR. PAUL CHAMP: Now, you’re aware also, Mr. Bulford, that GoFundMe, they were concerned because they -- some of their staff were getting threats for not releasing the money.
Were you aware of that?

MR. DANIEL BULFORD: No, sir, I was not aware of that.

MR. PAUL CHAMP: You never heard about that?

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: But that was some of the concerns at GoFundMe, so the -- Ms. Lich and Mr. Wilson and so forth never shared that with you.

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: What about fuel providers who then decided to stop providing fuel. Did you ever hear about any of them getting threats?

MR. DANIEL BULFORD: From the convoy?

MR. PAUL CHAMP: Yes. Well, from anyone.

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: Companies who had stopped.

MR. DANIEL BULFORD: Honestly, no. I don’t -- I don’t recall information about fuel providers being threatened.

MR. PAUL CHAMP: Now, what about tow truck drivers? We’ve heard a lot about tow truck drivers.

Were there any threats to tow truck drivers if they tried to assist law enforcement? Had you heard anything about that?

MR. DANIEL BULFORD: The first time I heard of it was from the police witnesses at this inquiry.

MR. PAUL CHAMP: Right. Right.

And what about Mr. King? Did you ever view him in any way as a threat to any of the other convoy organizers?
MR. DANIEL BULFORD: Like a physical threat?

MR. PAUL CHAMP: Yes.

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: You’d never heard of him threatening or intimidating any of the other leaders?

MR. DANIEL BULFORD: Mr. King came to the Swiss Hotel one evening angry and he ended up in a verbal altercation with Mr. -- with Chad Eros, I believe. I didn’t learn about that until the following day. I was not there when that occurred.

MR. PAUL CHAMP: Mr. King had a couple of very large people with him and was intimidating Mr. Eros?

MR. DANIEL BULFORD: I don’t know who he had with him.

MR. PAUL CHAMP: Okay.

MR. DANIEL BULFORD: But Mr. King is a large man himself.

MR. PAUL CHAMP: No doubt.

Now, what about media? Now, I know, obviously, you’re not very supportive or don’t consume what you call legacy media, but you were aware, had heard of that reporters for some of those organizations downtown were often being threatened while they were down trying to cover the convoy demonstrations.

You were aware of that, Mr. Bulford?

MR. DANIEL BULFORD: I was not aware of that. I did -- I did learn that I believe the RCMP may have been providing security for some of those reporters. I saw one video just recently, like in the last two weeks, where I think Mr.
McGregor -- people were yelling in the background while he was trying to give a broadcast, but ---

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: --- that was the first I’d ever seen of that.

MR. PAUL CHAMP: Or Mr. Raymond Filion with TVA was pushed to the ground?

MR. DANIEL BULFORD: I did not -- I was not aware of that until you just said it.

MR. PAUL CHAMP: Or Mr. Evan Solomon from CTV News had a beer can thrown at his head?

MR. DANIEL BULFORD: I did not -- I was not aware of that either.

MR. PAUL CHAMP: You hadn’t seen any of the other videos or just on your walkabouts ever seen reporters for CBC or Global, whatnot, of crowds swarming around them and yelling and -- yelling at them?

MR. DANIEL BULFORD: No, not that I recall.

MR. PAUL CHAMP: Okay.

MR. DANIEL BULFORD: I remember ---

MR. PAUL CHAMP: Okay.

MR. DANIEL BULFORD: --- some ---

MR. PAUL CHAMP: Okay.

MR. DANIEL BULFORD: --- mainstream reporters approaching me the night that Ms. Lich was arrested when we were standing up by the stage truck and they were trying to ask for interviews and I just declined. But I don’t recall anyone being threatening towards them at all.
MR. PAUL CHAMP: Okay. So you didn’t see any of those things.

MR. DANIEL BULFORD: No, sir.

MR. PAUL CHAMP: Okay. And then the legacy media, as you call it, you believe that they were misrepresenting the convoy. Is that right?

MR. DANIEL BULFORD: Yes, I do.

MR. PAUL CHAMP: And so when you say legacy media, you’re talking about CTV, CBC, Global News, Post Media, all of those?

MR. DANIEL BULFORD: Well, I would definitely -- I would definitely say CBC, CTV, Global, you’re accurate in that.

MR. PAUL CHAMP: Okay.

MR. DANIEL BULFORD: Post Media I’m not -- not so much, but also, I would throw in the Toronto Star is probably the worst offender, in my opinion.

MR. PAUL CHAMP: Okay. And then -- so was it your understanding or belief that they were all kind of working together in some way to cover the convoy in a certain way?

MR. DANIEL BULFORD: Well, it’s been my experience, Mr. Champ, that they’ve been reporting very similar to each other for the last -- at least the last two years.

MR. PAUL CHAMP: I thought your earlier testimony was that you weren’t really watching them during convoy. Were you watching them or you weren’t watching them?

MR. DANIEL BULFORD: I didn’t really have time to
watch them that much, sir. I did review a few articles that
people would send me.

Like for instance, the article detailing one of
the local Ottawa residents who had been arrested early on in the
convoy for carrying weapons in a public place.

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: And they wrote the article.

I believe I saw it in the Toronto Star and CBC.

MR. PAUL CHAMP: But just the whole phrase
“legacy media”, I’m just trying to understand what that means.

Legacy media, that means like old media that
can’t be trusted?

MR. DANIEL BULFORD: No, it’s the -- it’s another
name for the mainstream media.

MR. PAUL CHAMP: Mainstream.

MR. DANIEL BULFORD: The big outlets that have a
-- that seem to have -- I don’t know if you’d call it a
monopoly, but they dominate the television ---

MR. PAUL CHAMP: Sure.

MR. DANIEL BULFORD: --- right.

MR. PAUL CHAMP: But all journalists, all story,
they all have an agenda that’s counter to -- to the people that
you support? Is that what your understanding is?

MR. DANIEL BULFORD: I did not say all
journalists do.

MR. PAUL CHAMP: All journalists with legacy
media.

MR. DANIEL BULFORD: I can’t say that. I can’t
say that all journalists do. But I’ve seen many concerning
remarks come from the legacy media, yes.

MR. PAUL CHAMP: Just last point, Mr. Bulford.
I heard Mr. Migicovsky from the Ottawa Police
Service -- oh, no, I apologize. Maybe it was the Commission
counsel asking about racist flags that were being carried around
during the protest.

And I believe you were implying in your testimony
that you didn’t think those were real convoy protestors, that
they were others who might have been infiltrating? Is that ---

MR. DANIEL BULFORD: Yes, I suspect that’s the
case.

MR. PAUL CHAMP: That’s -- but you don’t have any
evidence of that.

MR. DANIEL BULFORD: Well, I did see a photograph
of a gentleman who I know to be a photographer that follows Mr.
Trudeau around on a regular basis taking a close-up shot of a
gentleman carrying a Confederate flag.

MR. PAUL CHAMP: Confederate flags can be viewed
as a racist flag. Is that right?

MR. DANIEL BULFORD: That’s correct.

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: It appeared staged to me.

MR. PAUL CHAMP: Right. And so -- and you didn’t
think that there was anyone involved in the convoy who brought
Confederate flags to the protest. Is that right?

MR. DANIEL BULFORD: Not that I was aware of.

The video -- I seen the video of a masked man
like wearing a winter Balaklava walking through the crowd with a Confederate flag and the video that I saw was a number of protestors telling him to get out of there ---

MR. PAUL CHAMP: Right.

MR. DANIEL BULFORD: --- because he wasn’t welcome and they didn’t want that type of -- they didn’t want that type of symbol being associated to the convoy.

MR. PAUL CHAMP: Right. All the convoy people left their Confederate flags at home like Mr. Barber.

MR. DANIEL BULFORD: Sir, I don’t know what beliefs all of the people that came to Ottawa hold, and I don’t know what they have in their possession. That would be purely speculation on my part.

MR. PAUL CHAMP: All right. Thank you.

COMMISSIONER ROULEAU: Government of Canada, please.

--- CROSS-EXAMINATION BY MR. VICTOR RYAN:

MR. VICTOR RYAN: Good evening, Mr. Bulford. My name is Victor Ryan and I’m part of the counsel team with the Government of Canada.

You already testified to your previous history of service with the RCMP, but I'd just like to go back to it briefly.

You stated you began your RCMP career with a posting with N Division in the Yukon, correct?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And within a few years of working in the Yukon, you were selected to become a member of
the Emergency Response Team, correct?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And by virtue of your selection to join the ERT, you were trained as an assaulter, I believe, correct?

MR. DANIEL BULFORD: Initially, yes.

MR. VICTOR RYAN: And then as a sniper?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And would you agree with me that the selection process for an Emergency Response Team is highly competitive?

MR. DANIEL BULFORD: Normally, yes.

MR. VICTOR RYAN: Okay. Because ERTs are responsible for resolving incidents beyond the capabilities of regular police, in part, due to the increased risk of violence that they can face?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: And you continued to work as part of the ER Team Yukon, as you stated, in both Whitehorse and Mayo before you transferred to Ottawa; is that correct?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And when you came to Ottawa, you were working with the National Division Emergency Response Team?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: You were also often involved in high-profile protective operations for individuals such as the prime minister, foreign heads of state when they came to Ottawa,
and members of the royal family, correct?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And you were often deployed around the world to protect the prime minister and other high-profile individuals attending various international summits and conferences, correct?

MR. DANIEL BULFORD: Two times.

MR. VICTOR RYAN: Two times.

MR. DANIEL BULFORD: Two times.

MR. VICTOR RYAN: And you eventually rose to the rank of corporal and second-in-command of the Surveillance and Reconnaissance Team within National Division ERT; do I have that right?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And so you would agree that your career with RCMP was a successful one, right? I think your evidence was -- earlier was that you felt that you were a dedication professional?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: And so while you were in Ottawa and while you were working with the Emergency Response Team, I believe the dates were 2013 to 2021; is that correct?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: You were trained by a variety of external law enforcement agencies during that time?

MR. DANIEL BULFORD: Yeah. Well, I wouldn't say a number, but less than a handful, probably.

MR. VICTOR RYAN: More than one?
MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: Yeah, including the FBI Hostage Rescue Team?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: Canadian Special Forces Operations Command?

MR. DANIEL BULFORD: Correct.

MR. VICTOR RYAN: And the types of things that you were trained in, the various tactical aspects of policing for which you received training, included things like covert surveillance?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: Yeah. Explosive force entry and breaching?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: Mass casualty response?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: And so through this training that you received and through your experience working in the National Division, you would have come to have an intimate knowledge of the Parliamentary precinct and downtown Ottawa; is that correct?

MR. DANIEL BULFORD: Yes, that’s correct.

MR. VICTOR RYAN: And so you knew, for instance, how police would train for and plan for a large-scale demonstration like the convoy?

MR. DANIEL BULFORD: I was -- I would say that I am aware of how a typical deployment or a mobilization would
look for a large-scale event, but I never worked on a Public
Order Unit.

MR. VICTOR RYAN: But you would have been
familiar with how the ERT would have interacted with various
other police forces in Ottawa during an event such as this?

MR. DANIEL BULFORD: Somewhat, yes.

MR. VICTOR RYAN: And of course, you'd be keenly
familiar with the jurisdictional, I guess, intersections in the
downtown area between RCMP, the PPS, the OPS?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: You knew how police would
gather intelligence on the leadership and the key figures of any
sort of protest movement that would come in?

MR. DANIEL BULFORD: I -- yeah, I have some
exposure to that.

MR. VICTOR RYAN: You knew what the police goals
and strategies would be in policing a large-scale demonstration?

MR. DANIEL BULFORD: Well, I think it's fairly
basic for something such as what happened in Ottawa, but maybe
not basic is the right term, but it's no surprise to me that
people would be surveilled and that they would try and that they
would try and learn who -- who's a person identified as a face
of the convoy. And -- but predominately, most of the events
that take place, you mobilize resources for a worst-case
scenario, but the vast majority of the time, nothing happens.

MR. VICTOR RYAN: And when you talk about
mobilizing resources, one of the ways that you do so is by
pulling other police officers from other jurisdictions, that's
correct?

MR. DANIEL BULFORD: Yes, that’s common.

MR. VICTOR RYAN: And as an RCMP officer, former RCMP member, you would have been aware of the different RCMP detachments and divisions across the country, have a general understanding of where the RCMP are police of jurisdiction in other areas of the country?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: And you would have been aware of the practical difficulties involved in pulling RCMP officers from provinces far flung and transferring them to Ottawa to assist the local police here in any enforcement?

MR. DANIEL BULFORD: Well, yes, sir. I think the RCMP has been under-resourced for pretty much my entire career as far as back as I can remember, likely before. And I think that’s almost -- like, we’ve heard from other police witnesses that’s pretty much a universal in policing.

MR. VICTOR RYAN: You would have had a knowledge roughly of how many police officers would be required to manage a large-scale demonstration?

MR. DANIEL BULFORD: No, I don’t agree with that. This was -- I don’t know. My involvement with these large-scale events was very compartmentalized to my role on the Emergency Response Team.

MR. VICTOR RYAN: And that role, you touted quite a bit during the occupation publicly, correct?

MR. DANIEL BULFORD: I don’t -- I wouldn’t consider it touting, but I tried to explain who I was, what my
experience was, so that I can try and reduce people's anxiety about the heavy police presence that they were seeing in Ottawa.

MR. VICTOR RYAN: And my friend from Commission counsel showed you a document that contained a quote from you from a press release, where you said:

"I have extensive experience in protective operations for large-scale events here in the National Capital Region. I have been involved in tactical planning for many of these large-scale events, so I'm keenly familiar with what is happening right now in regards to the police presence down around Parliament Hill and the downtown core."

Does that sound familiar to you?

MR. DANIEL BULFORD: Yes, that's correct.

MR. VICTOR RYAN: Also in that same press conference, you also stated:

"My primary concern is individuals or groups with the potential to deliberately instigate conflict with the Freedom Convoy movement."

Correct?

MR. DANIEL BULFORD: That's correct.

MR. VICTOR RYAN: And that was to you, your most important concern, because you knew from your past experience the potential for individuals or groups, whether associated with
you or not, to use the convoy as cover for their own needs, correct?

MR. DANIEL BULFORD: Yes, I would agree that any time you have a large event where there's a large crowd of people, there's the primary concern from the police standpoint would be a mass casualty attack.

MR. VICTOR RYAN: And by February 3rd, you had already begun to appreciate the number of different factions and elements that were converging on downtown Ottawa, correct?

MR. DANIEL BULFORD: Yeah, I would agree with that.

MR. VICTOR RYAN: For instance, you were involved, as I take your evidence with Mounties for Freedom, you were volunteering with Adopt a Trucker, and you were also closely associated with the Freedom Convoy, correct?

MR. DANIEL BULFORD: Well, yeah. I mean, my role with volunteering with Adopt a Trucker was in direct support of the Freedom Convoy.

MR. VICTOR RYAN: But you were not associated with Canada Unity, correct?

MR. DANIEL BULFORD: No, sir.

MR. VICTOR RYAN: But Canada Unity was there at the convoy?

MR. DANIEL BULFORD: Yes.

MR. VICTOR RYAN: Yeah. And you were not associated with James Bauder, correct?

MR. DANIEL BULFORD: No, sir.

MR. VICTOR RYAN: No. And the MOU that he
brought with him?

MR. DANIEL BULFORD: No. Like I said, the first time I read it was last week.

MR. VICTOR RYAN: But he was there at the convoy, correct?

MR. DANIEL BULFORD: I heard that he was. The first time I ever seen him was here at this inquiry.

MR. VICTOR RYAN: M'hm. All right. And you were not affiliated with the Farfadaas that were at Rideau and Sussex, correct?

MR. DANIEL BULFORD: I also had no idea who the Farfadaas was or what that was until after I read about Mr. Charland's arrest out at -- near Vankleek Hill after the convoy had been dismantled.

MR. VICTOR RYAN: And the individual describing herself as Queen Ramona and her supporters, you weren’t associated with her or her supporters, correct?

MR. DANIEL BULFORD: No, sir.

MR. VICTOR RYAN: And but they were there at the convoy, correct?

MR. DANIEL BULFORD: Yes, I did have an interaction with some of her supporters.

MR. VICTOR RYAN: And you weren’t associated with any outlaw motorcycle gangs, correct?

MR. DANIEL BULFORD: No, absolutely not.

MR. VICTOR RYAN: No, but they were there at the convoy, correct?

MR. DANIEL BULFORD: I believe that there was two
men identified as potentially belonging to an outlaw motorcycle gang in the crowd early on. I don’t recall ever seeing them or hearing of them again. And again, I -- that’s a bit of an assumption on my part because I don’t specifically have any knowledge of that particular group.

Mr. Victor Ryan: So you heard that they were there but you didn’t actually see them?

Mr. Daniel Bulford: I saw a photograph of them.

Mr. Victor Ryan: Okay.

Mr. Daniel Bulford: Yeah.

Mr. Victor Ryan: So you so a photograph of them at the convoy but you didn’t actually encounter them?

Mr. Daniel Bulford: That’s correct.

Mr. Victor Ryan: Okay. You’ve already testified that your main role was to collect intelligence from the convoy, collect, you know, threats of violence, assess their credibility, and forward them onto the police. But I also take your evidence that this was a peaceful protest; correct?

Mr. Daniel Bulford: Yes.

Mr. Victor Ryan: Okay. And in the chronology that’s set out in your witness statement -- and I won’t take you to it unless you are required but it’s again HRF00001553 -- you state that on January 29th, 2022, you sent a photo to OPS and RCMP of an identified in Ottawa who reportedly wore body armour and stated, “They don’t realize what things will be like when the hard boys show up with a legitimate beef”; is that correct?

Mr. Daniel Bulford: That’s correct.

Mr. Victor Ryan: And on January 30th, the next
day, you emailed PLT about a conspiracy to stage a hit and run with a tractor trailer hitting a horse that contained specific information regarding a member of the Prime Minister’s Protective Detail; correct?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And you relayed information to PLT regarding fights that you either saw or that were relayed to you; correct?

MR. DANIEL BULFORD: Well, there was the aggressive male up at the stage truck. I don’t recall other fights beyond that ---

MR. VICTOR RYAN: Okay.

MR. DANIEL BULFORD: --- other than the one instance where a male pulled a crowbar out of his car ---

MR. VICTOR RYAN: I believe you’re referring to the individual referred to as “Black Buffalo”?

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: And so speaking of that, “Black Buffalo became very angry at what he perceived to be an encroachment to his territory, began yelling, pulled a crowbar from his truck, pushed a female, actually, into you ---

MR. DANIEL BULFORD: That’s correct.

MR. VICTOR RYAN: --- as I understand it correctly. Would agree that that’s a fight?

MR. DANIEL BULFORD: Yeah. I think it could have become one but we were able to move people away and de-escalate the situation.

COMMISSIONER ROULEAU: You’re over your time.
MR. DANIEL BULFORD: I would just like to add, based on my experience in policing, especially my time as a general duty officer, I suspect that Mr. -- the man who presented himself as “Black Buffalo” was suffering from some mental health issues.

MR. VICTOR RYAN: Okay. And just one last question. You also dealt, at the insistence of, I believe, Keith Wilson, with people at Coventry Road referring to themselves as “sovereign citizens” who were deputizing themselves and planning to arrest peace officers; correct?

MR. DANIEL BULFORD: I never dealt with those people. I received word while I was at the Swiss Hotel that that was occurring and so -- and the information that I received is that someone was pretending to be me and deputizing people. And so the people at the Swiss Hotel took photographs, and maybe even a video of me to have proof that I was currently at the Swiss and not falsely deputizing people at Coventry Road. And so I called one of the gentleman who was a point of contact at Coventry Road and asked him, “Was this taking place?” And he knew nothing about it but he was in -- I think he was in a tent or a shelter of some kind so I asked him if he could go outside and check. He went outside and checked and confirmed that there was nothing going on there. I did later end up questioned by the -- I think it was Ottawa Police questioned me about that and I relayed the same information I just said to you.

MR. VICTOR RYAN: Okay. So just one last question. These examples that you and I have just discussed, in your view, are they examples of a peaceful protest?
MR. DANIEL BULFORD: Well, I don’t believe any of those instances resulted in any real violence.

MR. VICTOR RYAN: Thank you. Those are my questions.

COMMISSIONER ROULEAU: Thank you.

Next is counsel for Former Chief Sloly.

--- CROSS-EXAMINATION BY MR. TOM CURRY:

MR. TOM CURRY: Thank you, Commissioner. Retired Cpl. Bulford, Tom Curry for Former Chief Sloly, a couple -- just a couple of things. Many of these questions have -- the other questions I had have been asked by asked by my friends.

Could I just ask you to look at the statement that you prepared with us, please. It’s HRF1553, Mr. Registrar. Just when this comes up, I just to go, please, if we could, to paragraph 19. When we get there, I hope we find -- there it is. Maybe 18, if you don’t mind, just a little higher, thank you. I think you told us that you emailed an introduction to those representatives of the OPS, RCMP, and PPS early in your tenure with this -- with the convoy and identified who you were and what you were going to do; is that right?

MR. DANIEL BULFORD: Yes, I did.

MR. TOM CURRY: And then just scroll down, if you don’t mind, just -- you see the sentence:

"Please rest assured all organizers of the convoy group are operating under strict instructions that every single person involved must be respectful and lawful at all times."
And that that was your mandate from those with whom you had been dealing.

MR. DANIEL BULFORD: That’s correct. Yes, that was -- I mean I would not have been involved if I didn’t think that was going to be the case.

MR. TOM CURRY: One of the challenges is, as you’ve described, that this was a very difficult organization, that is the convoy in its largest sense, to have any command or control over.

MR. DANIEL BULFORD: Yeah, I don’t think we actually -- without any official authority of any kind -- you know, you’re not operating within a police organization or a military unit -- you’re trying to do the best you can as a bunch of civilian volunteers ---

MR. TOM CURRY: Right.

MR. DANIEL BULFORD: --- to make sure that people are all on board with the messaging, yeah.

MR. TOM CURRY: And try as you might, and others have testified to this -- try as you might to have imposed a requirement for respect and -- for conduct that is respectful and lawful, you weren’t always able to achieve that goal; fair?

MR. DANIEL BULFORD: I think we did a very good job considering the size of that convoy and the crowds that that protest generated.

MR. TOM CURRY: But you weren’t always able to control the conduct in the way that you might have liked; is that fair?

MR. DANIEL BULFORD: Well, sir, honestly, my
intention was never to try and exert control on people because I
was no longer a person of any kind of authority in Canada.

MR. TOM CURRY: The reason I ask is because as
you watched this, especially with your experience -- as you
watched the convoy -- the events of the convoy unfold ---

MR. DANIEL BULFORD: M’hm.

MR. TOM CURRY: --- from the earliest days when
you arrived until the end when you yourself were arrested, you
must have had a sense that the end was coming through this
public order exercise unless there was some other breakthrough;
is that fair?

MR. DANIEL BULFORD: Well, I don’t think any of
us expected this to go on indefinitely, but my understanding was
that we were trying to take pressure off the City of Ottawa and
Chief Sloly ---

MR. TOM CURRY: Right.

MR. DANIEL BULFORD: --- you know, with the
negotiated deal that I learned about after the fact, and I was
100 percent on board with whatever negotiations that the truck
captains could accomplish, and the legal team could accomplish
with the police to prevent a massive takedown of the convoy
occurring. I was in support of that.

MR. TOM CURRY: Right. Because in the absence of
some effort by the convoy -- successful effort by the convoy
organizers to be able to eliminate the consequences for the
residents and the City of Ottawa, the business and the like, you
understood that it was going to come to an end vis a police
enforcement action?
MR. DANIEL BULFORD: I knew that that was a possibility. I didn’t know -- I didn’t -- like I said before, I had hoped that it wouldn’t come to that ---

MR. TOM CURRY: Right.

MR. DANIEL BULFORD: --- and that -- honestly, sir, I was hoping that the police would stand up with us, which would then, basically, be a symbolic gesture for the federal government that what they were doing was no longer lawful in Canada and they weren’t going to have the police as their enforcement arm ---

MR. TOM CURRY: Right.

MR. DANIEL BULFORD: --- to do anything that was unconstitutional, and unlawful, and not backed on evidence.

MR. TOM CURRY: Which would require police services, not just Ottawa but OPP, RCMP, PPS, all of the other services who had come to help to disclaim their duty to uphold the law. You were asking quite a lot.

MR. DANIEL BULFORD: Yeah, I was. But it had happened in Ontario earlier in the declared pandemic when Premier Ford tried to exert more power and the police said, "No."

MR. TOM CURRY: Can I ask you a couple of other things then just in the time remaining? You told the Commissioner that you -- upon arrival and getting this underway, you imposed a form of ICS model or Incident Command structure to the best that you could.

MR. DANIEL BULFORD: Yeah. I mean, it was a joint effort but I mean, myself and a number of others were
familiar with that system.

MR. TOM CURRY: Right.

MR. DANIEL BULFORD: And so it was brought to our attention that maybe we should set something like this up because the first -- that initial few days was absolute chaos.

MR. TOM CURRY: And to whom then did you bring -- were you at the -- were you the designated incident commander?

MR. DANIEL BULFORD: No, sir. I was not.

MR. TOM CURRY: Who was?

MR. DANIEL BULFORD: Well, Mr. Garrah was in charge of Adopt-A-Trucker and then my -- the overall -- if you want to call it Incident Commander volunteer was a former Ottawa paramedic.

MR. TOM CURRY: Got it. And then Mr. Garrah, would he have taken direction strategic direction from the Board of the convoy corporation once it was incorporated? Or were you aware?

MR. DANIEL BULFORD: I would say that’s accurate because our whole purpose of being there was to support the truckers. I mean, the whole initial mission was to provide food and shelter and transportation services to the protesters.

MR. TOM CURRY: Was part of your effort within that group, the Incident Command group, to keep track of the number of police personnel who were on the scene?

MR. DANIEL BULFORD: No, sir.

MR. TOM CURRY: Okay.

MR. DANIEL BULFORD: No, that was not something that we were interested in. I mean, the police were going to do
what they were going to do and we were trusting them to do their job.

MR. TOM CURRY: And just finally, a couple of things, if I may.

If I could -- Mr. Registrar, I'm sorry to drag that document back up -- 1553; thanks so much. And if you could go to paragraph 99. I just want to get your help with one thing, please.

These go to the events of February the 15th. And you had a visit at the Swiss Hotel described here in which OPP and OPS liaison officers attended to meet with volunteer coordinators and Ms. Lich.

You were one of the volunteer coordinators?

MR. DANIEL BULFORD: Yeah, I was the volunteer security coordinator.

MR. TOM CURRY: And who were the other volunteer coordinators, if you recall, with whom that meeting -- or who attended that meeting?

MR. DANIEL BULFORD: Well, it was myself, Tamara Lich, and the former Ottawa paramedic.

MR. TOM CURRY: Okay, got it. So the three of you and three police personnel?

MR. DANIEL BULFORD: To the best of my recollection, yes.

MR. TOM CURRY: And it was at that meeting that they -- you've written that they attended to discuss the recent document provided by police to convoy participants, and that’s the document that laid out, the Emergencies Act having been
declared, it was now required that people vacate the protest; is that fair?

MR. DANIEL BULFORD: Well, it’s more nuanced than that because when I reviewed that document -- I know which one you're talking about; it had the red border outside of it. I read through the criteria and I don’t think any of us in that room with those liaison officers met the criteria laid out in that document from the OPS of people that were no longer permitted into the downtown.

MR. TOM CURRY: Right. And what you engaged with -- I won’t read all of it, but you spoke to those officers to express your concern that the growing -- that the use of force by police against the peaceful protests without negotiation was wrong and they ought not to do that, fair?

MR. DANIEL BULFORD: Yes. I did.

MR. TOM CURRY: And then scroll down if you don’t mind, please, just to paragraph 102. And now that we’re on the 17th. You had an encounter with another officer or Detective Benson who replied to your query about being -- whether you were on -- people were on the lookout for you.

MR. DANIEL BULFORD: No, Mr. Benson contacted me by text message after Tamara Lich had been arrested.

MR. TOM CURRY: Okay, thank you.

And you had an exchange with him. I'm just interested in the second last sentence.

“He responded by saying that the occupation was beyond a protest and the trucks had to go.”
And you replied to him that it was not an occupation.

MR. DANIEL BULFORD: Well, my belief that a definition of an occupation is usually like a foreign military has taken control of another country.

MR. TOM CURRY: Right. Was it -- do you now accept, thinking back about it, that from the perspective of the residents of the City of Ottawa, the Ottawa Police Service, that the protest embedded as it was, was the equivalent of an occupation?

MR. DANIEL BULFORD: No, I don’t agree with that.

MR. TOM CURRY: Okay. Now, a final thing. My friends asked you about whether you had information from active serving officers or service personnel in the Ottawa Police Service or any other police service. Tell the Commissioner if you know, in respect of the information that Mr. Wilson had --

MR. DANIEL BULFORD: M’hm.

MR. TOM CURRY: --- am I right that so far as you know, the information Mr. Wilson had was the same as the information that you had, that is, only from retired, that is non-active, police personnel?

MR. DANIEL BULFORD: I can’t say that for certain because Mr. Wilson spent -- the majority of the time Mr. Wilson was at the ARC Hotel and the majority of the time I was at the Swiss Hotel.

MR. TOM CURRY: All right. Thank you. I don’t have any other questions.

COMMISSIONER ROULEAU: Thank you.
Next, if I could call on the Ontario Provincial Police.

MR. CHRISTOPHER DIANA: Good evening, Commissioner. I have no questions. Thank you.

Commissioner, I have no questions.

COMMISSIONER ROULEAU: Okay, thank you.

For the Democracy Fund, ACCF, and Citizens for Freedom.

MR. ROB KITTREDGE: Commissioner, Rob Kittredge for the Justice Centre. We have no questions for this witness. And to the extent it may be necessary, we’ll cede our time to Mr. Miller.

COMMISSIONER ROULEAU: Okay. The Convoy Organizers.

--- CROSS-EXAMINATION BY MR. BRENDAN MILLER:

MR. BRENDAN MILLER: For the record, Brendan Miller, Mr. Bulford. I'm counsel to the convoy or, sorry, Freedom Corp. who is the entity representing the protesters that were in the city in February and January of 2022.

MR. DANIEL BULFORD: Good evening.

MR. BRENDAN MILLER: Good evening.

Commissioner, just for ease of reference, what I'm continuing to do now, just to get to the point. Your counsel have been excellent in adducing evidence in-chief and I'm just going to deal with examination from the questions that arose from the other parties. And so I'll try and be quicker now for you.

COMMISSIONER ROULEAU: You won’t hear many
complaints, I think, from the hall on that.

MR. DANIEL BULFORD: Thank you very much.

COMMISSIONER ROULEAU: But of course, you're entitled to your time.

MR. BRENDAN MILLER: I just think it’s helpful. So there’s a couple of things and there will be a couple of documents that arose that are in the system already from my friends’ questioning I want to put to you.

But the first thing I’d like to ask you about, Mr. Bulford, is Parliament Protection Services -- this is of course to most Canadians a sort of police service that nobody understands and nobody knows much about. What can you tell me about it?

MR. DANIEL BULFORD: Well, after the October 22nd, 2014 shooting at the War Memorial and Mr. Bibeau storming the Centre Block, there was a big review afterwards that took place because there was three different agencies that were responsible for security on Parliament Hill, and they were all amalgamated into the Parliamentary Protective Service so that they would have one cohesive unit for the precinct.

MR. BRENDAN MILLER: Right. And can you tell me, who does the Parliament Protection Services -- who does it answer to?

MR. DANIEL BULFORD: Well, when I was working, I still believe they fell under the RCMP’s command but that may not be the case anymore. They may be completely independent now.

MR. BRENDAN MILLER: Right. And the RCMP
command, then, that falls under Commissioner Lucki?

MR. DANIEL BULFORD: That’s correct.

MR. BRENDAN MILLER: And is it fair to say that from what you've seen from being within an RCMP -- from being within the RCMP and seeing it on the news that you've witnessed or heard of Commissioner Lucki relaying public messages on behalf of the elected executive branch or relaying information that the political executive branch wants to relay to the public?

MR. DANIEL BULFORD: Yes.

MR. BRENDAN MILLER: Okay. So the next question I want to bring up -- if I can bring up Document 7722_REL.0001.

THE REGISTRAR: Counsel, are you referring to text messages?

MR. BRENDAN MILLER: Text messages, yes. So it's -- and I'll have to get the other one too. So it's 7724 is the next one, just so you know.

Now, I'm not sure if you were present or you had watched this part of the hearing when I referred to these text messages. This is a text exchange between one of the staffers with the Prime Minister's Office, and another one of the staffers with the Minister of Public Safety's Office; okay? And this is in this context the staffer with the Prime Minister's Office states to the staffer with Public Safety Minister's Office that:

"Got a quick [response], people are into it.

[Let me know] if your boss is too."
Boss being the Minister of Public Safety:

"Happy to help however I can!

This is what I sent through [by the way]:

'Hi, I just had a chat with Alex at PS..."

Being Public Safety:

"...who had a bit of an interesting idea. As you saw in the pod goals chat, the [trucker] convoy and some of their more extreme comments...(calling for Jan 6 style insurrection) are getting more coverage in the media.

Alex was surveying whether [there would] be some interest in his boss doing some media on this eventually.

He was chatting with Mendicino about it right before he went into [a] cabinet retreat.'"

And can you agree that cabinet retreat was on January 24th? Were you aware of that?

MR. DANIEL BULFORD: That sounds accurate.

MR. BRENDAN MILLER: Yeah, that's 2002 [sic].

And then he goes on:

"'I think there could be an opportunity to get in on this growing narrative, particularly with the research that LRB is doing into their backers.'"
Do you know the LRB is?

**MR. DANIEL BULFORD:** No.

**MR. BRENDAN MILLER:** Have you ever heard of the Liberal Research Bureau while you were on the Hill?

**MR. DANIEL BULFORD:** No.

**MR. BRENDAN MILLER:** Okay. And:

"'My thoughts of framing here would be similar to what the PM/Blair...'"

Being Minister Blair and the Prime Minister:

"'...said last year when Jan. 6th occurred:'"

And the first point is:

"'"'Our democracy is something we need to nurture and protect every day.'"'

And then if we could bring up the second part of the text message, at 7724.

And then it goes on, and this is the points that are being relayed and -- or that is essentially going to be the narrative:

"'We will always support the right to peaceful protest.

[And] some of the calls that organizers of these events are making are concerning, and [we'll take] them seriously (would need something to back this up).

We'll continue to monitor the situation closely.
The fine line to walk would be to ensure we are not looking like we are directing the police, which obviously is not the goal here.

Hoping to canvass your thoughts - Alex said he'd come back to me with a proposal this afternoon when he gets to chat with Mendicino again, obviously pending his boss's and our interests in looking into this further.'"

So that text is to either the Prime Minister or someone within his office and they're explaining what Alex, the Chief of Staff for the Public Safety Minister, has come up with.

And he responds:

"Thanks!!

I had an initial chat with my boss and he's supportive, but wants to wait a day or two.

There's a danger that if we come down too hard they might push out the crazies."

Being, I think, the far extreme factions online they were talking about. "I think that's fair", she responds:

"Apparently [G]lobal & others are working on stories. Maybe we see how those land."

So you had mentioned that you don't trust legacy media and you mentioned Global News ---
MR. DANIEL BULFORD: Yeah.

MR. BRENDAN MILLER: --- and that's one of them.

MR. DANIEL BULFORD: Yes, that's true.

MR. BRENDAN MILLER: Okay. Now, I've sent this around, I'm not going to try and move this article into evidence at this juncture, but did you know that the following day Global released a news article titled January 6th Event or there was a -- going to be a January, a potential January-type 6th event on the -- during the Ottawa convoy, and they managed to get Parliament Protective Services to comment, and what was reiterated was one of the points in that text message.

So again, I'm asking you, if the government was going to try and relay a narrative ---

MR. DANIEL BULFORD: M'hm.

MR. BRENDAN MILLER: --- from your experience on working on the Hill in law enforcement, would they use something like the Parliamentary Protective Services to relay a narrative?

MR. DANIEL BULFORD: I can't say for certain. I've -- my -- all of my experience with the Parliamentary Protective Service is I've never seen anything political from them because they're limited in scope.

MR. BRENDAN MILLER: Okay. And so the Parliamentary Protective Services reiterate, and I'll just read it in, I'm just trying to pull it up again.

COMMISSIONER ROULEAU: I'm not sure you got much from the witness about the Parliamentary ---

MR. BRENDAN MILLER: Right. So in any event, I'll deal with that ---
COMMISSIONER ROULEAU: There is going to be lots of witnesses that'll come ---

MR. BRENDAN MILLER: Understood.

COMMISSIONER ROULEAU: --- later. I mean ---

MR. BRENDAN MILLER: Understood. So ---

COMMISSIONER ROULEAU: --- you can use your time, but...

MR. BRENDAN MILLER: Yeah.

So moving on, essentially the Parliamentary Protective Services in this article states that they're wary of the security and they won't talk about further matters in order to keep people safe. I'm just summarising it, we'll put it into other evidence through other witnesses.

But is it concerning to you that, you know, coming from this issue with misinformation that you're concerned about, you've testified to, that the elected Executive Branch has identified knowing about news articles ---

MR. DANIEL BULFORD: M'hm.

MR. BRENDAN MILLER: --- and what they're going to be about before they come out.

COMMISSIONER ROULEAU: Where -- what's the evidence of that?

MR. BRENDAN MILLER: Directly in the text messages they said that Global is running a piece on it. It was on January 24th, of which ---

COMMISSIONER ROULEAU: Okay.

MR. BRENDAN MILLER: --- that was, and the news article I'm speaking of was on January 25th. And then
Parliamentary Security Services says essentially the byline that is in those text messages, sir. And I'll put that into evidence, and I'm just asking if it concerns him if that's the case. That's it.

COMMISSIONER ROULEAU: I'm just trying to understand where the evidence is for that.

MR. BRENDAN MILLER: Yes. It's the text messages. So you have the text messages between the staffers with both the Prime Minister's Office as well as with the Minister of Public Safety.

COMMISSIONER ROULEAU: Yes.

MR. BRENDAN MILLER: They then say what the narrative is going to be. They then say that Global is going to be running this story, and then when Global runs the story they quote Parliamentary Protective Services citing basically one of the lines in the text messages, sir.

COMMISSIONER ROULEAU: I'm not sure I understand the link at all in the way you describe it, but the record is clear.

MR. BRENDAN MILLER: Yes.

COMMISSIONER ROULEAU: So we'll leave it.

MR. BRENDAN MILLER: So with respect to that, if that is the case, is that something that concerns you?

MR. DANIEL BULFORD: Yes, absolutely.

MR. BRENDAN MILLER: Okay. And moving on from that point, my friend brought up with you the issue with respect to danger of people staying and the advice you were giving and everything.
And I'd like to bring up OPS document 14504, please.

Do you recognise this document?

MR. DANIEL BULFORD: Yes, I do.

MR. BRENDAN MILLER: And what is it?

MR. DANIEL BULFORD: It's the document that the OPP and two OPS liaisons brought to the Swiss Hotel.

MR. BRENDAN MILLER: Right. And in reviewing that document, does any of it therein say that all the protesters have to leave?

MR. DANIEL BULFORD: No.

MR. BRENDAN MILLER: All right. And so was that one of the documents that formed your understanding of what was to happen?

MR. DANIEL BULFORD: I thought it was just reinforcing Justice McLean's decision that as long as we abided by those three conditions of no one coming to Ottawa to commit violence, do not block critical infrastructure, and do not disrupt trade we were still considered a lawful protest. And the people that they were delivering that message to, such as myself and the others, didn't fit into any of those categories that I am reading here.

MR. BRENDAN MILLER: Right. And with respect to the position therein that says they need to move their trucks, you're not contesting that that was going to have to happen?

MR. DANIEL BULFORD: No.

MR. BRENDAN MILLER: Okay. And so when you talk about lawful protests you're talking about people, actual
physical people, human beings on a street protesting. Is that fair?

MR. DANIEL BULFORD: That's correct.

MR. BRENDAN MILLER: Okay. And so it was your belief, and you were advising Canadians to come to Ottawa or to stay in Ottawa in order to carry out that sort of protest.

MR. DAVID MIGICOVSKY: You know I hate to -- it’s David Migicovsky.

I hate to spend more time on Friday evening of everyone, but we really are getting into cross-examination.

MR. BRENDAN MILLER: That’s fine. I’ll move on.

COMMISSIONER ROULEAU: Yeah, it was more of a leading question.

MR. BRENDAN MILLER: Thanks.

COMMISSIONER ROULEAU: It was pretty leading.

MR. BRENDAN MILLER: So if we could please bring up OPP document 4286?

(SHORT PAUSE)

MR. BRENDAN MILLER: Okay. So this is the document that my friend put to you; it’s the Operational Plan.

And if Mr. Clerk wouldn’t mind scrolling down to page 31? It’s not 31 in the documents -- oh, no, it is. There we go. Perfect.

So if you could just take a moment to look at that, Mr. Bulford. It’s a script for arresting for -- or for arresting protesters.

(SHORT PAUSE)

MR. DANIEL BULFORD: Okay.
MR. BRENDAN MILLER: All right. So you can agree the plan was, is that the protesters were essentially going to be released with just a court date and some release conditions as soon as possible; they weren’t being put before the Justice of the Peace or a bail hearing; that was the plan?

MR. DANIEL BULFORD: Yes.

MR. BRENDAN MILLER: All right. And so other than Tamara Lich and Chris Barber, do you know of anyone else this plan just wasn’t applied to, where they just got a Promise to Appear with conditions, undertakings, and, you know, they all got -- they didn’t get massive bail conditions imposed upon them by the Crown or on behalf of OPS? Do you know anyone else, other than those two individuals, who wasn’t released under this sort of release plan?

MR. DANIEL BULFORD: Well, I know of at least Pat King.

MR. BRENDAN MILLER: Yeah.

MR. DANIEL BULFORD: And his friend, I believe his name is Tyson Billings, ---

MR. BRENDAN MILLER: Yeah.

MR. DANIEL BULFORD: --- were both incarcerated for an extended period of time.

MR. BRENDAN MILLER: Was anybody else that you know of?

MR. DANIEL BULFORD: I’ve heard of other people that were charged but I don’t know the particulars of their release.

MR. BRENDAN MILLER: Okay, thank you. Those are
my questions.

MR. DANIEL BULFORD: Thank you.

COMMISSIONER ROULEAU: Okay. Any re-examination?

MR. JEFFREY LEON: No, thank you, Commissioner.

COMMISSIONER ROULEAU: Okay.

So thank you. You’re free to go.

MR. DANIEL BULFORD: Thank you, sir.

COMMISSIONER ROULEAU: So we’ve completed the list for today, and we will come back on Monday morning at 9:30.

THE REGISTRAR: The Commission is adjourned. La Commission est adjournée.

--- Upon adjourning at 7:03 p.m.

CERTIFICATION

I, Sandrine Martineau-Lupien, a certified court reporter, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sandrine Martineau-Lupien, une sténographe officiel, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.

_________________________
Sandrine Martineau-Lupien