



**PUBLIC ORDER  
EMERGENCY  
COMMISSION**

**COMMISSION  
SUR L'ÉTAT  
D'URGENCE**

**Public Hearing**

**Audience publique**

**Commissioner / Commissaire  
The Honourable / L'honorable  
Paul S. Rouleau**

**VOLUME 17**

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### III

## Appearances / Comparutions

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Government of Saskatchewan

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City of Ottawa

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Ms. Alyssa Tomkins  
Mr. Daniel Chomski

City of Windsor

Ms. Jennifer L. King  
Mr. Michael Finley  
Mr. Graham Reeder

## IV

### Appearances / Comparutions

Mr. Peter Sloly

Mr. Tom Curry

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

Mr. Bryce Chandler

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

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Mr. Greg DelBigio

Ms. Colleen McKeown

Union of British Columbia Indian Chiefs

Ms. Cheyenne Arnold-Cunningham

Counsel Meagan Berlin

Ms. Mary Ellen Turpel-Lafond

National Crowdfunding & Fintech  
Association

Mr. Jason Beitchman

## V

### Appearances / Comparutions

Canadian Constitution Foundation and Professor Alford	Ms. Sujit Choudhry Ms. Janani Shanmuganathan Prof. Ryan Alford
Ottawa Coalition of Residents and Businesses	Mr. Paul Champ Ms. Emilie Taman Ms. Christine Johnson
The Democracy Fund, Citizens for Freedom, JCCF Coalition	Mr. Rob Kittredge Mr. Antoine D'Ailly Mr. Alan Honner Mr. Dan Santoro Mr. Hatim Kheir Mr. James Manson
Canadian Civil Liberties Association	Ms. Cara Zwibel Ms. Ewa Krajewska
The Convoy Organizers	Mr. Brendan Miller Ms. Bath-Sheba Van den Berg
Insurance Bureau of Canada	Mr. Mario Fiorino

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Ottawa, Ontario

--- 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



1 want to do it orally, but just give a heads-up to the parties so  
2 that when we get to it, everybody will be -- have thought it  
3 through.

4 **MR. DAVID MIGICOVSKY:** Sure.

5 **COMMISSIONER ROULEAU:** If that's okay?

6 **MR. DAVID MIGICOVSKY:** Thank you very much.

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

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

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

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

17 **--- MS. TAMARA LICH, Resumed:**

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

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

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

26 **MS. TAMARA LICH:** I don't believe I am, no.

27 **MR. PAUL CHAMP:** And I also want to make sure  
28 that we're clear on the record; as you know, I've able to see a

1 lot of financial information and so forth in other proceedings  
2 and so forth, and you did everything you could to keep track of  
3 that money and deal with it responsibly, the money that was  
4 going to your account?

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

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

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

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

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

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

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

24 **MR. PAUL CHAMP:** For sure. But then once the  
25 enormous amounts of money started flowing in through GoFundMe  
26 and, you know, people were energized around that, it opened up  
27 other options of what this protest could look like; is that  
28 fair?

1           **MS. TAMARA LICH:** I believe that everyone that  
2 was involved and that joined was in it to be listened to, to  
3 have their voices heard, as far as the mandates and the  
4 restrictions and the lockdowns went.

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

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

12           **MR. PAUL CHAMP:** Right.

13           **MS. TAMARA LICH:** So...

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

18           **MS. TAMARA LICH:** I guess that's fair.

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

21           **MS. TAMARA LICH:** Yes.

22           **MR. PAUL CHAMP:** I presume you're aware of the  
23 news story and those texts?

24           **MS. TAMARA LICH:** Yes, I am.

25           **MR. PAUL CHAMP:** And in those texts, it's my  
26 understanding that you had some exchanges with Mr. Barber on or  
27 about January 30<sup>th</sup> about a strategy meeting at the Command Centre  
28 about gridlocking Ottawa. Can you tell us about that?

1                   **MS. TAMARA LICH:** Well, I can tell you what I  
2 remember, which obviously isn't much.

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

6                   **MR. PAUL CHAMP:** Right.

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

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

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

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

27                  **MS. TAMARA LICH:** No.

28                  **MR. PAUL CHAMP:** Now, I want to ask you some

1 questions about the horns. You testified yesterday that at some  
2 point, even for you, the horns became a bit too much; you  
3 couldn't even carry on a conversation on the sidewalk when all  
4 those trucks were blaring?

5 **MS. TAMARA LICH:** At times, yes.

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

9 **MS. TAMARA LICH:** M'hm.

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

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

14 **MR. PAUL CHAMP:** Yes.

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

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

26 **MS. TAMARA LICH:** As I said yesterday, when I was  
27 in my hotel room I didn't really notice it, the horns honking,  
28 and I was right downtown.

1                   **MR. PAUL CHAMP:** But you wouldn't want a big rig  
2 to pull up, for example, in front of your parents' home and park  
3 and idle for 24 hours a day for several weeks honking their  
4 horn. You wouldn't want that, would you Ms. Lich?

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

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

10                  **MS. TAMARA LICH:** It is what it is.

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

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

16                  **MR. PAUL CHAMP:** Now, I want to ask you some  
17 questions about the injunction. We -- on February 4th to the  
18 5th, you heard about that there was a motion from the residents  
19 of Ottawa to get an injunction to stop the horn honking;  
20 correct?

21                  **MS. TAMARA LICH:** Yes.

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

26                  **MS. TAMARA LICH:** I had never opposed the  
27 injunction.

28                  **MR. PAUL CHAMP:** Well, you swore an affidavit to

1 impose the injunction, Ms. Lich, let's be clear on that; right?

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

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

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

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

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

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

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

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

21 **MS. TAMARA LICH:** Yes.

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

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

25 **MR. PAUL CHAMP:** Okay. Now, Mr. Wilson told us  
26 yesterday that on the board there were some who -- there was a  
27 bit of a division on the board. Some felt that, "yeah, the  
28 horns are a bit too much, and you know, maybe we shouldn't

1 oppose this injunction", and some were like, "no, we should  
2 oppose it." Do you recall that meeting?

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

5 **MR. PAUL CHAMP:** Right.

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

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

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

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

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

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

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

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

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

26 **MR. PAUL CHAMP:** And you also, you never posted a  
27 copy of the court's injunction Order or the terms of it in any  
28 way on any of your social media; correct?



1           **MS. TAMARA LICH:** I don't believe so, no.

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

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

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

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

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

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

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

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

19           **MS. TAMARA LICH:** The fundraiser.

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

23           **MS. TAMARA LICH:** I do.

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

26           **MS. TAMARA LICH:** Correct.

27           **MR. PAUL CHAMP:** And GoFundMe put out a statement  
28 that day saying, quote, "This previously peaceful demonstration

1 has become an occupation." Do you recall that?

2 **MS. TAMARA LICH:** I do.

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

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

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

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

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

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

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

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

25 **MR. PAUL CHAMP:** And after that one day, when  
26 GoFundMe shuts you down, did you -- would that have been a time  
27 for you to start thinking about shutting down the protest or  
28 coming up and saying, "Hey guys, we sent our message", and going

1 home? Was that ever part of the discussion?

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

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

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

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

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

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

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

19 **MR. PAUL CHAMP:** So on the Friday, February the  
20 4th, GoFundMe shuts you down, you're sued for \$10 million. Then  
21 on the Sunday, February the 6th, the City of Ottawa declared a  
22 state of emergency. Do you recall that?

23 **MS. TAMARA LICH:** Yes.

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

28 **MS. TAMARA LICH:** There might have been. I know,

1 again to reiterate, we were very focussed on being heard and  
2 having our concerns listened to.

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

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

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

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

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

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

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

22 **MS. TAMARA LICH:** Yes.

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

24 **MS. TAMARA LICH:** 13th, I think.

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

28 **MS. TAMARA LICH:** Yes, I do.

1           **MR. PAUL CHAMP:** And in the statement you said  
2 things like you never wanted to impact the residents of downtown  
3 Ottawa?

4           **MS. TAMARA LICH:** That's correct.

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

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

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

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

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

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

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

23           **MS. TAMARA LICH:** I guess, yeah.

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

27           **MS. TAMARA LICH:** He wasn't, and I give him great  
28 credit for being willing to sit and talk to us.

1                   **MR. PAUL CHAMP:** Yeah, and let's just be clear  
2 here, Ms. Lich, no one was asking you to leave completely. It  
3 was about moving the trucks and having the trucks stop idling  
4 out in front of residences and blowing the horns all night and  
5 day. That was the big ---

6                   **MS. TAMARA LICH:** Yes.

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

8                   **MS. TAMARA LICH:** Yes.

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

13                   **MS. TAMARA LICH:** That's correct.

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

16                   **MS. TAMARA LICH:** I did not.

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

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

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

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

26                   **MR. PAUL CHAMP:** Well, and obviously, another  
27 thing that you didn't, Ms. Lich, is, from my understanding of  
28 your testimony yesterday, you suspected you were about to be

1 arrested, and you went out to the street to ask the police  
2 officers, or have someone ask the police officers if they were  
3 looking for you; right?

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

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

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

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

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

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

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

23 **MR. PAUL CHAMP:** Right. But you'd agree with me,  
24 Ms. Lich, that some people who were protesting, who were  
25 following you at that time, when they saw that message, they  
26 would have interpreted to hold the line to stay, hold the line,  
27 don't leave Ottawa. Some might have interpreted that way; would  
28 you agree?

1                   **MS. TAMARA LICH:** I can't speak for what -- how -  
2 - what other people think.

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

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

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

15                   **MS. TAMARA LICH:** I do, yes.

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

18                   **MS. TAMARA LICH:** I do, yeah.

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

21                   **MS. TAMARA LICH:** Yes, I did.

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

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

27                   **MR. PAUL CHAMP:** Okay. Ms. Lich, just one last  
28 point. For reasons that remain utterly unclear to me,



1 Commission counsel asked you yesterday about the impact of your  
2 arrest and your charges against you. And I just want to make  
3 clear, you weren't charged with an offence under the *Emergencies*  
4 *Act*; were you? It's my understanding you've been charged under  
5 the *Criminal Code*?

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

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

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

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

16 **MS. TAMARA LICH:** No.

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

20 **MS. TAMARA LICH:** Perhaps.

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

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

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

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

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

28 **MS. ANDREA GONSALVES:** Thank you, Commissioner.

1 --- CROSS-EXAMINATION BY MS. ANDREA GONSALVES:

2 MS. ANDREA GONSALVES: Good morning, Ms. Lich.

3 MS. TAMARA LICH: Good morning.

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

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

9 MS. TAMARA LICH: Yes, ma'am.

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

12 MS. TAMARA LICH: Yes.

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

15 MS. TAMARA LICH: I do not.

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

19 MS. TAMARA LICH: I believe so, yes.

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

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

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

27 MS. TAMARA LICH: Very much so.

28 MS. ANDREA GONSALVES: Lots going on. You said

1 you were in and out of different meetings, briefings, on various  
2 calls. You were dealing with crowdfunding platforms, switching  
3 campaigns, for instance?

4 **MS. TAMARA LICH:** Yes, ma'am.

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

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

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

12 **MS. TAMARA LICH:** Yes.

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

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

18 **MS. ANDREA GONSALVES:** Yeah. Lawyers, advisors,  
19 accountants?

20 **MS. TAMARA LICH:** Canadians.

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

23 **MS. TAMARA LICH:** Yes.

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

27 **MS. TAMARA LICH:** Yeah, there was times when it  
28 was definitely very chaotic and very crazy.

1                   **MS. ANDREA GONSALVES:** And you participated in  
2 many of the press conferences. You were getting put in front of  
3 cameras?

4                   **MS. TAMARA LICH:** Yes, ma'am.

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

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

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

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

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

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

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

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

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

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

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

28                   **MS. TAMARA LICH:** I did, yes.

1                   **MS. ANDREA GONSALVES:** And you understand that  
2 the protest occupied quite a large physical geographic area of  
3 Ottawa?

4                   **MS. TAMARA LICH:** Yes.

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

7                   **MS. TAMARA LICH:** Yes.

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

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

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

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

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

17                   **MS. TAMARA LICH:** Yes, yes.

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

21                   **MS. TAMARA LICH:** Yes, I believe so.

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

24                   **MS. TAMARA LICH:** Yes, ma'am.

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

28                   **MS. TAMARA LICH:** I'm not sure of the addresses,

1 but there was some out of town, yes.

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

4 **MS. TAMARA LICH:** I think it's by Embrun (ph)?

5 **MS. ANDREA GONSALVES:** Embrun.

6 **MS. TAMARA LICH:** Embrun? Sorry.

7 **MS. ANDREA GONSALVES:** Yeah.

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

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

12 **MS. TAMARA LICH:** Yes.

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

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

18 **MS. ANDREA GONSALVES:** Yeah.

19 And I think I've seen you here throughout the  
20 hearing; you've been here almost daily?

21 **MS. TAMARA LICH:** Yes, ma'am.

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

27 **MS. TAMARA LICH:** I didn't know he was receiving  
28 threats.

1                   **MS. ANDREA GONSALVES:** You didn't know that Chief  
2 Sloly had received death threats?

3                   **MS. TAMARA LICH:** No.

4                   **MS. ANDREA GONSALVES:** You didn't know that  
5 Minister -- sorry; Deputy Minister -- Deputy Prime Minister  
6 Freeland had received ---

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

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

11                   **MS. TAMARA LICH:** I didn't know that. I was also  
12 receiving death threats.

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

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

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

22                   **MS. TAMARA LICH:** There -- as far as I know  
23 there's no weapons-related.

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

27                   **MS. TAMARA LICH:** Yes. I don't -- I don't recall  
28 hearing about weapons, no.

1           **MS. ANDREA GONSALVES:** We've heard evidence about  
2 protesters surrounding police and bylaw officers who were trying  
3 to do their jobs; is that something you knew was going on at the  
4 time?

5           **MS. TAMARA LICH:** No.

6           **MS. ANDREA GONSALVES:** No.

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

10                   It's a OPP Intelligence Report for February 14<sup>th</sup>.  
11 And if we could please scroll down to page 2. Just -- sorry;  
12 the very first paragraph there.

13                   And February 14<sup>th</sup>, of course, that's a big day.  
14 That's the day that the *Emergencies Act* invocation was announced  
15 by the Prime Minister, right?

16           **MS. TAMARA LICH:** Yes.

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

19                           "...Ottawa Police Service identified an  
20 online video in which a driver at the  
21 blockade had made inflammatory  
22 statements referencing violence, such  
23 as using a truck as a weapon. The  
24 video also showed him displaying a  
25 protective vest, which he claimed would  
26 stop an armour-piercing round. He  
27 claimed that [it brought] that he  
28 brought it with him to protect himself,



1 and that he had worn it at the  
2 blockade....OPP Field Officers have  
3 spoken with this male and his truck has  
4 been positioned in front of Chateau  
5 Laurier since the beginning of the  
6 protest."

7 And I take it that's new information for you as  
8 well?

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

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

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

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

26 **MS. TAMARA LICH:** Yes.

27 **MS. ANDREA GONSALVES:** As long as that took, was  
28 the messaging?



1                   And that's worded that way because at that point  
2 the best that you could offer the Mayor was efforts to get buy-  
3 in from the truckers, right?

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

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

13                   **MS. TAMARA LICH:** Yes.

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

17                   **MS. TAMARA LICH:** Yes.

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

22                   **MS. TAMARA LICH:** It was a step one.

23                   **MS. ANDREA GONSALVES:** Yeah.

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

27                   **MS. ANDREA GONSALVES:** You, at that time, would  
28 not have put your name on any letter that agreed to a meeting if

1 it meant you had to force protesters to pack up, end their  
2 protest and go home, right?

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

4 **MS. ANDREA GONSALVES:** Yeah. Maybe I'll do it a  
5 little differently.

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

9 **MS. TAMARA LICH:** Yes.

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

12 **MS. TAMARA LICH:** Yes.

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

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

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

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

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

28 **MS. TAMARA LICH:** Yes.

1                   **MS. ANDREA GONSALVES:** --- and what the deal was  
2 with the Mayor? Right.

3                   And so let's pull that up, that's HRF00001285.

4                   This is a document you had reviewed, and you  
5 agreed with it.

6                   **MS. TAMARA LICH:** Yeah.

7                   **MS. ANDREA GONSALVES:** Right.

8                   And in the fourth paragraph, what you're  
9 communicating here is:

10                                 "We have to stay in Ottawa for the  
11                                 long-haul to reach our destination.  
12                                 Just like we do every day with our  
13                                 routing logistics, we have to plan for  
14                                 the road ahead."

15                   **MS. TAMARA LICH:** Yes.

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

22                   **MS. TAMARA LICH:** Yes, we definitely would've  
23 loved to have stayed and continued to peace -- protest  
24 peacefully.

25                   **MS. ANDREA GONSALVES:** Thank you.

26                   Those are my questions.

27                   **COMMISSIONER ROULEAU:** Thank you.

28                   Next is the Ottawa Police Service.

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

2 **MR. DAVID MIGICOVSKY:** Good morning,  
3 Commissioner.

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

6 **MS. TAMARA LICH:** Good morning.

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

10 **MS. TAMARA LICH:** Correct.

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

13 **MS. TAMARA LICH:** Yes.

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

16 **MS. TAMARA LICH:** No.

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

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

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

25 **MS. TAMARA LICH:** No.

26 **MR. DAVID MIGICOVSKY:** And because it wasn't your  
27 plan, and you in fact had a code of conduct, you wouldn't have  
28 expected the police to turn the convoy away when they came to

1 Ottawa; would you?

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

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

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

12 **MR. DAVID MIGICOVSKY:** I'm saying that if, when  
13 you got here on the 28<sup>th</sup> and the 29<sup>th</sup>, the city was barricaded and  
14 you couldn't go anywhere, the OPP witness indicated that that  
15 wouldn't have turned the truckers away, because they'd come  
16 pretty far for this.

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

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

23 **MS. TAMARA LICH:** Not to my knowledge.

24 **MR. DAVID MIGICOVSKY:** Right. And you've seen  
25 the Lawton book about the Freedom Convoy?

26 **MS. TAMARA LICH:** I have, yes.

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

1 streets?

2 **MS. TAMARA LICH:** Yes.

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

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

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

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

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

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

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

19 **MS. TAMARA LICH:** Yes.

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

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

28 **MR. DAVID MIGICOVSKY:** You're agreeing with me?



1           **MS. TAMARA LICH:** I didn't control anyone.

2           **MR. DAVID MIGICOVSKY:** I'm sorry?

3           **MS. TAMARA LICH:** I did not control anyone.

4           **MR. DAVID MIGICOVSKY:** You didn't control the  
5 truckers?

6           **MS. TAMARA LICH:** No.

7           **MR. DAVID MIGICOVSKY:** And Supt. Drummond  
8 attended a meeting he's heard with some of your representatives  
9 on the 13<sup>th</sup> of February. That was after the date of your letter  
10 with the Mayor. Those were on the 12<sup>th</sup>; correct?

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

14           **MR. DAVID MIGICOVSKY:** Okay. And so the  
15 agreement with the Mayor was reached on the 12<sup>th</sup> of February?

16           **MS. TAMARA LICH:** I believe so. The 12<sup>th</sup>.

17           **MR. DAVID MIGICOVSKY:** And then we saw that there  
18 was a meeting on the 13<sup>th</sup> that I believe Mr. Wilson may have  
19 attended with the Mayor's ---

20           **MS. TAMARA LICH:** Yes, I believe.

21           **MR. DAVID MIGICOVSKY:** --- office?

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

27           **MS. TAMARA LICH:** I wasn't at that meeting.

28           **MR. DAVID MIGICOVSKY:** But you're aware that that

1 was said ---

2 **MS. TAMARA LICH:** Yes.

3 **MR. DAVID MIGICOVSKY:** --- by ---

4 **MS. TAMARA LICH:** Yes.

5 **MR. DAVID MIGICOVSKY:** Okay. And that your  
6 representatives also said they didn't control Coventry Road?

7 **MS. TAMARA LICH:** Yes.

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

10 **MS. TAMARA LICH:** That's correct I believe, yeah.

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

15 **MS. TAMARA LICH:** Yes, they are.

16 **MR. DAVID MIGICOVSKY:** They can't be made to do  
17 what they don't want to do?

18 **MS. TAMARA LICH:** I guess so.

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

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

27 **MR. DAVID MIGICOVSKY:** And in fact, we heard  
28 about a previous effort by Mr. Wilson and Ms. Chipiuk on

1 February 10<sup>th</sup> at Rideau and Sussex where police were going to  
2 move the barriers so trucks could move, but the crowd dynamics  
3 got in the way, and the crowd stopped the trucks from moving  
4 because they didn't trust the police; correct?

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

6 **MR. DAVID MIGICOVSKY:** You were there as well.  
7 And so you saw that. And you agreed that that would be  
8 dangerous then?

9 **MS. TAMARA LICH:** I didn't feel like it was  
10 dangerous. There was a large crowd presence there and they were  
11 -- I think they were feeling that they had been lied to by the  
12 police. There was a lot of mistrust there. And they were down  
13 there singing Oh Canada and chanting "Freedom."

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

17 **MS. TAMARA LICH:** There was a lot of people  
18 there, yes. yes.

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

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

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

26 **MS. TAMARA LICH:** I've never been told to leave.

27 **MR. DAVID MIGICOVSKY:** You didn't know that?

28 Okay.

1                   You're familiar with the PLTs; correct?

2                   **MS. TAMARA LICH:** I am now.

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

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

7                   **MR. DAVID MIGICOVSKY:** And would communicate with  
8 them?

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

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

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

20                  And so what I see in those is on February --  
21 there were various zones in the city. And I see on February  
22 16<sup>th</sup>, the PLTs attended SJAM and gave those present the letter,  
23 and were told by protestors that the letter wasn't legal because  
24 it doesn't have a signature.

25                  **MS. TAMARA LICH:** Sure.

26                  **MR. DAVID MIGICOVSKY:** That's sort of similar to  
27 what you said; correct?

28                  **COMMISSIONER ROULEAU:** I'm sorry, excuse me a

1 minute.

2 Yes?

3 **MR. BRENDAN MILLER:** If my friend could actually  
4 take the witness to the part in the document that states that so  
5 that we can see it? I don't know if that's what it says or not.  
6 I apologize.

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

12 **MS. TAMARA LICH:** Sure. Let's do that. Take me  
13 to portions, please.

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

17 **MS. TAMARA LICH:** I wasn't there, sir.

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

20 **MS. TAMARA LICH:** I have no reason to.

21 **MR. DAVID MIGICOVSKY:** Okay. And I understand  
22 from those logs that the next day, on February 17<sup>th</sup>, they  
23 attended again and delivered the message again? And they  
24 attended again on the 19<sup>th</sup> and delivered it again to those who  
25 remained? Any reason to deny that that occurred?

26 **MS. TAMARA LICH:** I was not there. As a matter  
27 of fact, by the 19<sup>th</sup>, I was already in jail.

28 **MR. DAVID MIGICOVSKY:** Okay. And so you weren't

1 being -- you weren't on the 17th, were you?

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

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

7 **MS. TAMARA LICH:** From SJAM?

8 **MR. DAVID MIGICOVSKY:** All over the city.

9 **MS. TAMARA LICH:** No, not necessarily.

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

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

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

19 **MR. BRENDAN MILLER:** Sir, with respect, my  
20 friend's asking a witness who has no knowledge of something  
21 whether or not she disagrees with the document of which she  
22 didn't draft, of which was drafted by the police, and then  
23 asking if there's any reason to disagree with something she has  
24 no knowledge of. That's not a question, sir, that's  
25 permissible, it's not relevant. This witness, while this was  
26 all going on, was in jail without any form of ability to access  
27 phones and texts, et cetera. It's not an appropriate line of  
28 questioning.

1                   **MR. DAVID MIGICOVSKY:** The witness can answer if  
2 she was aware of it or not. She wasn't -- I don't -- I think  
3 it's quite proper cross-examination.

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

7                   **MR. DAVID MIGICOVSKY:** Right.

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

12                   **MR. DAVID MIGICOVSKY:** Well ---

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

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

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

21                   **MS. TAMARA LICH:** If you say so.

22                   **MR. DAVID MIGICOVSKY:** Okay.

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

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

27                                   "PLT Peace, Jim and OPS PLT Meg  
28                                   attended Swiss Hotel and met with Lich

1 and Bulford and O'Connor. Message was  
2 delivered and explained. All parties  
3 were upset and Lich was crying in  
4 regards to how unfair she felt this  
5 action was. PLT advised them to depart  
6 and message this out to others. All  
7 parties were upset when it was  
8 explained that people who are helping  
9 (logistics) can also be charged and  
10 held accountable. All understood  
11 messaging. They do feel that this  
12 message will harden participants'  
13 resolve as they feel it is a tactic of  
14 dictatorial government. Suggestion was  
15 made to have children leave the red  
16 zone."

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

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

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

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



1                   **MR. DAVID MIGICOVSKY:** Right.

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

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

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

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

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

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

15                  **MS. TAMARA LICH:** It was suggested.

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

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

23                  **MR. DAVID MIGICOVSKY:** I'll move on.

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

27                  **MS. TAMARA LICH:** I did not, no.

28                  **MR. DAVID MIGICOVSKY:** You weren't surveilling

1 them?

2 **MS. TAMARA LICH:** No.

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

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

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

12 **MS. TAMARA LICH:** Such as?

13 **MR. DAVID MIGICOVSKY:** Would you agree with that?

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

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

20 **MS. TAMARA LICH:** Yes.

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

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

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

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

28 **MR. DAVID MIGICOVSKY:** And so just two more areas

1 if I may just have two more minutes, Commissioner.

2 **COMMISSIONER ROULEAU:** Go ahead.

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

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

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

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

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

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

25 You've seen that from one of your lawyers?

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

28 **MR. DAVID MIGICOVSKY:** So two possibilities:

1 either your lawyers didn't give that advice to you, or they did  
2 give you that advice to you.

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

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

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

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

14 **COMMISSIONER ROULEAU:** Okay.

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

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

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

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

25 **MR. DAVID MIGICOVSKY:** Okay. And I understand  
26 that you've been charged with several *Criminal Code* offences,  
27 correct? Mischief, obstructing justice, counselling others to  
28 commit mischief, intimidation; correct?

1           **MS. TAMARA LICH:** That's correct.

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

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

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

9           **MS. TAMARA LICH:** Yes, I have.

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

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

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

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

22 -

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

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

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

27          **MR. DAVID MIGICOVSKY:** Okay. If I may just ask  
28 just one final question, then. You talked about concerns for

1 safety; correct?

2 MS. TAMARA LICH: Yes.

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

5 MS. TAMARA LICH: Absolutely.

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

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

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

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

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

16 MS. TAMARA LICH: Thank you.

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

19 COMMISSIONER ROULEAU: Thank you.

20 Next is counsel for former Chief Sloly.

21 (SHORT PAUSE)

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

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

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

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

27 MS. TAMARA LICH: Yes, sir.

28 MR. TOM CURRY: Can I just show you the -- one

1 thing that my friend for the Ottawa Police Service was speaking  
2 to you about, just so that you have the full picture.

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

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

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

12 **MS. TAMARA LICH:** I don't recall seeing this  
13 attachment; no, sir.

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

20 **MS. TAMARA LICH:** I don't believe so, no. It  
21 does not look familiar.

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

24 The Commissioner -- one of the things that the  
25 Commissioner has to consider is recommendations about dealing  
26 with the *Emergencies Act*, and presumably perhaps even the right  
27 to protest and some of the limits that we've heard about. Could  
28 I just have a couple of additional facts from you?

1                   You and Mr. Barber met, I think you told us, on  
2 the 24<sup>th</sup> of January to begin the trip ---

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

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

5                   **MS. TAMARA LICH:** Yes.

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

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

8                   **MR. TOM CURRY:** And arriving in Arnprior the 29<sup>th</sup>.

9                   **MS. TAMARA LICH:** We got in to Arnprior the  
10 evening of the 28<sup>th</sup>, I believe; the Friday evening.

11                   **MR. TOM CURRY:** Okay.

12                   **MS. TAMARA LICH:** I believe that was the 28<sup>th</sup>.

13                   **MR. TOM CURRY:** Twenty-eighth (28<sup>th</sup>); Ottawa the  
14 29<sup>th</sup>.

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

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

19                   **MS. TAMARA LICH:** Yes.

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

21                   **MS. TAMARA LICH:** Yes.

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

25                   **MS. TAMARA LICH:** Yes.

26                   **MR. TOM CURRY:** And of course the financial  
27 commitments that you garnered were far in excess of that. But  
28 the -- in terms of the numbers of protesters who you considered,



1 and I presume Mr. Barber considered in his conversations with  
2 you, were not in the numbers that filled up the streets of  
3 Ottawa in the way that you found them on the 29<sup>th</sup>; is that fair?

4 **MS. TAMARA LICH:** I'm sorry; could you repeat  
5 that?

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

9 **MS. TAMARA LICH:** Yes.

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

13 **MS. TAMARA LICH:** I don't believe so. I know the  
14 road captains were in constant communication with law  
15 enforcement.

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

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

27 **MR. TOM CURRY:** So much so that when you got  
28 here, as much as you tried to understand how many would be

1 there, you missed the mark.

2 **MS. TAMARA LICH:** Yes.

3 **MR. TOM CURRY:** Now, then, just a couple of other  
4 things. In terms of the company, the not-for-profit, it was  
5 incorporated January 30<sup>th</sup>, I understand?

6 **MS. TAMARA LICH:** I think it was the 30<sup>th</sup> or the  
7 31<sup>st</sup>, but it was right around there, yes, sir.

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

12 **MS. TAMARA LICH:** Yes.

13 **MR. TOM CURRY:** Then, finally, in terms of the  
14 description, you called -- you and Mr. Wilson have both called  
15 the scene, "Chaotic". Can you tell the Commissioner; when did  
16 you first appreciate the sense of chaos that you have described?  
17 Was it when you arrived on the 29<sup>th</sup>?

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

22 **MR. TOM CURRY:** Right.

23 **MS. TAMARA LICH:** Very busy times.

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

27 **MS. TAMARA LICH:** There were times when it was  
28 chaotic. As you referred to, there was a lot of people here.

1 When we got into town, I just saw a lot of smiles and a lot of  
2 flags, and people hugging each other. But there was -- yeah.  
3 So I don't necessarily mean chaotic all the time as a negative  
4 term, but it was, you know, a mixture of both.

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

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

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

17 **MS. TAMARA LICH:** Thank you, sir.

18 **MR. TOM CURRY:** Thank you so much.

19 **COMMISSIONER ROULEAU:** Thank you.

20 Next is the City of Ottawa.

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

23 **COMMISSIONER ROULEAU:** Thank you.

24 Ontario Provincial Police.

25 **MR. CHRISTOPHER DIANA:** Good morning,  
26 Commissioner.

27 The OPP have no questions. Thank you.

28 **COMMISSIONER ROULEAU:** Democracy Fund, JCCF,

1 Citizens for Freedom.

2 **MR. ANTOINE D'AILLY:** Good morning, Mr.  
3 Commissioner.

4 **--- CROSS-EXAMINATION BY MR. ANTOINE D'AILLY:**

5 **MR. ANTOINE D'AILLY:** Ms. Lich.

6 **MS. TAMARA LICH:** Good morning.

7 **MR. ANTOINE D'AILLY:** My name is Antoine D'Ailly,  
8 counsel for Citizens for Freedom, representing peaceful  
9 protesters in Windsor.

10 Ms. Lich, in yesterday's testimony you indicated  
11 that at the beginning you were tasked with some of the  
12 fundraising and that you thought that a fundraising goal of  
13 \$200,000 was way too much and that you expected maybe \$20,000 in  
14 donations; is that correct?

15 **MS. TAMARA LICH:** Yes.

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

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

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

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

1 the money.

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

5 **MS. TAMARA LICH:** Yes.

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

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

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

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

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

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

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

27 **MS. TAMARA LICH:** I believe somebody had  
28 mentioned that.

1                   **MR. ANTOINE D'AILLY:** So we're talking about  
2 large amounts ---

3                   **MS. TAMARA LICH:** Yes.

4                   **MR. ANTOINE D'AILLY:** --- of money here, right?

5                   **MS. TAMARA LICH:** Yes.

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

9                   **MS. TAMARA LICH:** Not to my knowledge, but I  
10 haven't also looked any up.

11                   **MR. ANTOINE D'AILLY:** Fair enough.

12                   **MS. TAMARA LICH:** Yes.

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

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

19                   **MR. ANTOINE D'AILLY:** Those are my questions.  
20 Thank you.

21                   **MS. TAMARA LICH:** Thank you.

22                   **COMMISSIONER ROULEAU:** Okay. And now for the  
23 convoy organizers.

24                   **MR. BRENDAN MILLER:** Sir, I'm wondering if we can  
25 take the morning break a little early. I have to talk to three  
26 separate lawyers behind me about certain areas of examination.  
27 If we could take the morning break, I'd be very much  
28 appreciative.

1                   **COMMISSIONER ROULEAU:** Only if you make the  
2 commitment to have a focused questioning so that it's useful use  
3 of the break.

4                   **MR. BRENDAN MILLER:** Absolutely, sir.

5                   **COMMISSIONER ROULEAU:** Okay. Well, we'll take  
6 the break early, then. Take 15 minutes, please.

7                   **THE REGISTRAR:** The Commission is in recess for  
8 15 minutes. La commission est lever pour 15 minutes.

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

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

11                   **THE REGISTRAR:** The Commission is reconvened. La  
12 commission reprend.

13                   **COMMISSIONER ROULEAU:** Okay. The convoy  
14 organizers.

15 --- MS. TAMARA LICH, Resumed

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

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

20                   **MS. TAMARA LICH:** Good morning.

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

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

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

1 the law.

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

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

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

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

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

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

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

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

22 **MS. TAMARA LICH:** I don't recall anybody  
23 objecting to it.

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

28 **MS. TAMARA LICH:** That was news to me.



1                   **MR. BRENDAN MILLER:** Okay. Have any of the other  
2 Board members expressed such a fear to you?

3                   **MS. TAMARA LICH:** No.

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

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

10                   And if we could just scroll down to the terms.

11                   Right. And so if I can just direct you to  
12 paragraph 7 of the injunction, can you read that?

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

14                   **MR. BRENDAN MILLER:** And what's your  
15 understanding of the injunction and this order at the time when  
16 it was obtained?

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

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

26                   **MS. TAMARA LICH:** I'm sorry. What -- I didn't  
27 hear all that. Sorry.

28                   **MR. BRENDAN MILLER:** I apologize. I'll speak up.

1           The term at term 7 there where it says that it's  
2 -- "Provided the terms of the Order are complied with, the  
3 defendants and other persons remain at liberty to engage in  
4 peaceful, lawful and safety protest", I take it that was in the  
5 following injunction order as well. Is that right?

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

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

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

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

20           **MS. TAMARA LICH:** I did not.

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

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

25           **MR. BRENDAN MILLER:** Okay. And my friend had  
26 asked you questions about some of the statements that have been  
27 given in this proceeding as well as in the media about all these  
28 awful things that happened to people. And you've been here for

1 this entire time. Have you heard from any witness that they, in  
2 fact, were the victim of an assault, or witnessed an assault, or  
3 anything violent?

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

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

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

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

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

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

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

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

28 **MR. BRENDAN MILLER:** Okay. And again, what was

1 the sort of responses though that you were getting on the street  
2 from some of the truckers after that deal was announced?

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

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

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

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

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

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

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

1 authority.

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

8 **MS. TAMARA LICH:** M'hm.

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

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

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

18 **MS. TAMARA LICH:** Okay.

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

24 **MS. TAMARA LICH:** Correct.

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

27 **MS. TAMARA LICH:** I believe there's -- it's  
28 blocked off.

1                   **MR. BRENDAN MILLER:** Right. And if that area  
2 that's blocked off became a speaker's corner where individuals  
3 at any time could go and protest the federal government, what  
4 are your thoughts on that?

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

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

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

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

27                   **MS. TAMARA LICH:** That's fair.

28                   **MR. BRENDAN MILLER:** Okay. But do you know

1 anybody who's made death threats to any of these individuals?

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

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

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

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

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

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

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

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

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

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

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

26 **MS. TAMARA LICH:** Yes.

27 **COMMISSIONER ROULEAU:** Do you know who was  
28 charged? Do you know the four people?

1           **MS. TAMARA LICH:** With violent offences?

2           **COMMISSIONER ROULEAU:** Yeah, the four people?

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

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

7           **MS. TAMARA LICH:** I do not, sir.

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

10          **MS. TAMARA LICH:** Thank you, sir.

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

13          **MS. TAMARA LICH:** Thank you.

14          **COMMISSIONER ROULEAU:** And thank you very much.

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

19          **MR. DAVID MIGICOVSKY:** Right.

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

22          **MR. DAVID MIGICOVSKY:** Sure, thanks very much.

23          **COMMISSIONER ROULEAU:** Okay.

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

26          **COMMISSIONER ROULEAU:** That's fine, just identify  
27 yourselves because it's the same, the reporters have to know  
28 who's speaking.



1 --- SUBMISSIONS BY MR. DAVID MIGICOVSKY:

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

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

11 **COMMISSIONER ROULEAU:** You mean they weren't on  
12 the original list?

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

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

26 I've been able to determine in one case that it  
27 was not an OPS officer, one of them, but we are trying to find  
28 out information.

1                   These are arrests that took place on February  
2 18<sup>th</sup>, after the invocation of the *Emergencies Act*. These  
3 individuals were not arrested pursuant to the *Emergencies Act*.  
4 They were arrested based on common-law powers and the *Criminal*  
5 *Code*. And my concerns really are two-fold.

6                   Firstly, the information we say is not relevant  
7 to your mandate under the Act, and the second question is one of  
8 procedural fairness. There were over 275 arrests made by the  
9 police in that period of February 18<sup>th</sup> to the 20<sup>th</sup>. None of the  
10 police witnesses were asked specifically about those arrests, no  
11 documents were requested. The last police witness who testified  
12 in this proceeding was on Wednesday, October 26<sup>th</sup>.

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

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

23                   Those statements were in the -- those were  
24 witnesses who are here represented by counsel, they had an  
25 obligation to produce documents. They chose, deliberately or  
26 otherwise, to not present that evidence and not allow me, then  
27 to respond to it. And it's obvious that some of that  
28 information, they had beforehand.

1           And in fact, to add to the procedural unfairness,  
2 last night, we received an email from counsel for the Convoy  
3 organizers attaching seven more videos that also would have  
4 existed that were not disclosed.

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

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

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

1 encountered on February 18.

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

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

12                   Those are my only submissions. Thank you very  
13 much.

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

16                   **MR. BRENDAN MILLER:** In response, sir.

17                   **COMMISSIONER ROULEAU:** Okay. I'm just canvassing  
18 first.

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

21                   **MS. EMILIE TAMAN:** Commissioner?

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

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

25                   **COMMISSIONER ROULEAU:** I take it you're  
26 supporting the proposal -- or the objection?

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

28                   **MS. EMILIE TAMAN:** That's right. Yes. We agree,

1 just on behalf of the Ottawa Coalition of Residents and  
2 Businesses. We share the view conveyed by the Ottawa Police.

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

9 **COMMISSIONER ROULEAU:** Thank you.

10 Any other ---

11 **MR. CHRISTOPHER DIANA:** Yes, Commissioner.

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

13 **COMMISSIONER ROULEAU:** Yes.

14 **--- SUBMISSIONS BY MR. CHRISTOPHER DIANA:**

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

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

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

24 **COMMISSIONER ROULEAU:** Okay. Any other  
25 submissions in support?

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

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

1                   **MR. BRENDAN MILLER:** We're of course in support  
2 of the witnesses testifying and all of the evidence being put  
3 before the Commission.

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

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

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

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

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

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

28                  With respect to the rule of *Browne and Dunn*, I

1 did put issues with respect to arrest, et cetera, directly to  
2 Chief Bell, who was in charge of the operation at the time, and  
3 acting and asking questions about what was actually done. We've  
4 now provided the videos of those actual arrests.

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

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

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

15 **--- SUBMISSIONS BY MR. HATIM KHEIR:**

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

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

28 Also, to the extent that my friend made the point

1 that these are but two arrestees of many, we did hear from two  
2 Ottawa residents who provided their experiences as examples, and  
3 that would then represent a broader class of individuals, so  
4 this would also be two arrestees providing their experiences  
5 which would then be emblematic of others in a similar position.

6           And I would just like to add on, my friend, Mr.  
7 Honner, from The Democracy Fund provided submissions through  
8 email. He's not here. I would just briefly read it in just to  
9 provide his perspective as well:

10                   "The Democracy Fund submitted that the  
11                   evidence of these witnesses is relevant  
12                   to the Commission's mandate.  
13                   Specifically, the Commissioner has been  
14                   directed to examine issues to the extent  
15                   relating to the efforts of police and  
16                   other responders prior to and after the  
17                   declaration. Superintendent Robert  
18                   Bernier and others testified about the  
19                   mission statement contained in the OPS  
20                   Operational Plan of February 13th which  
21                   speaks to enforcing legislation with the  
22                   'utmost respect to the individual's  
23                   *Charter of Rights'*. There was evidence  
24                   before the Commission that this plan  
25                   evolved after the declaration of the  
26                   *Emergencies Act* and there was also  
27                   evidence that the OPS found the powers  
28                   available to them under the *Emergencies*



1 Act to be useful.  
2 The Commission should hear evidence from  
3 these witnesses, as it will speak to how  
4 police enforcement was carried out  
5 during the state of emergency from a  
6 protestor perspective. If there are  
7 objections as to relevance as the  
8 evidence unfolds, those objections can  
9 be dealt with orally. If other  
10 witnesses need to be recalled, that  
11 decision can be made after the hearing  
12 of evidence from the witnesses in  
13 question." (As read)

14 So that was Mr. Honner's submission,  
15 which the Justice Centre also supports.

16 **COMMISSIONER ROULEAU:** Thank you.

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

19 Yes, Commission counsel?

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

23 **COMMISSIONER ROULEAU:** Okay. And you'd like to  
24 add something? Yes?

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

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

28 I just wanted to respond to one point made by my

1 friends regarding the absence of evidence with respect to  
2 residents of Ottawa who experienced violence in the convoy and,  
3 for the record, would just like to note again that the Ottawa  
4 Coalition was very limited in the time that was allocated to  
5 tell the story of residents of Ottawa.

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

12 **COMMISSIONER ROULEAU:** I think that's -- you're  
13 getting into argument now.

14 **MS. EMILIE TAMAN:** Well, it ---

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

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

23 **COMMISSIONER ROULEAU:** Okay.

24 Yes, Mr. Migicovsky.

25 **--- SUBMISSIONS BY MR. DAVID MIGICOVSKY:**

26 **MR. DAVID MIGICOVSKY:** David Migicovsky for the  
27 Ottawa Police.

28 The one point I want to respond to that has not,

1 with respect, been addressed by my friends and which is highly  
2 problematic, I suggest, is the convoy lawyer has indicated that  
3 he put an issue with respect to an arrest to Chief Bell. And  
4 that is correct. However, he provided no information, no  
5 details, no indication of who it was, when it was. It came out  
6 of the air.

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

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

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

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

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

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

27                   Thank you.

28                   **COMMISSIONER ROULEAU:** Okay. And Commission

1 counsel, you wanted to provide some context? And among other  
2 things, I don't know what the witnesses are going to say, so to  
3 what degree is it -- is this one of the witnesses that we saw  
4 the video about or is this something different?

5 Maybe -- go ahead.

6 **MR. DAVID MIGICOVSKY:** Sorry. I didn't mean to  
7 cut off my friend.

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

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

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

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

18 **COMMISSIONER ROULEAU:** Okay. Commission counsel?

19 **--- SUBMISSIONS BY MR. JOHN MATHER:**

20 **MR. JOHN MATHER:** Thank you, Mr. Commissioner.  
21 John Mather, Commission counsel.

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

27 The two individuals who are being called,  
28 Commission counsel understands, participated in the protest both

1 before and after the invocation of the *Emergencies Act*. They  
2 are not individuals, again, as we anticipate, who identify  
3 themselves as organizers. To date, the Commission has called  
4 individuals who have identified themselves as organizers, and  
5 this is a different perspective and one that we anticipate  
6 exploring.

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

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

13                   Any further submissions by anyone? I'm being  
14 very generous about submission time.

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

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

18                   **COMMISSIONER ROULEAU:** But don't repeat, though.

19                   **MR. BRENDAN MILLER:** I'm not. I'm not going to  
20 repeat.

21                   **COMMISSIONER ROULEAU:** I always worry when  
22 someone says "I'm going to emphasize".

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

28                   And though I understand my friend's argument,

1 there is many more remedies available for a breach of the rule  
2 in *Browne and Dunn*, if you find that it occurred, than not  
3 permitting the evidence.

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

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

10 Okay. I'm going to allow the panels to go ahead.

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

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

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

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

27 I think the -- and there was also cross-  
28 examination in -- I believe of Insp. Bernier, as to the

1 arrangements that were made and the processing, how the  
2 processing was done, the -- so there is evidence about how the  
3 operation, if you like, was carried out, including how the  
4 detainees were treated and the system arranged.

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

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

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

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

24           Now, on the second point, the procedural fairness  
25 point, I have some concern about that, because obviously it is,  
26 as I've said many times, and I'm going to repeat it, the public  
27 wants to get to the bottom of this, and that means fair to all  
28 parties. And I am concerned that there may be unfairness to the

1 -- to some of the parties. In particular, the police forces,  
2 whether it be the OPP or the OPS, or in fact, to former Chief  
3 Sloly, or anyone else.

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

10           That's -- I guess that's my ruling.

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

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

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

25           I don't mean to minimize any issues about how an  
26 arrest was carried out. Those are obviously significant to  
27 individuals involved, including the officers, but that's not  
28 central. In fact, is more anecdotal, I think, in terms of what



1 this Commission is dealing with, but it is part of the record so  
2 far, some of the evidence relating to that.

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

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

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

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

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

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

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

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

19 **THE REGISTRAR:** Order. À l'ordre.

20 The Commission is reconvened. La Commission  
21 reprend.

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

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

26 I have 45 minutes to ask you some questions, and  
27 because you're a panel, I'm going to ask questions mostly one at  
28 a time. But when I have questions for you as a group -- sorry,

1 you have to be sworn. I forgot about that. I got too eager.

2 **THE REGISTRAR:** Mr. Deering, ---

3 **MR. CHRISTOPHER DEERING:** Yes.

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

6 **MR. CHRISTOPHER DEERING:** I wish to affirm.

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

9 **MR. CHRISTOPHER DEERING:** Christopher Gregory  
10 Deering, C-H-R-I-S-T-O-P-H-E-R G-R-E-G-O-R-Y D-E-E-R-I-N-G.

11 **--- MR. CHRISTOPHER GREGORY DEERING, Affirmed:**

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

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

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

17 **MS. MARGARET HOPE-BRAUN:** Margaret Hope-Braun,  
18 M-A-R-G-A-R-E-T H-O-P-E B-R-A-U-N.

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

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

21 **MR. STEPHEN ARMSTRONG:** So good morning again.  
22 As I was just explaining, because it's a panel I'm going to ask  
23 questions mostly one at a time, but when I have a question for  
24 you as a group, I'll try to make that clear; okay?

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

27 **MR. CHRISTOPHER DEERING:** That's correct.

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

1                   **MR. STEPHEN ARMSTRONG:** And have you had a chance  
2 to review those statements before testifying today?

3                   **MR. CHRISTOPHER DEERING:** Yes.

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

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

7                   **MR. CHRISTOPHER DEERING:** No.

8                   **MS. MARGARET HOPE-BRAUN:** No.

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

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

17                   **MR. CHRISTOPHER DEERING:** Yes, sir.

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

20                   **MR. CHRISTOPHER DEERING:** Yes, sir.

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

23                   **MR. CHRISTOPHER DEERING:** I was.

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

26                   **MR. CHRISTOPHER DEERING:** Sure. I joined the  
27 military quickly in 2007, finished my training very quick. I  
28 was deployed to Afghanistan in 2008. So in less than

1 approximately two years, I was in Afghanistan. Four months into  
2 my tour my vehicle was hit by a IED, which struck my vehicle,  
3 sorry, it blew my vehicle about 100 feet in the air, killing  
4 three occupants immediately and leaving me seriously wounded.

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

7 **MR. STEPHEN ARMSTRONG:** That's okay, thank you.  
8 I also saw, sir, and we'll take a moment, I saw that you're  
9 wearing medals?

10 **MR. CHRISTOPHER DEERING:** Yes, sir.

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

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

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

20 **MR. CHRISTOPHER DEERING:** Yes, sir.

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

23 **MR. CHRISTOPHER DEERING:** I do.

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

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

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

28 **MR. STEPHEN ARMSTRONG:** And you studied

1 environmental studies at Sandford Fleming College?

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

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

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

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

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

11 **MR. CHRISTOPHER DEERING:** It really wasn't that I  
12 wanted to come to Ottawa, it was that I felt it was my duty and  
13 that I had no choice to be there. Seeing what was happening  
14 over the last few years was troubling, and I felt that... I was  
15 there two weekends, first to -- on -- between February 11th and  
16 13th, in which a bunch of veterans took down the fence that was  
17 wrongly placed around the Memorial, and then I went home, and  
18 then within days the *Emergency Act* was being -- was looked at  
19 being enacted, and I rushed back to Ottawa to do what I could to  
20 protect the peaceful citizens of the Ottawa protests.

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

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

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

28 **MR. CHRISTOPHER DEERING:** Because for the last

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

9 **MR. STEPHEN ARMSTRONG:** That's okay.

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

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

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

1 Canadians who could not come, and felt passionately about this.

2 **MR. STEPHEN ARMSTRONG:** And so when did you come  
3 to Ottawa?

4 **MS. MARGARET HOPE-BRAUN:** I came the second  
5 Saturday. I came the third weekend for the entire weekend, and  
6 I came back that Wednesday and stayed until the end.

7 **MR. STEPHEN ARMSTRONG:** And can you tell the  
8 Commissioner what your experience was with those protests?

9 **MS. MARGARET HOPE-BRAUN:** Well, when we first  
10 arrived, I came with a girlfriend for the Saturday, and there  
11 was just a lot of energy. I was seeing people from all  
12 different backgrounds and cultures, different outfits and, you  
13 know, cultural outfits that I had never even seen before in  
14 Canada. I -- there was lots of hugs and there was -- walking  
15 up, there was just grown men crying and giving hugs and --  
16 everywhere, and it was emotional and we cried.

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

25 **MR. STEPHEN ARMSTRONG:** And if I could ask,  
26 Mr. Deering, building on that, what was your experience with the  
27 protests and how did it compare, how was it similar to or  
28 different from Ms. Braun's -- Ms. Hope-Braun's?

1                   **MR. CHRISTOPHER DEERING:** My experience was that  
2 when we got to Ottawa -- so on the way to Ottawa, actually, when  
3 the convoy was making their way to Ottawa, we attended a few --  
4 there were a lot of people that would stand on the bridges to  
5 show support. And so where we lived, we lived close to a  
6 military base, and there must have been four to five thousand  
7 people on this bridge waving flags and -- it was amazing. It  
8 was just -- the amount of support was incredible.

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

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

19                   The following -- I think it was the -- February  
20 17th, I left my residence at 5:00 a.m. to go to the protest, but  
21 during the protest there was again -- there was hugs, there was  
22 homeless people being showered with food. I had read that crime  
23 was down.

24                   It was -- it was the most amazing experience I've  
25 had in my life, and I don't regret going or being there one bit.

26                   And sorry, could you refresh my memory on the  
27 question again?

28                   **MR. STEPHEN ARMSTRONG:** I was just asking for



1 your experience.

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

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

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

8 **MR. STEPHEN ARMSTRONG:** Please do, yeah.

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

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

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

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

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

28 Once the *Emergencies Act* was invoked, why did you

1 either want to come to Ottawa or remain in Ottawa?

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

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

11 **MR. STEPHEN ARMSTRONG:** Ms. Hope-Braun?

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

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

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

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

25 And further to that, just listening to the  
26 Senators give their speeches, I felt that -- that as they were  
27 supposed to approve it, but then it was removed before they had  
28 a chance to approve it or not, it sounded like there was good

1 reason to stick to what I felt was right and stay.

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

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

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

17                   **MR. STEPHEN ARMSTRONG:** Well, that's okay. We  
18 can come back to it.

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

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

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

28                   **MR. STEPHEN ARMSTRONG:** And so Mr. Deering, I

1 understand that on February 18th, 2022, you were in Ottawa  
2 protesting as well; correct?

3 **MR. CHRISTOPHER DEERING:** Yes, sir.

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

6 **MR. CHRISTOPHER DEERING:** So I drove up February  
7 17th. I left my house at 5:00 a.m. because it takes me  
8 approximately 10 -- the drive is 10 hours. With my back and my  
9 foot and my conditions, I have to stop every few hours.

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

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

15 I eventually found my car, which is where I  
16 slept. We had came up the previous weekend, which was about  
17 1,000 bucks for the hotel and food and I didn't really have the  
18 means to pay for more hotel and lodging, so I slept in my car  
19 the previous night.

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

22 **MR. CHRISTOPHER DEERING:** No, I don't.

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

25 **MR. CHRISTOPHER DEERING:** I believe so.

26 **MR. STEPHEN ARMSTRONG:** And so you -- when you  
27 drove in, did you pass any police checkpoints or anything like  
28 that?

1                   **MR. CHRISTOPHER DEERING:** I forget.

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

5                   **MS. MARGARET HOPE-BRAUN:** That's correct.

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

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

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

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

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

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

22                   **MR. CHRISTOPHER DEERING:** So I was at the  
23 memorial that day around 8:00 in the morning. I had my coffee  
24 and I was congregating with a few different vets. And then  
25 just, I would say, north -- or south -- my navigation's a little  
26 off, but just about 100 feet from the memorial is where the  
27 police started to line up and that's when the call-out went.  
28 All the veterans -- so there was about 20 or so of us. We lined

1 right up, we linked arms and the consensus was we were going to  
2 stay there and try and protect the people.

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

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

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

13 **MR. CHRISTOPHER DEERING:** No.

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

16 **MR. CHRISTOPHER DEERING:** I was.

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

19 **MR. CHRISTOPHER DEERING:** Sure.

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

26 I showed them the photo of my crater of my bomb,  
27 just to get them some reference, so that if they did arrest me,  
28 and, again, I mentioned to every policeman I talked to, I said,

1 "If you arrest me, keep in mind I have a really bad back,  
2 please." Sorry, if you can repeat the question again? Sorry.

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

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

27 We get to the processing line. The day was minus  
28 20. I had no gloves on. At the beginning of the processing

1 line, we're standing there, and I had asked -- so and -- sorry,  
2 the duration of the processing line was one-and-a-half to two  
3 hours, so I was standing there in the cold for two hours. I  
4 asked the policeman who was on both sides of me, I said, "Do you  
5 mind, you know my conditions, is it okay if I sit or kneel  
6 because I'm in chronic pain?" It was obvious. My face was  
7 flushed, and I had cried multiple times, and I don't cry ever.  
8 I was -- it was the worst pain I had felt since I'd been blown  
9 up. The fact that I couldn't sit, or stand was, to me, cruel  
10 and unusual punishment. We would go 15, 20 minutes without even  
11 moving.

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

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

23 **MR. STEPHEN ARMSTRONG:** Take your time.

24 **MR. CHRISTOPHER DEERING:** Public mischief and ---

25 **MR. STEPHEN ARMSTRONG:** It's okay, Mr. Deering.  
26 Your statement is in the record, so if I could actually move you  
27 back in time. What were you and your group doing just before  
28 you were arrested? What activity were you taking part in?



1           **MR. CHRISTOPHER DEERING:** So we were -- again, we  
2 were linking arms. We were standing. We were not moving. We  
3 were not progressing, moving forward. We were telling the cops  
4 what they were doing was -- it was unlawful order. We had every  
5 right to be there under our *Charter of Rights and Freedoms* to  
6 peacefully protest, which we were doing. They had no right to  
7 do what they did.

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

11           **MR. CHRISTOPHER DEERING:** No.

12           **MR. STEPHEN ARMSTRONG:** Okay. Ms. Hope-Braun, I  
13 think as we said earlier, I understand you were protesting on  
14 February 19<sup>th</sup> ---

15           **MS. MAGGIE HOPE-BRAUN:** Yes.

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

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

26           **MR. STEPHEN ARMSTRONG:** And were you told before,  
27 or any point that day, or before or after your arrest that you  
28 were not allowed to be where you were?

1                   **MS. MAGGIE HOPE-BRAUN:** Not -- no, not in that  
2 effect, no. There was -- no. The -- obviously, we got the  
3 sense that we weren't welcome there, but I wasn't directly told  
4 that I wasn't allowed to be there and -- in that way, that it  
5 wasn't lawful for me to be there.

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

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

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

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

28                   **MR. STEPHEN ARMSTRONG:** And how did you come to

1 be arrested? Can you tell us about that?

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

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

27 **MR. CHRISTOPHER DEERING:** Can you repeat, sorry?

28 **MR. STEPHEN ARMSTRONG:** Sorry?

1                   **MR. CHRISTOPHER DEERING:** Can you repeat the  
2 question again, sorry?

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

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

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

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

17                   **MR. STEPHEN ARMSTRONG:** And what is the mandate?

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

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

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

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

26                   **MR. CHRISTOPHER DEERING:** Of the impacts of  
27 these...?

28                   **MR. STEPHEN ARMSTRONG:** On you personally.

1                   **MR. CHRISTOPHER DEERING:** For the past two years?

2                   **MR. STEPHEN ARMSTRONG:** Sorry; on -- the events  
3 in Ottawa.

4                   **MR. CHRISTOPHER DEERING:** In the events in  
5 Ottawa. Sorry; I just need a minute.

6                   **MS. MARGARET HOPE-BRAUN:** So for me, the impacts  
7 where I was already -- I've always been concerned about our  
8 government overreach, and we have to keep an eye on our  
9 government. That's what our duty, as people -- the citizens of  
10 the country are, is to be politically active and involved and  
11 aware of what's going on. And over the years I'm just  
12 increasingly starting to lose faith in the institutions and  
13 what, you know, we say is -- we are Canadian, we're a democracy;  
14 we attract people from all over the world because this is a  
15 place where we have rights and freedoms. And to me it -- the  
16 impact was that 00 it was evident to me in a very clear way, and  
17 seen among the entire world, that the Canadian government is not  
18 acting on the -- is not -- this is my opinion, obviously, not  
19 acting according to what we mandated it to -- what -- it's not  
20 protecting us, it's not upholding its job. It's not doing its  
21 job.

22                   And, to me, it just broke any allusion of that.  
23 And at the same time, I think it's important that we see that,  
24 as Canadians in the world, so that we can fix it, so that we can  
25 make it better. And we need to kind of keep that in check, you  
26 know? It's the nature of being in a world and -- filled with  
27 people. We have to ---

28                   **MR. STEPHEN ARMSTRONG:** And ---

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

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

4                   **MR. CHRISTOPHER DEERING:** Can you repeat the  
5 question one last time? I'm sorry.

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

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

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

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

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

26                   **MR. STEPHEN ARMSTRONG:** Okay. And I'd just like  
27 to close out with the panel. I'm going to ask both of you --  
28 let's start with Ms. Hope-Braun; is there anything that I didn't

1 ask you about that you wanted to say, that we didn't get to talk  
2 about?

3 **MS. MARGARET HOPE-BRAUN:** I don't think so. I'm  
4 good, thank you.

5 **MR. STEPHEN ARMSTRONG:** Mr. Deering?

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

13 Thank you.

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

15 Those are all my questions.

16 **COMMISSIONER ROULEAU:** Okay.

17 I think it's the Ottawa Police Service, is going  
18 to go first.

19 (SHORT PAUSE)

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

21 **MR. DAVID MIGICOVSKY:** David Migicovsky; I'm  
22 counsel for the Ottawa Police.

23 Good afternoon, Mr. Deering. Good afternoon, Ms.  
24 Hope-Braun.

25 **MR. CHRISTOPHER DEERING:** Good afternoon.

26 **MS. MARGARET HOPE-BRAUN:** Good afternoon.

27 **MR. DAVID MIGICOVSKY:** Mr. Deering, you were  
28 looking at a statement that you had in front of you and that's

1 the document that's called, "Canada Freedom Rights Movement  
2 Statement - Chris Deering"?

3 **MR. CHRISTOPHER DEERING:** Okay, I don't remember  
4 that; sorry.

5 **MR. DAVID MIGICOVSKY:** You have a document in  
6 front of you ---

7 **MR. CHRISTOPHER DEERING:** These are just my  
8 notes, sorry, they're so I can reference. Because of my  
9 traumatic brain injury, I need some things referenced, so...

10 **MR. DAVID MIGICOVSKY:** Sure. I just want to see  
11 what those notes are. Is it the same as your statement that you  
12 were referring to?

13 **MR. CHRISTOPHER DEERING:** Yes.

14 **MR. DAVID MIGICOVSKY:** Or is that still -- okay.

15 **MR. CHRISTOPHER DEERING:** It's in there, yes.

16 **MR. DAVID MIGICOVSKY:** Right. And so what it is,  
17 it's a document -- we can put it up on the screen, but I think  
18 that you have it in front of you. It's called, "Canada Freedom  
19 Rights Movement Statement of Chris Deering," is that right?

20 **MR. CHRISTOPHER DEERING:** I'm not sure of that  
21 document, sir. I'm going to look, but I don't recall that.

22 **MR. DAVID MIGICOVSKY:** Sure. Have a look at it,  
23 and tell me what it says, or if you want to show it to me?

24 **MR. CHRISTOPHER DEERING:** Can you repeat the  
25 title, please?

26 **MR. DAVID MIGICOVSKY:** Sure. It's called,  
27 "Canada Freedom Rights Movement Statement of Chris Deering."  
28 Perhaps we can put it up on the screen so you can ---



1                   **MR. CHRISTOPHER DEERING:** If you could it on the  
2 screen, sir, I would ---

3                   **MR. DAVID MIGICOVSKY:** Sure, we'll do that. I  
4 can't recall the number, but I believe ---

5                   **THE REGISTRAR:** Counsel, if it may be assistance,  
6 I believe that's HRF00001598.

7                   **MR. DAVID MIGICOVSKY:** Thank you. If you could  
8 just put that up so that Mr. Deering could see it?

9   (SHORT PAUSE)

10                   **MR. DAVID MIGICOVSKY:** Is that what you had in  
11 front of you?

12                   **MR. CHRISTOPHER DEERING:** Yes. I don't have that  
13 with me, sir, but I have seen it, yes.

14                   **MR. DAVID MIGICOVSKY:** So sorry; did you have  
15 something else with you?

16                   **MR. CHRISTOPHER DEERING:** Notes, to reference,  
17 sir.

18                   **MR. DAVID MIGICOVSKY:** These are notes that you  
19 made; when?

20                   **MR. CHRISTOPHER DEERING:** Just recently so I can  
21 remember; sorry.

22                   **MR. DAVID MIGICOVSKY:** Okay.

23   Perhaps those notes can be filed at some point as  
24 well.

25   Those are not notes you made at the time of these  
26 incidents, right?

27                   **MR. CHRISTOPHER DEERING:** No, sir.

28                   **MR. DAVID MIGICOVSKY:** Okay. I didn't realize, I

1 thought you had your statement in front of you when you were  
2 testifying, but you had some other notes?

3 **MR. CHRISTOPHER DEERING:** That's right.

4 **MR. DAVID MIGICOVSKY:** Okay.

5 Ms. Hope-Braun, I believe your statement also  
6 says at the top of it, "Canada Freedom Rights Movement  
7 Statement"; correct?

8 **MS. MARGARET HOPE-BRAUN:** I don't recall the very  
9 tops -- top line; sorry.

10 **MR. DAVID MIGICOVSKY:** Perhaps we could call up  
11 Ms. Braun's statement ---

12 **MS. MARGARET HOPE-BRAUN:** I'm sure -- I'm sure it  
13 is, if that's what you're looking at.

14 **THE CLERK:** This is the Hearing clerk, just for  
15 benefit of the record.

16 That's HRF00001606.

17 **MS. MARGARET HOPE-BRAUN:** That's correct.

18 **MR. DAVID MIGICOVSKY:** That's your statement as  
19 well; correct?

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

21 **MR. DAVID MIGICOVSKY:** And so those statements  
22 say at the top, "Canada Freedom Rights Movement Statements"; who  
23 put that on them?

24 **MR. CHRISTOPHER DEERING:** I'm not sure.

25 **MS. MARGARET HOPE-BRAUN:** I'm not sure.

26 **MR. STEPHEN ARMSTRONG:** I, if I can answer ---

27 **COMMISSIONER ROULEAU:** No. Don't worry, that's  
28 questioning, cross-examination.

1 Go ahead.

2 MR. DAVID MIGICOVSKY: You don't know?

3 MS. MARGARET HOPE-BRAUN: I would imagine it  
4 would be the lawyers that were taking our statements.

5 MR. DAVID MIGICOVSKY: Those would be the convoy  
6 organizer lawyer?

7 MS. MARGARET HOPE-BRAUN: I don't believe so, no.

8 MR. DAVID MIGICOVSKY: Okay.

9 It wasn't any of the people at this table, was  
10 it?

11 MS. MARGARET HOPE-BRAUN: I was speaking to them  
12 on the phone, so I'm not sure.

13 MR. DAVID MIGICOVSKY: Right.

14 MS. MARGARET HOPE-BRAUN: I couldn't see them.

15 MR. DAVID MIGICOVSKY: Who gave you the  
16 statement?

17 MS. MARGARET HOPE-BRAUN: Pardon?

18 MR. DAVID MIGICOVSKY: Who prepared this  
19 statement, ---

20 MS. MARGARET HOPE-BRAUN: It was ---

21 MR. DAVID MIGICOVSKY: --- typed it up and gave  
22 it to you?

23 MS. MARGARET HOPE-BRAUN: I was contacted through  
24 the Justice Centre.

25 MR. DAVID MIGICOVSKY: Right. And so one of the  
26 Justice Centre's lawyers prepared this statement and sent it to  
27 you; correct?

28 MS. MARGARET HOPE-BRAUN: It was basically word

1 for word of they asked me questions, and I gave a response, and  
2 this is exactly what I said to them on the phone, so yes.

3 **MR. DAVID MIGICOVSKY:** And then they gave it to  
4 you, and they typed on it, "Canada Freedom Rights Movement  
5 Statement of Chris Deering and of Maggie Dingman," the original  
6 ones that -- correct?

7 **MS. MARGARET HOPE-BRAUN:** Okay.

8 **MR. CHRISTOPHER DEERING:** Sure.

9 **MS. MARGARET HOPE-BRAUN:** Yeah, I'll agree with  
10 that.

11 **MR. DAVID MIGICOVSKY:** Right. And that's the  
12 same heading that we see on the statements of Tom Marazzo,  
13 Canada Freedom Rights Movements. But you don't know what that  
14 means.

15 **MS. MARGARET HOPE-BRAUN:** I do -- I don't know.  
16 I'm not somebody who -- I understand that words can be titles  
17 for things. To me, Canada Freedom Rights Movement are four  
18 words that represent what I believe I'm part of. So I don't  
19 know. It looks like a good heading to me.

20 **MR. DAVID MIGICOVSKY:** See, what I'm trying to  
21 figure out is every -- most of the other witnesses here were  
22 interviewed by the Commission and then we have statements that  
23 are on Public Order Emergency Commission letterhead.

24 **MS. MARGARET HOPE-BRAUN:** Okay.

25 **MR. DAVID MIGICOVSKY:** You were not interviewed  
26 by the Commission's lawyers to prepare those statements;  
27 correct?

28 **MS. MARGARET HOPE-BRAUN:** I was interviewed by a

1 lawyer who was here working on -- working with the Commission.  
2 So I don't know.

3 **MR. DAVID MIGICOVSKY:** These -- you don't  
4 remember.

5 And how about you, Mr. Deering?

6 **MR. CHRISTOPHER DEERING:** Everything in this is  
7 correct. I wrote everything myself. Again, I do forget also  
8 who assisted with me, that's an effect of my traumatic brain  
9 injury, I'm sorry.

10 **MR. DAVID MIGICOVSKY:** And neither one of you  
11 have criminal charges against you; correct?

12 **MR. CHRISTOPHER DEERING:** No.

13 **MS. MARGARET HOPE-BRAUN:** No.

14 **MR. DAVID MIGICOVSKY:** And so you told your story  
15 to a -- one of the convoy organiser lawyers; is that right?

16 **MS. MARGARET HOPE-BRAUN:** The Justice Centre is  
17 who ---

18 **MR. DAVID MIGICOVSKY:** The Justice Centre, I  
19 apologise.

20 **MS. MARGARET HOPE-BRAUN:** --- took mine.

21 **MR. DAVID MIGICOVSKY:** And neither one of you, as  
22 I understand it, has filed a complaint with the Ottawa Police  
23 Service about your arrest.

24 **MS. MARGARET HOPE-BRAUN:** Not yet, no.

25 **MR. CHRISTOPHER DEERING:** Not yet.

26 **MR. DAVID MIGICOVSKY:** And neither one of you has  
27 contacted the Crown to say, "Hey, excessive force was used with  
28 me"?

1                   **MR. CHRISTOPHER DEERING:** I have not contacted  
2 them, no.

3                   **MS. MARGARET HOPE-BRAUN:** Yeah, at this point I  
4 have tried to contact the government so many times I'm kind of  
5 going to, you know -- it's very frustrating. I have spent a lot  
6 of time trying to contact government agencies and have  
7 assistance, and have not gotten anywhere for many years at this  
8 point.

9                   **MR. DAVID MIGICOVSKY:** And complaints against the  
10 police can be filed with an office, a government office called  
11 the Office of the Independent Police Review Directorate, or  
12 IPRD. Neither one of you filed a complaint with them; correct?

13                   **MR. CHRISTOPHER DEERING:** No.

14                   **MS. MARGARET HOPE-BRAUN:** No.

15                   **MR. CHRISTOPHER DEERING:** Not yet.

16                   **MR. DAVID MIGICOVSKY:** And the SIU, that's the  
17 Special Investigations Unit, you can investigate situations in  
18 someone -- in which someone says they have been seriously  
19 injured by the actions of the police. And so I just want to be  
20 clear, there haven't been any complaints or investigations by  
21 the SIU have there?

22                   **MS. MARGARET HOPE-BRAUN:** No.

23                   **MR. CHRISTOPHER DEERING:** Not to my knowledge.

24                   **MS. MARGARET HOPE-BRAUN:** Not to my knowledge.

25                   **MR. DAVID MIGICOVSKY:** And I understand,  
26 Mr. Deering, that you have some notes, and you're going to share  
27 those notes with me; correct?

28                   **MR. CHRISTOPHER DEERING:** Sure.

1                   **MR. DAVID MIGICOVSKY:** Sure. And I understand,  
2 Ms. Hope-Braun, you do not have any notes?

3                   **MS. MARGARET HOPE-BRAUN:** Not here with me, no.

4                   **MR. DAVID MIGICOVSKY:** And you haven't filed any  
5 notes with your lawyers or the Justice Centre, lawyers?

6                   **MS. MARGARET HOPE-BRAUN:** I provided them with a  
7 letter from my chiropractor who spoke to the state my back  
8 afterwards. Also, with a trauma specialist, a psychologist,  
9 filed a letter from that professional as well. And I believe  
10 that's all of the notes that I have provided them.

11                   **MR. DAVID MIGICOVSKY:** And I didn't see that  
12 trauma specialist note ---

13                   **MS. MARGARET HOPE-BRAUN:** No.

14                   **MR. DAVID MIGICOVSKY:** --- in the database, but  
15 perhaps I missed ---

16                   **MS. MARGARET HOPE-BRAUN:** I don't think it was  
17 submitted. It wasn't.

18                   **MR. DAVID MIGICOVSKY:** It wasn't.

19                   **MS. MARGARET HOPE-BRAUN:** No.

20                   **MR. DAVID MIGICOVSKY:** So you did not give any  
21 documentation.

22                   **MS. MARGARET HOPE-BRAUN:** Yeah.

23                   **MR. DAVID MIGICOVSKY:** Mr. Deering, I understand  
24 from your evidence that you were in Ottawa on February 11th and  
25 then returned on the evening of the 17th and 18th?

26                   **MR. CHRISTOPHER DEERING:** Yes, sir.

27                   **MR. DAVID MIGICOVSKY:** And at that point the  
28 *Emergencies Act* had been passed; correct?

1                   **MR. CHRISTOPHER DEERING:** Sure.

2                   **MR. DAVID MIGICOVSKY:** And there was an exclusion  
3 zone. You knew that; correct?

4                   **MR. CHRISTOPHER DEERING:** I did.

5                   **MR. DAVID MIGICOVSKY:** You did?

6                   **MR. CHRISTOPHER DEERING:** Sure.

7                   **MR. DAVID MIGICOVSKY:** And you knew what the  
8 newspapers were telling people, not to go there unless you have  
9 an exemption ---

10                  **MR. CHRISTOPHER DEERING:** I didn't read the  
11 newspapers; sorry.

12                  **MR. DAVID MIGICOVSKY:** I'm sorry?

13                  **MR. CHRISTOPHER DEERING:** I didn't read the  
14 newspapers or listen to the news because they were lying  
15 constantly. Sorry.

16                  **MR. DAVID MIGICOVSKY:** And none of the sources on  
17 which you get information were telling you don't go into that  
18 zone.

19                  **MR. CHRISTOPHER DEERING:** Can you say it again?  
20 Sorry.

21                  **MR. DAVID MIGICOVSKY:** I'm sorry?

22                  **MR. CHRISTOPHER DEERING:** Can you say it again?  
23 Sorry, I just ---

24                  **MR. DAVID MIGICOVSKY:** Yeah. None of the sources  
25 from which you get information were telling you don't go in that  
26 zone?

27                  **MR. CHRISTOPHER DEERING:** Sorry, I'm going to  
28 have to ask you to repeat one more time. I'm sorry.



1           **MR. DAVID MIGICOVSKY:** That's okay.

2           Ms. Hope-Braun, you presumably knew that you were  
3 told not to go into that area unless you had specific reasons to  
4 be there?

5           **MS. MARGARET HOPE-BRAUN:** That's not what I was  
6 gathering from it, no.

7           **MR. DAVID MIGICOVSKY:** It wasn't -- you didn't  
8 turn on the radio, you didn't read any social media, you didn't  
9 go on Facebook?

10          **MS. MARGARET HOPE-BRAUN:** I knew that they wanted  
11 to clear the area.

12          **MR. DAVID MIGICOVSKY:** Right.

13          **MS. MARGARET HOPE-BRAUN:** I was aware of that,  
14 yeah.

15          **MR. DAVID MIGICOVSKY:** And you knew that the  
16 *Emergencies Act* had been passed?

17          **MS. MARGARET HOPE-BRAUN:** Well, they were still  
18 debating it in the house the day that I was arrested. So I  
19 wasn't really ---

20          **MR. DAVID MIGICOVSKY:** What day were you  
21 arrested?

22          **MS. MARGARET HOPE-BRAUN:** On the 19th.

23          **MR. DAVID MIGICOVSKY:** Yeah. The *Emergencies Act*  
24 had passed.

25          **MS. MARGARET HOPE-BRAUN:** Okay, it passed, but it  
26 was still being debated, and it hadn't passed the Senate.

27          **MR. DAVID MIGICOVSKY:** And so both of you, you  
28 were in the area, you did not live in the area, you were not on

1 your way to an appointment; correct?

2 **MR. CHRISTOPHER DEERING:** No.

3 **MS. MARGARET HOPE-BRAUN:** No. I had a hotel,  
4 though, booked. So I was...

5 **MR. DAVID MIGICOVSKY:** And you both, I believe,  
6 fell to your knees and refused to move while the police  
7 operation was being carried out; correct?

8 **MR. CHRISTOPHER DEERING:** No, that's incorrect.  
9 I was pulled down and beaten. Sorry.

10 **MR. DAVID MIGICOVSKY:** I'm sorry, I didn't hear  
11 you. I apologise.

12 **MR. CHRISTOPHER DEERING:** Sorry. I said I was  
13 pulled down. I was not on my knees. I was pulled down and  
14 beaten. Sorry.

15 **MR. DAVID MIGICOVSKY:** Right. You were on your  
16 knees and you refused to move.

17 **MR. CHRISTOPHER DEERING:** No, I was standing up.  
18 Sorry, I was pulled down.

19 **MR. DAVID MIGICOVSKY:** And Mr. Deering, you  
20 indicated that one of the police officers even told you to hide.

21 **MR. CHRISTOPHER DEERING:** That's correct.

22 **MR. DAVID MIGICOVSKY:** So he gave you some  
23 advice, and in spite of that you stayed there.

24 **MR. CHRISTOPHER DEERING:** That's correct.

25 **MR. DAVID MIGICOVSKY:** And in fact, you wanted --  
26 you believed as a veteran you should put yourself in the way of  
27 other protesters because veterans are better able to withstand  
28 what was about to come you said?

1                   **MR. CHRISTOPHER DEERING:** I wouldn't say better  
2 able, I just said we're more accustomed to it. Most civilians  
3 are not ready to be beaten. I was ready for it.

4                   **MR. CHRISTOPHER DEERING:** It was me who was on  
5 the knees.

6                   **MR. DAVID MIGICOVSKY:** I'm sorry.

7                   **MS. MARGARET HOPE-BRAUN:** Sorry.

8                   **MR. DAVID MIGICOVSKY:** And you were on the road,  
9 Mr. Deering; correct?

10                  **MR. CHRISTOPHER DEERING:** At what time?

11                  **MR. DAVID MIGICOVSKY:** Yes.

12                  **MR. CHRISTOPHER DEERING:** I was on the road.  
13 What's the question?

14                  **MR. DAVID MIGICOVSKY:** You were on the road when  
15 you were arrested?

16                  **MR. CHRISTOPHER DEERING:** I was on the road?

17                  **MR. DAVID MIGICOVSKY:** Yes.

18                  **MR. CHRISTOPHER DEERING:** That's hard to say.  
19 There was a lot of snow, so I don't know where I was, on the  
20 grass, on the road, I'm not sure.

21                  **MR. DAVID MIGICOVSKY:** And so were you, Ms. Hope-  
22 Braun, weren't you?

23                  **MS. MARGARET HOPE-BRAUN:** Everyone was on the  
24 road, yeah.

25                  **MR. DAVID MIGICOVSKY:** Right. And so you  
26 understand you're obstructing a roadway; correct?

27                               (LAUGHTER/RIRES)

28                  **MS. MARGARET HOPE-BRAUN:** No, the big ---

1                   **COMMISSIONER ROULEAU:** Please, if I could ask  
2 everyone to not act out, that would be appreciated. We're  
3 trying to keep this civilised.

4                   Go ahead, I'm sorry.

5                   **MS. MARGARET HOPE-BRAUN:** Everyone was  
6 obstructing a roadway that day.

7                   **MR. DAVID MIGICOVSKY:** So everyone, all of the  
8 protesters who were arrested were obstructing a roadway;  
9 correct?

10                  **MS. MARGARET HOPE-BRAUN:** And the police were  
11 also obstructing the roadway ---

12                  **MR. DAVID MIGICOVSKY:** Yeah.

13                  **MS. MARGARET HOPE-BRAUN:** --- if you think of it  
14 ---

15                  **MR. DAVID MIGICOVSKY:** Right.

16                  **MS. MARGARET HOPE-BRAUN:** --- like that.

17                  **MR. DAVID MIGICOVSKY:** And there were also  
18 announcements made in both official languages telling people to  
19 move?

20                  **MS. MARGARET HOPE-BRAUN:** Yeah.

21                  **MR. CHRISTOPHER DEERING:** I didn't hear that.

22                  **MS. MARGARET HOPE-BRAUN:** I did.

23                  **MR. DAVID MIGICOVSKY:** And you were there,  
24 Mr. Deering, you said 15 minutes before and you saw the police  
25 were looking violent and aggressive, you said, and so you  
26 decided to stay on that roadway; correct?

27                  **MR. CHRISTOPHER DEERING:** Absolutely.

28                  **MR. DAVID MIGICOVSKY:** And you're both aware, I

1 take it, I'm just going to finish off, that there is an online  
2 fundraising campaign for both of you run by a group called Café?

3 **MR. CHRISTOPHER DEERING:** Not aware of that until  
4 just now.

5 **MR. DAVID MIGICOVSKY:** A Derek Sloan. He's  
6 actually sitting in the audience.

7 **MR. CHRISTOPHER DEERING:** Okay.

8 **MS. MARGARET HOPE-BRAUN:** That's wonderful.  
9 Okay.

10 **MR. DAVID MIGICOVSKY:** You're aware of that?

11 **MR. CHRISTOPHER DEERING:** I am now.

12 **MS. MARGARET HOPE-BRAUN:** I am now, and I will be  
13 happy to ---

14 **MR. DAVID MIGICOVSKY:** And in fact, I see on that  
15 fundraising that he is fundraising for Chris Barber, Maggie  
16 Dingman, Brigitte Belton, Chris Deering, Danny Bulford and  
17 Tamara Lich.

18 You know all of those people; correct?

19 **MS. MARGARET HOPE-BRAUN:** I have only just met  
20 them here.

21 **MR. DAVID MIGICOVSKY:** Did you see Mr. Sloan  
22 today?

23 **MS. MARGARET HOPE-BRAUN:** I do, yeah.

24 **MR. DAVID MIGICOVSKY:** Right. And in order to  
25 benefit from that fundraising, I take it it's important that you  
26 tell the story that you just told; correct?

27 **MS. MARGARET HOPE-BRAUN:** I'm not sure. Sorry.  
28 Can you -- benefit from? Can you say that again?

1                   **MR. DAVID MIGICOVSKY:** In order to benefit from  
2 that fundraising, it's important that you tell the story that  
3 you've just told; correct?

4                   **MS. MARGARET HOPE-BRAUN:** I'm sorry. I'm not  
5 really very familiar with what you're speaking to right now.  
6 Everything's happening very fast, so I'm ---

7                   **MR. DAVID MIGICOVSKY:** Mr. Sloan is associated  
8 with the Ontario Party.

9                   **MS. MARGARET HOPE-BRAUN:** I understand, yeah.

10                  **MR. DAVID MIGICOVSKY:** Right.

11                  Okay. Thank you very much. I have no further  
12 questions.

13                  Thank you both.

14                  **MR. CHRISTOPHER DEERING:** Thank you.

15                  **MS. MARGARET HOPE-BRAUN:** Thank you.

16                  **COMMISSIONER ROULEAU:** Okay. Next are the Convoy  
17 Organizers.

18                  **--- CROSS-EXAMINATION BY MS. BATH-SHEBA VAN den BERG:**

19                  **MS. BATH-SHEBA VAN den BERG:** Good afternoon, Mr.  
20 Commissioner. Good afternoon, Chris and Maggie. My name is  
21 Bath-Sheba Van den Berg, and I'm counsel representing Freedom  
22 Corp and the protestors.

23                  I'd like to start by asking you, Chris, a few  
24 questions about what happened to you on that Friday, February  
25 the 18th, 2022.

26                  I understand that you were wearing your medals  
27 when you were arrested. Is that correct?

28                  **MR. CHRISTOPHER DEERING:** I was.

1                   **MS. BATH-SHEBA VAN den BERG:** And did they get  
2 damaged when you were arrested?

3                   **MR. CHRISTOPHER DEERING:** They did. The first 20  
4 minutes I had my medals on my jacket and with the shoving with  
5 the police, at one point one of my medals, my Queen Jubilee  
6 medal, broke off and I lost it.

7                   **MS. BATH-SHEBA VAN den BERG:** Could I call up  
8 HRF00001566?

9                   **MR. DAVID MIGICOVSKY:** Just to perhaps -- there  
10 are a lot of documents, obviously.

11                   David Migicovsky, sorry, for the Ottawa Police.

12                   Perhaps before my friend introduces one of the  
13 documents she could just confirm whether it was something that  
14 was uploaded last night for the first time. I know there are  
15 seven videos that were sent to me last night that were not on  
16 the system, so if we could just indicate for the record whether  
17 that is one of those documents because I may have a specific  
18 objection to that.

19                   **COMMISSIONER ROULEAU:** Okay. Given the late  
20 disclosure, apparently, could you make sure you tell us  
21 beforehand what it is we're going to just so we can -- if there  
22 are problems, we can outline them in detail.

23                   **MS. BATH-SHEBA VAN den BERG:** Yes, Mr.  
24 Commissioner.

25                   I can confirm to my friend that I'm going to  
26 refer to a video that was presented in the document list by the  
27 Commission. And it is a video of the arrest of Chris Deering.

28                   **MR. DAVID MIGICOVSKY:** And just so that we're

1 clear, that would be what was produced in the last couple days;  
2 correct?

3 **MS. BATH-SHEBA VAN den BERG:** No, it was produced  
4 a while ago, my friend, and it was produced as part of the list  
5 by the Commission.

6 **MR. DAVID MIGICOVSKY:** We'll address that later.  
7 Thank you.

8 **MS. BATH-SHEBA VAN den BERG:** Thank you.

9 Mr. Cler, the numbers again for this video are  
10 HRF -- thank you.

11 (AUDIO/VIDEO PLAYBACK)

12 **MS. BATH-SHEBA VAN den BERG:** We can pause the  
13 video. Thank you.

14 Chris, can you confirm that that is you that's  
15 being thrown to the ground and beaten by the police?

16 **MR. CHRISTOPHER DEERING:** Yes, it is.

17 **COMMISSIONER ROULEAU:** I'm not sure about that  
18 question. Let's be a little careful with how we do that,  
19 please.

20 **MS. BATH-SHEBA VAN den BERG:** Can you confirm  
21 that's you, Chris?

22 **MR. CHRISTOPHER DEERING:** Excuse me?

23 **MS. BATH-SHEBA VAN den BERG:** Can you confirm  
24 that is you in the video?

25 **MR. CHRISTOPHER DEERING:** It is me.

26 **MS. BATH-SHEBA VAN den BERG:** Thank you.

27 Now I'd like to ask you, Maggie, a few questions  
28 about what happened to you on Saturday, February the 19th, 2022.



1                   And I'd like to bring up a document -- now, this  
2 is a video that I did disclose yesterday and it's a video of the  
3 -- rather, is a photo. It's a photo of when Maggie was kneeling  
4 in front of the police.

5                   **MR. DAVID MIGICOVSKY:** David Migicovsky for the  
6 Ottawa Police.

7                   For the reasons I've already articulated, that  
8 should not be allowed. These are things that should have been  
9 disclosed long ago and we've had no -- I get it sometimes things  
10 come up at the last minute, but we've had no explanation for why  
11 this was not disclosed.

12                   **COMMISSIONER ROULEAU:** Okay. Well, let's see  
13 what the -- if it's just a photo of the -- of Ms. Hope-Braun  
14 kneeling -- is that all it is?

15                   **MS. BATH-SHEBA VAN den BERG:** That's all it is,  
16 Mr. Commissioner.

17                   **COMMISSIONER ROULEAU:** Okay. I'm not sure what  
18 the prejudice would be, but let's go ahead.

19                   **MS. BATH-SHEBA VAN den BERG:** And the number --  
20 the number for that photo is HRF00001612.

21                   Just confirming to the right in the green jacket,  
22 that's you kneeling?

23                   **MS. MARGARET HOPE-BRAUN:** Yes, and the *Charter* is  
24 in front of me and there are several people also kneeling and  
25 praying.

26                   **MS. BATH-SHEBA VAN den BERG:** Thank you.

27                   **MS. MARGARET HOPE-BRAUN:** Or doing however  
28 they're -- yeah.

1                   **MS. BATH-SHEBA VAN den BERG:** Okay. Now, I'd  
2 like to call up a video, and this is a video of the arrest of  
3 Maggie. And she spoke about it and I think it is important, Mr.  
4 Commissioner, that everyone here sees it.

5                   It's simply a video of what she already described  
6 and put into evidence.

7                   **MR. DAVID MIGICOVSKY:** David Migicovsky for the  
8 Ottawa Police.

9                   I understand that is one of the videos that was  
10 disclosed last night as well.

11                   **MS. BATH-SHEBA VAN den BERG:** That's correct.  
12 And it's also a video that was available to the public at large  
13 via the newspapers.

14                   **COMMISSIONER ROULEAU:** And can you, for the  
15 record, explain why it is these things weren't disclosed till  
16 last night?

17                   **MR. BRENDAN MILLER:** Sir, if I may. Unlike some  
18 of the institutional individuals and representations here, we,  
19 of course, have no control over witnesses. They approach us.  
20 We get put in contact with them.

21                   It's -- we get the evidence when we get the  
22 evidence and we put before you as quickly as possible. These  
23 witnesses have no connection to our process as a party. They  
24 were folks that were heard about and were asked to put in  
25 contact with. That's how that works, sir.

26                   It just, unfortunately, didn't happen until, I  
27 believe, we even got here in Ottawa, sir.

28                   **COMMISSIONER ROULEAU:** I'm sorry. I wasn't --

1 maybe I missed it.

2 Are you saying you didn't get this video till  
3 yesterday?

4 **MR. BRENDAN MILLER:** I understand that there was  
5 essentially -- maybe Ms. Van den Berg can explain the  
6 background, but at the end of the day, I think we provided it as  
7 soon as we could. We didn't have reference to it per se.

8 I'll let Ms. Van den Berg speak to it.

9 **MS. BATH-SHEBA VAN den BERG:** Yes, Mr.  
10 Commissioner, that's correct, is I did only have notice of it  
11 yesterday and I tried my very best to share it with everyone as  
12 soon as possible.

13 **COMMISSIONER ROULEAU:** Okay. Well, let's have a  
14 look at it and see where we go.

15 **MS. BATH-SHEBA VAN den BERG:** Thank you, Mr.  
16 Commissioner.

17 The numbers for this video are HRF00001614.

18 And Mr. Clerk, I'm going to ask you to pause at  
19 two seconds, so to play the video and then pause at two seconds.

20 (AUDIO/VIDEO PLAYBACK)

21 **MS. BATH-SHEBA VAN den BERG:** Thank you.

22 Maggie, can you confirm that that is you in the  
23 green jacket and the blue toque?

24 **MS. MARGARET HOPE-BRAUN:** It's me.

25 **MS. BATH-SHEBA VAN den BERG:** Thank you.

26 Do you agree that the meaning -- because I'm  
27 going to go into -- we're going to -- actually, just let's  
28 continue playing the video.

1 (AUDIO/VIDEO PLAYBACK)

2 **MS. BATH-SHEBA VAN den BERG:** Right. Do you  
3 agree that that appears to be a snatch-and-grab method --  
4 snatch-and-grab meaning ---

5 **COMMISSIONER ROULEAU:** All right.

6 **MS. BATH-SHEBA VAN den BERG:** --- snatching  
7 grabbing ---

8 **COMMISSIONER ROULEAU:** Firstly, this is -- this  
9 is a little bit leading, which I don't think you're entitled to  
10 do.

11 Number two, I'm not sure this is a witness who  
12 can talk about police tactics and I think now you're getting  
13 into something that's a bit unfair.

14 So I mean, you don't have much time. In fact,  
15 you're -- you have one minute left, so you might want to use it  
16 more appropriately.

17 **MS. BATH-SHEBA VAN den BERG:** I would like to  
18 call up another video, unless I'm going to get objected to and  
19 lose another minute of my time. It's a video of Maggie being  
20 arrested.

21 **COMMISSIONER ROULEAU:** I'm not sure this is  
22 really very relevant to what I have to decide, how the arrests  
23 were actually carried out and whether there were ---

24 **MS. BATH-SHEBA VAN den BERG:** Okay.

25 **COMMISSIONER ROULEAU:** --- no complaints. Now,  
26 if that's how you want to use your last minute, I'm prepared to  
27 have a look at it.

28 **MS. BATH-SHEBA VAN den BERG:** I did want to ask a

1 question for the both of you, just to confirm that after you  
2 were arrested, that you were driven outside the Ottawa City core  
3 and told by the police that you ---

4 **COMMISSIONER ROULEAU:** Once again, that's leading  
5 for a phase you're not supposed to be leading your witness.

6 **MS. BATH-SHEBA VAN den BERG:** We you were driven  
7 outside of the ---

8 **COMMISSIONER ROULEAU:** That's ---

9 **MS. BATH-SHEBA VAN den BERG:** Sorry.

10 **COMMISSIONER ROULEAU:** If you want to ask, the  
11 way to ask I'm happy to assist. It's you ask, "How did it, how  
12 was it that, what proceeded after you were arrested? Where were  
13 you taken?"

14 **MS. BATH-SHEBA VAN den BERG:** Chris, ---

15 **COMMISSIONER ROULEAU:** So ---

16 **MS. BATH-SHEBA VAN den BERG:** --- can you tell us  
17 what proceeded after you were arrested?

18 **MR. CHRISTOPHER DEERING:** I believe last we time  
19 we spoke, so when the processing line was finished, after the  
20 two hours of standing in the freezing cold, not able to sit or  
21 kneel, and denied my medication again, I was then -- I had my  
22 information taken, I was then placed in the back of a squad car.  
23 They read me what I was being charged with, which was public  
24 obstruction and mischief. So I said I understood.

25 The police officer then -- the police officer  
26 then left the vehicle for five minutes. He came back and he  
27 said, "Well, today's your lucky day. You're not being charged."  
28 I said, "That's great." I said, "Can I know what's -- why that

1 changed?" He said, "No, you don't need to know that."

2                   So at that time, I felt that it was my  
3 understanding that I'm free to go because I'm not being charged  
4 with anything. Then the next five, 10 minutes they put me in a  
5 paddy wagon with no direction. They didn't say, "Go in here."  
6 So, again, I mean, I had no choice. I go in the paddy wagon.  
7 I'm there for 25 minutes. I don't know where I'm going, don't  
8 know how long I'm there.

9                   Eventually, the paddy wagon does fill up over the  
10 next couple of hours. Then they drive us around for  
11 approximately half an hour to 40 minutes. It was very hard to  
12 tell because there's no windows, of course, in the paddy wagon;  
13 you know, there's no concept of time.

14                   They then drove us to a Public Works building  
15 that was 10.2 kilometres away from Parliament Hill. When they  
16 let us out of the paddy wagons, they gave us our possession  
17 back. They gave us no paperwork. The police officer came out  
18 and he gave us a stern warning and said, "You don't come back to  
19 Ottawa, or you'll be charged."

20                   They gave us all our possessions back and --  
21 sorry; most of us, due to the cold, our cell phones had died.  
22 No-one had any money; no-one had any masks. We couldn't go into  
23 the building to make a phone call. So we were stranded. So we  
24 were forced to walk to a Wendy's that was -- and I forget the  
25 approximate distance; we had to walk from that Public Works  
26 building in the snow, in the freezing cold to a Wendy's. I had  
27 a called a friend that I had just met prior the night -- on the  
28 17<sup>th</sup>, I met someone for five minutes and he said, "If you need

1 anything in Ottawa..." And this is the type of people we met in  
2 Ottawa. I met him for two minutes, five minutes, and he said,  
3 "If you need anything, you call me and I'll pick you up right  
4 away," and whatever. And he did exactly that.

5 I picked him up -- I called him at Wendy's, I  
6 said, "Can you please us up? We have no money. We have no  
7 means. We don't know where we are, we're not from Ottawa." It  
8 was just -- I never thought that I would get dumped out of the  
9 seat like trash by my -- by the police. It was ---

10 **MS. BATH-SHEBA VAN den BERG:** And Mr.  
11 Commissioner ---

12 **COMMISSIONER ROULEAU:** You're way over your time.

13 **MS. BATH-SHEBA VAN den BERG:** Thank you. I was  
14 just going to ask if the same thing had happened to Maggie, just  
15 to confirm.

16 **MS. MARGARET HOPE-BRAUN:** I'll be very brief. So  
17 when -- after I was behind the police line -- it's all in my  
18 statement, that's fair, but I was thrown to the ground and there  
19 was a lot of weaponry around, and I looked up and there was a  
20 gun pointed, it appeared to be, at my head.

21 And from there, I was taken outside the city and  
22 dropped off. And again I was at a towing -- place where they  
23 were towing the trucks and there was no shelter; there was no  
24 place to plug in your phone. There was nothing. And,  
25 thankfully, people came and got us, so yeah.

26 **MS. BATH-SHEBA VAN den BERG:** Thank you.

27 **COMMISSIONER ROULEAU:** Okay, thank you.

28 **MS. BATH-SHEBA VAN den BERG:** Thank you.

1                   **COMMISSIONER ROULEAU:** Ottawa Residents  
2 Coalition.

3                   **MS. EMILIE TAMAN:** Good afternoon, Commissioner.

4 **--- CROSS-EXAMINATION BY MS. EMILIE TAMAN:**

5                   **MS. EMILIE TAMAN:** Good afternoon. My name is  
6 Emilie Taman; I represent the coalition of Ottawa Residents and  
7 Businesses.

8                   And you've both described to us, and we've heard  
9 from other convoy participants, that your experience in Ottawa  
10 was generally a positive one?

11                   **MR. CHRISTOPHER DEERING:** It was.

12                   **MS. EMILIE TAMAN:** And that you found it to be a  
13 peaceful and loving atmosphere when you attended the convoy?

14                   **MR. CHRISTOPHER DEERING:** It was amazing. It was  
15 the Canadian spirit.

16                   **MS. MARGARET HOPE-BRAUN:** It was. And even  
17 between us and the police, up until those last days, it was a  
18 wonderful experience.

19                   **MS. EMILIE TAMAN:** I'm going to ask that a video  
20 be pulled up. It's COA00000135.

21                   And just before we start it, this is a video, a  
22 compilation of images that were submitted to the Commission  
23 before these proceedings commenced, and for the purposes of the  
24 record, the video was accompanied by an affidavit with the  
25 number AFF00000002 explaining the origins of each part of the  
26 video and where it came from. But generally speaking, I can  
27 tell you these are videos that were taken by people in Ottawa  
28 during the convoy occupation.



1                   So if we could play that video, and then I would  
2 just ask you to reflect on whether it accurately represents what  
3 you witnessed while in Ottawa.

4                                   [VIDEO PLAYBACK]

5                   **COMMISSIONER ROULEAU:** Almost out of time.

6                   **MS. EMILIE TAMAN:** Yes. Okay. Well, I guess  
7 we'll leave it there. Could I just ask each of the witnesses  
8 one questions, please, Commissioner?

9                   **COMMISSIONER ROULEAU:** Well, you still have a  
10 minute or two.

11                   **MS. EMILIE TAMAN:** Yeah. No, I understand that.  
12 It's been difficult to find an appropriate time to put this  
13 video into evidence by virtue of the limitations on cross-  
14 examination, so, yeah, if we could just finish it and I would  
15 just have one question for them.

16                                   (VIDEO PLAYBACK)

17                   **MS. EMILIE TAMAN:** If we could stop it there.  
18 Thank you.

19                   And I would just ask you, Ms. Hope-Braun, as a  
20 mother of two young children, if a spectacle like this was  
21 unfolding in your community, in your neighbourhood, in your  
22 front lawn, would you feel safe and peaceful?

23                   **MS. MAGGIE HOPE-BRAUN:** Given the events of the  
24 last couple years and the actions of our government, it would  
25 actually -- I felt very safe there and ---

26                   **MS. EMILIE TAMAN:** I didn't ask you though if you  
27 felt safe there.

28                   **MS. MAGGIE HOPE-BRAUN:** Sorry.

1           **MS. EMILIE TAMAN:** If this was happening in your  
2 neighbourhood in front of your house and you were not a part of  
3 this action, would you feel that it was safe and peaceful?

4           **MS. MAGGIE HOPE-BRAUN:** Again, I'm just going to  
5 say, given the context of the last couple years and the actions  
6 of our government, I -- I've -- would take -- be there with  
7 that. Yes, if it was outside of my -- if it happened outside of  
8 my door and I had people and I hosted people afterwards and ---

9           **MS. EMILIE TAMAN:** While your children were  
10 trying to sleep? That would be okay with you?

11           **MS. MAGGIE HOPE-BRAUN:** I won't deny the fact  
12 that that would be -- that there was a lot of energy being  
13 brought to Ottawa and ---

14           **MS. EMILIE TAMAN:** But I asked if it would be  
15 okay with you.

16           **MS. MAGGIE HOPE-BRAUN:** It would be okay with me,  
17 yeah.

18           **MS. EMILIE TAMAN:** Mr. Deering, if that was  
19 happening in your community and your front lawn, would that be  
20 okay with you?

21           **MR. CHRISTOPHER DEERING:** I'd probably join in,  
22 yes.

23           **MS. EMILIE TAMAN:** Thank you. Those are my  
24 questions.

25           **MR. CHRISTOPHER DEERING:** You're welcome.

26           **COMMISSIONER ROULEAU:** Okay. Next is the Ontario  
27 Provincial Police.

28           **MR. CHRISTOPHER DIANA:** Thank you, Commissioner.

1 My questions have already been asked and answered, so I have  
2 nothing further.

3 **COMMISSIONER ROULEAU:** Okay. Next is Counsel for  
4 former Chief Sloly.

5 **MR. TOM CURRY:** Thank you, Commissioner. We have  
6 no questions. Thank you.

7 **COMMISSIONER ROULEAU:** Okay. Democracy Fund,  
8 JCCF?

9 **--- CROSS-EXAMINATION BY MR. ROB KITTREDGE:**

10 **MR. ROB KITTREDGE:** Hi, Mr. Deering and Ms.  
11 Braun. I'm Rob Kittredge, Counsel for the Justice Centre for  
12 Constitutional Freedoms.

13 Mr. Deering, I think Counsel for the Ottawa  
14 Police Service asked you a question about whether you saw news  
15 reports telling you not to come to the protest area after the  
16 *Emergencies Act* was invoked. You replied that you weren't  
17 watching the news around that time because the media had been  
18 lying about the protest. Do you remember that question?

19 **MR. CHRISTOPHER DEERING:** Yes, I do.

20 **MR. ROB KITTREDGE:** But you saw news reports  
21 about the protest before that time; didn't you?

22 **MR. CHRISTOPHER DEERING:** I may have.

23 **MR. ROB KITTREDGE:** May have cleared some of my  
24 questions, but did you see news reports that lied about or  
25 misrepresented the protests?

26 **MR. CHRISTOPHER DEERING:** All the time.

27 **MR. ROB KITTREDGE:** Did media reports suggest  
28 that the protesters were aggressive?

1           **MR. CHRISTOPHER DEERING:** They did.

2           **MR. ROB KITTREDGE:** Racist?

3           **MR. CHRISTOPHER DEERING:** They did.

4           **MR. ROB KITTREDGE:** Violent?

5           **MR. CHRISTOPHER DEERING:** They did.

6           **MR. ROB KITTREDGE:** While you were at the  
7 protests, did you see any aggression or violent behaviour from  
8 protesters?

9           **MR. CHRISTOPHER DEERING:** From protesters or  
10 police, sorry?

11           **MR. ROB KITTREDGE:** From the protesters.

12           **MR. CHRISTOPHER DEERING:** Oh, no, not from the  
13 protesters, no.

14           **MR. ROB KITTREDGE:** From the police?

15           **MR. CHRISTOPHER DEERING:** Lots.

16           **MR. ROB KITTREDGE:** Did you see any racist  
17 behaviour while you were at the protests?

18           **MR. CHRISTOPHER DEERING:** No, it was a diverse  
19 culture.

20           **MR. ROB KITTREDGE:** Thank you.

21           Ms. Braun, some media reports and our Prime  
22 Minister have suggested that unvaccinated people are often  
23 racist and/or misogynist. Could you tell me whether you saw any  
24 racism or misogyny from unvaccinated people or anybody else  
25 while at the protests in Ottawa?

26           **MS. MAGGIE HOPE-BRAUN:** Absolutely not. If  
27 anything, if anyone had any of that, there was a lot of healing  
28 with that, coming together for freedom, from all over the world.

1                   **MR. ROB KITTREDGE:** And things were a little bit  
2 rushed at the end of your conversation with Counsel for the  
3 Convoy Organizers, but you mention in passing that during your  
4 arrest a gun was pointed at your head. Can you tell me a little  
5 more about that?

6                   **MS. MAGGIE HOPE-BRAUN:** That's right. So from  
7 the video, you saw that I was kneeling down. I had told the  
8 officers that I was willing to be arrested and that I would not  
9 resist. And at that point, they -- I ended up on the ground  
10 with my hands in front of me, and a very heavy knee went into my  
11 back, and there was several officers on me. And because I  
12 caught my fall with my hands and they wanted my hands behind my  
13 back, they kept saying, "Put your hands behind your back," but I  
14 couldn't because of the weight. And it took some time, at least  
15 a minute, at which point I thought, okay, I'm going to dare look  
16 up. And I looked up, and there was a gun right at my head, a  
17 long rifle gun.

18                   **MR. ROB KITTREDGE:** Which end of the gun was  
19 pointed at your head?

20                   **MS. MAGGIE HOPE-BRAUN:** It looked like it was the  
21 barrel of the gun.

22                   **MR. ROB KITTREDGE:** And who was pointing it at  
23 your head?

24                   **MS. MAGGIE HOPE-BRAUN:** It was one of the  
25 officers. And I remember it was more beige kind of camo.

26                   **MR. ROB KITTREDGE:** All right. Well, thank you  
27 very much. Those are my questions.

28                   **MS. MAGGIE HOPE-BRAUN:** Thank you.

1                   **COMMISSIONER ROULEAU:** Okay. Before I go to  
2 Commission Counsel, Ms. Bath-Shéba van den Berg, normally, the  
3 Convoy would be last because you're the ones who -- they're your  
4 witnesses, so -- which is why you can't cross-examine, but  
5 normally, you'd gone last, so since I took you or you were taken  
6 out of order, I'll give you a little more time if you would like  
7 to wrap up.

8                   Pardon me?

9                   **MR. BRENDAN MILLER:** If it's okay, I'll just wrap  
10 up for Ms. van den Berg.

11                   **COMMISSIONER ROULEAU:** That's fine.

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

13                   **MR. BRENDAN MILLER:** Okay. Hello?

14                   **MS. MAGGIE HOPE-BRAUN:** Hello?

15                   **MR. BRENDAN MILLER:** Okay. And so I just want to  
16 ask you a couple of questions about some of your other  
17 observations. You saw ---

18                   **COMMISSIONER ROULEAU:** A short wrap up.

19                   **MR. BRENDAN MILLER:** Yeah. So you saw the videos  
20 that my friend put up on there?

21                   **MS. MAGGIE HOPE-BRAUN:** Yes.

22                   **MR. CHRISTOPHER DEERING:** Yes.

23                   **MR. BRENDAN MILLER:** All right. And she asked  
24 you some questions about your opinions on them. Other than  
25 those incidents and first it wasn't asked, did you observe those  
26 events that were in those videos?

27                   **MR. CHRISTOPHER DEERING:** Some of them, but not  
28 majority of them. That -- there's a lot of streets that I

1 didn't see so.

2 **MR. BRENDAN MILLER:** Right. And two of the  
3 photos in there, one had a Confederate battle flag, the other  
4 had a Nazi flag. Did you see any such flags while you were in  
5 Ottawa?

6 **MR. CHRISTOPHER DEERING:** No, never.

7 **MS. MAGGIE HOPE-BRAUN:** No.

8 **MR. BRENDAN MILLER:** All right. And what, if  
9 any, conversations did you have with other protesters that you  
10 might classify as racist, or misogynist, or any form of things  
11 that you thought were inappropriate? Did you have any such  
12 conversations either of you?

13 **MR. CHRISTOPHER DEERING:** Never. It was full of  
14 love, unity and joy. It was the best time after the last two  
15 years that I'd -- that we had had. It was incredible.

16 **MR. BRENDAN MILLER:** Did any of them ---

17 **MS. MAGGIE HOPE-BRAUN:** I didn't have any ---

18 **MR. BRENDAN MILLER:** --- call for the  
19 overthrowing of the Government of Canada by violence?

20 **MS. MAGGIE HOPE-BRAUN:** No.

21 **MR. CHRISTOPHER DEERING:** No.

22 **MR. BRENDAN MILLER:** Did any of them ever call  
23 for violence at all?

24 **MR. CHRISTOPHER DEERING:** No.

25 **MS. MAGGIE HOPE-BRAUN:** No.

26 **MR. BRENDAN MILLER:** Did you see anything with  
27 respect to destruction of property?

28 **MS. MAGGIE HOPE-BRAUN:** No.

1                   **MR. CHRISTOPHER DEERING:** No.

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

3                   **COMMISSIONER ROULEAU:** Okay. And, Commission  
4 Counsel, any re-examination?

5                   **MR. STEPHEN ARMSTRONG:** No re-examination,  
6 Commissioner.

7                   **COMMISSIONER ROULEAU:** Okay. Well, thank you for  
8 your testimony.

9                   **MS. MAGGIE HOPE-BRAUN:** Thank you.

10                  **MR. CHRISTOPHER DEERING:** Thank you.

11                  **COMMISSIONER ROULEAU:** And we're going to be able  
12 to take the lunch break for an hour, and we'll come back with  
13 our next witness.

14                   Is it -- come back at 2:10.

15                  **THE REGISTRAR:** The Commission is in recess for  
16 one hour. La commission est levée pour une heure.

17 --- Upon recessing at 1:10 p.m.

18 --- Upon resuming at 2:11 p.m.

19                  **THE REGISTRAR:** Order. À l'ordre. The  
20 Commission is reconvened. La commission reprend.

21                  **MR. JOHN MATHER:** Good afternoon, Mr.  
22 Commissioner. John Mather, Commission Counsel. The next  
23 witness is Jeremy MacKenzie. Mr. MacKenzie will be testifying  
24 via video videoconference, so if we could just make sure that  
25 Mr. MacKenzie can hear us and that we can hear him?

26                  **COMMISSIONER ROULEAU:** Can you hear us, Mr.  
27 MacKenzie?

28                  **MR. JEREMY MacKENZIE:** Yes, I can, sir.



1                   **COMMISSIONER ROULEAU:** Okay. Good. Well, we're  
2 ready for your testimony, so we're going to have you sworn, and  
3 I see you have Counsel here, so let's -- should we first swear  
4 the witness and -- okay.

5                   **THE REGISTRAR:** Mr. MacKenzie, will you swear on  
6 a religious document, or do you wish to affirm?

7                   **MR. JEREMY MacKENZIE:** I will affirm.

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

10                   **MR. JEREMY MacKENZIE:** Jeremy Mitchell MacKenzie.  
11 J-E-R-E-M-Y M-I-T-C-H-E-L-L M-A-C-K-E-N-Z-I-E.

12 --- MR. JEREMY MITCHELL MacKENZIE, Affirmed:

13                   **COMMISSIONER ROULEAU:** Okay.

14 --- STATEMENT BY MR. SHERIF FODA:

15                   **MR. SHERIF FODA:** Afternoon, Mr. Commissioner.  
16 My name is Sherif Foda. I'm Counsel to Jeremy MacKenzie. Mr.  
17 MacKenzie was summonsed to testify here this afternoon. His  
18 testimony is compelled. I would just like to make clear that he  
19 is invoking his protections under the *Canada and Ontario*  
20 *Evidence Acts* to protect his interests against self-  
21 incrimination, and of course, he benefits from the protection of  
22 Section 13 of the *Canadian Charter of Rights and Freedoms*.

23                   **COMMISSIONER ROULEAU:** Okay. And I will deem  
24 that the witness has objected to answer each and every question  
25 on the ground that his answers may tend to incriminate him or  
26 tend to establish his liability to a civil proceeding at the  
27 instance of the Crown or any person but for the Acts you've  
28 invoked. Okay? Is that adequate?

1                   **MR. SHERIF FODA:** Absolutely. Thank you, Mr.  
2 Commissioner.

3                   **COMMISSIONER ROULEAU:** Okay. So, Mr. MacKenzie,  
4 we're ready to go.

5                   Commissioner Counsel, go ahead.

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

7 **--- EXAMINATION-IN-CHIEF BY MR. JOHN MATHER:**

8                   **MR. JOHN MATHER:** Good afternoon, Mr. MacKenzie,  
9 can you hear me?

10                  **MR. JEREMY MacKENZIE:** Yes, sir.

11                  **MR. JOHN MATHER:** My name is John Mather. I'm  
12 one of the Commission Counsel. You are appearing today via  
13 videoconference from the Saskatoon Correctional Centre; is that  
14 correct?

15                  **MR. JEREMY MacKENZIE:** That's correct.

16                  **MR. JOHN MATHER:** And we understand that you're  
17 being held in relation to charges in a matter that is unrelated  
18 to the protest in Ottawa and Coutts; is that correct?

19                  **MR. JEREMY MacKENZIE:** That is correct.

20                  **MR. JOHN MATHER:** The Commission understands that  
21 you are from Nova Scotia; is that correct?

22                  **MR. JEREMY MacKENZIE:** Yes, sir.

23                  **MR. JOHN MATHER:** And where did you grow up?

24                  **MR. JEREMY MacKENZIE:** I grew up in Pictou  
25 County, Nova Scotia.

26                  **MR. JOHN MATHER:** And we understand that you were  
27 a member of the Canadian Armed Forces?

28                  **MR. JEREMY MacKENZIE:** That is correct, from 2017

1 -- or, sorry, 2003 until 2017.

2 **MR. JOHN MATHER:** And what rank did you achieve  
3 in the Armed Forces?

4 **MR. JEREMY MacKENZIE:** I retired as a Master  
5 Corporal.

6 **MR. JOHN MATHER:** And you have produced a letter  
7 through your Counsel to the Commission and it's a letter that  
8 you sent to the Senate. Do you know what I'm referring to?

9 **MR. JEREMY MacKENZIE:** I believe so, yes.

10 **MR. JOHN MATHER:** So if we could pull up  
11 JMK00000003?

12 Mr. MacKenzie, can you first just let me know if  
13 you can see the document on the screen and you're able to read  
14 what it says?

15 **MR. JEREMY MacKENZIE:** Yes, I can.

16 **MR. JOHN MATHER:** Okay. Thank you. And is --  
17 this is a letter that's entitled Diagolon's List of Demands to  
18 the Canadian Senate. Do you see that?

19 **MR. JEREMY MacKENZIE:** Yes.

20 **MR. JOHN MATHER:** Okay, and I'll ask you some  
21 questions about Diagolon in a moment.

22 And can you just confirm for us...

23 If we can scroll down to the bottom.

24 ...just again for the Commission's benefit, but  
25 also potentially yours, we see that it has a signature block for  
26 you at the bottom. And there's no signature here. Do you know  
27 if you ever signed this letter?

28 **MR. JEREMY MacKENZIE:** No, I sent it digitally to

1 the Senate members.

2 **MR. JOHN MATHER:** Okay. And do you recall when  
3 you sent it to the Senate?

4 **MR. JEREMY MacKENZIE:** It was several days before  
5 the *Emergency Act* was revoked by the government approximately --  
6 -

7 **MR. JOHN MATHER:** And sorry, and with the audio I  
8 just didn't catch that. Did you say before it was invoked or  
9 revoked?

10 **MR. JEREMY MacKENZIE:** Before it was revoked by  
11 the government, perhaps three days, three, four days.

12 **MR. JOHN MATHER:** Thank you.

13 We can take the letter down.

14 But Mr. MacKenzie, I'm going to ask you some  
15 questions, and if you need to look at the letter just let me  
16 know; okay?

17 **MR. JEREMY MacKENZIE:** Yes.

18 **MR. JOHN MATHER:** In the letter to the Senate,  
19 you describe yourself as a podcaster and a comedian. I take it  
20 that's accurate?

21 **MR. JEREMY MacKENZIE:** Yes, it is.

22 **MR. JOHN MATHER:** And it's the Commission's  
23 understanding that you podcast under the name Raging Dissident;  
24 is that correct?

25 **MR. JEREMY MacKENZIE:** Yes.

26 **MR. JOHN MATHER:** And at one time you had a  
27 YouTube channel; is that correct?

28 **MR. JEREMY MacKENZIE:** Yes.

1           **MR. JOHN MATHER:** And do you know at -- do you  
2 know how many followers that YouTube channel had?

3           **MR. JEREMY MacKENZIE:** I have had several that  
4 have been removed by YouTube for various reasons. Several times  
5 it's been 10,000, 12,000. I think the highest may have been 12,  
6 13,000.

7           **MR. JOHN MATHER:** And you also have a Telegram  
8 channel?

9           **MR. JEREMY MacKENZIE:** Yes, sir.

10          **MR. JOHN MATHER:** And how many followers have you  
11 had? I appreciate you were giving some ranges there on your  
12 Telegram channel.

13          **MR. JEREMY MacKENZIE:** Roughly, I would say  
14 upwards to around 14,000.

15          **MR. JOHN MATHER:** And on the YouTube and Telegram  
16 channel are you positing under the name Raging Dissident?

17          **MR. JEREMY MacKENZIE:** Yes.

18          **MR. JOHN MATHER:** And I understand that you also  
19 have an Instagram account using the name Raging Dissident; is  
20 that correct?

21          **MR. JEREMY MacKENZIE:** Yes, I do.

22          **MR. JOHN MATHER:** And are there any other social  
23 media that you use?

24          **MR. JEREMY MacKENZIE:** Those are the primary --  
25 Rumble as well is another video-sharing website. Primarily  
26 those are the ones I use most heavily. I also have a personal  
27 page that I typically just use for advertising links and so on  
28 on Facebook, Gab, and -- yeah, I believe that's it.

1                   **MR. JOHN MATHER:** And what's the URL for that  
2 personal website?

3                   **MR. JEREMY MacKENZIE:** My own personal .com  
4 website?

5                   **MR. JOHN MATHER:** Yeah, the one you were just  
6 referencing.

7                   **MR. JEREMY MacKENZIE:** Oh, I have a -- I just  
8 have a Facebook page, there's a Rumble website URL, but my  
9 personal website is ragingdissident.com.

10                  **MR. JOHN MATHER:** Thank you. And do you use the  
11 messaging service Slack to communicate?

12                  **MR. JEREMY MacKENZIE:** No.

13                  **MR. JOHN MATHER:** Have you ever used Slack?

14                  **MR. JEREMY MacKENZIE:** No, I've never heard of  
15 it.

16                  **MR. JOHN MATHER:** In the letter to the Senate,  
17 you identify yourself as a founding member of the People's Party  
18 of Canada. Is that correct?

19                  **MR. JEREMY MacKENZIE:** Yes. The -- when the  
20 party was stood up it required a certain amount of signatures to  
21 register federally, I believe maybe 250, 500, something in that  
22 range. Mr. Bernier put out a request for people that wanted to  
23 support his platform and see a party created to fill out the  
24 form and sign it and mail it into the appropriate address, which  
25 I did.

26                  **MR. JOHN MATHER:** Right. And you describe  
27 yourself as an enthusiastic supporter of the party then?

28                  **MR. JEREMY MacKENZIE:** I wouldn't go as far as

1 enthusiastic, but I am a supporter, yes.

2 **MR. JOHN MATHER:** Okay. So if we could pull up  
3 the letter to the Senate again, JMK3, and if we could scroll --  
4 zoom in please. And just give me a moment. And continue  
5 scrolling down. Continue scrolling down, please. Stop there.

6 It says here in your letter, Mr. MacKenzie:

7 "I am also a founding member of the  
8 People's Party of Canada and  
9 enthusiastically supported the party  
10 through my social media."

11 So would you at least agree with me that you  
12 enthusiastically support the People's Party of Canada through  
13 your social media?

14 Oh. Is the -- it appears we're having some  
15 technical difficulties, so if everyone could bear with us for a  
16 moment.

17 **MR. JEREMY MacKENZIE:** We lost the audio. Hello?  
18 I can't hear anything. Hello?

19 **MR. JOHN MATHER:** So the technical team said that  
20 it'll be five minutes to resolve the issue, Mr. Commissioner.

21 **COMMISSIONER ROULEAU:** Okay, we'll take a five-  
22 minute break and then come back.

23 (TECHNICAL ISSUES/AUDIO ISSUES)

24 **THE REGISTRAR:** The Commission is in recess for 5  
25 minutes, la commission lever pour 5 minutes.

26 --- Upon recessing at 2:20 p.m.

27 --- Upon resuming at 2:29 p.m.

28 **--- MR. JEREMY MacKENZIE, Resumed:**

1           **THE REGISTRAR:** The Commissioned is reconvened.  
2 La Commission repreneur.

3 **--- EXAMINATION IN-CHIEF BY. MR. JOHN MATHER, (cont'd):**

4           **MR. JOHN MATHER:** Mr. MacKenzie, can you hear me  
5 right now?

6           **MR. JEREMY MacKENZIE:** Yes, sir.

7           **MR. JOHN MATHER:** Okay, thank you, and I can hear  
8 you. And apologies for the technical difficulty and I  
9 appreciate your patience while we sort it out.

10                   Before we got cut off -- and I'm not sure when  
11 you last heard me -- I had asked you whether or not you were an  
12 enthusiastic supporter of the Peoples Party of Canada and you  
13 suggested it wasn't necessarily enthusiastic. I had then pulled  
14 up the letter that you'd sent to the Senate in which say -- and  
15 hopefully you can see it -- that you're a founding member and  
16 you:

17                                   "...enthusiastically supported the party  
18 through my social media, public  
19 speaking, and attending events held by  
20 Maxime Bernier as well as personal  
21 friends, Mark Friesen and Randy  
22 Hillier."

23                   Do you see that?

24           **MR. JEREMY MacKENZIE:** Yes, sir.

25           **MR. JOHN MATHER:** And so I take it you agree with  
26 me that you were an enthusiastic supporter at least to the  
27 extent you wrote that in the letter to the senate?

28           **MR. JEREMY MacKENZIE:** Correct. I misinterpreted



1 the question. I thought it maybe, perhaps, meant "at the  
2 current time". I haven't been really involved in any party  
3 politics since around this time. And in -- as it pertains to  
4 the letter and "enthusiastically", I guess I was referring to  
5 throughout the previous federal election that had just  
6 transpired in the fall.

7 **MR. JOHN MATHER:** And on your -- and you  
8 mentioned earlier that you are a podcaster. The Commission also  
9 understands that these podcasts are often videotaped as well,  
10 and the video is streamed; is that fair?

11 **MR. JEREMY MacKENZIE:** That's correct.

12 **MR. JOHN MATHER:** So it's not just an audio  
13 format when you talk about a podcast?

14 **MR. JEREMY MacKENZIE:** No, it's both. I usually  
15 extrapolate the audio and then upload it after to several  
16 streaming platforms for typical -- more typical podcasting  
17 consumption.

18 **MR. JOHN MATHER:** And on your podcasts, I take it  
19 you -- would you agree that you're outspoken about your  
20 criticism of the federal government?

21 **MR. JEREMY MacKENZIE:** Yes, sir.

22 **MR. JOHN MATHER:** Okay. And you're also  
23 outspoken about your criticism of the RCMP?

24 **MR. JEREMY MacKENZIE:** Yes.

25 **MR. JOHN MATHER:** And you were, as a general  
26 matter, opposed to the Covid-19 public health mandates that were  
27 imposed by the federal government?

28 **MR. JEREMY MacKENZIE:** In general, yes.

1           **MR. JOHN MATHER:** Okay. And with respect to the  
2 RCMP, as I understand it, you've been critical of how they  
3 handled the mass casualty event in Portapique, NS, in 2020; is  
4 that fair?

5           **MR. JEREMY MacKENZIE:** Yes, sir. Several days  
6 after that event had taken place, I had reached out to some  
7 people that I knew in the area and tried to get a sense of --  
8 before I just, you know, started speaking haphazardly without  
9 really having any -- you know, as much information as I could.  
10 And then I released a video on YouTube which garnered, roughly,  
11 anywhere between 500,000 to a million views across various  
12 platforms in the following week.

13           **MR. JOHN MATHER:** I'm now going to ask you some  
14 questions about Diagonon. Again, referring back to the letter  
15 you sent to the Senate, you explained to them that Diagonon is a  
16 fictional country. Is that -- at least that's how it -- it's  
17 origin; is that fair?

18           **MR. JEREMY MacKENZIE:** Yes, sir.

19           **MR. JOHN MATHER:** Right. And from the material  
20 the Commission's reviewed, Diagonon, the origin of it was  
21 something you drew on your phone when you drew a line of -- over  
22 the continent of North America from the southeast to the  
23 northwest of the continent; am I describing that correctly?

24           **MR. JEREMY MacKENZIE:** Yes. So the concept was  
25 born out of a -- sort a long kind of stream of consciousness. I  
26 do a lot of analytical commentary on current events, politics,  
27 these kinds of things. At the time, I believe it was January  
28 2021, the -- I observed, as many others had, Mid-Western United

1 States, Texas, Florida, South Dakota, and so on, Alberta,  
2 Saskatchewan, Alaska geographically formed sort of an oblique  
3 line that were resistant to or handling the Covid-19 approach in  
4 a different way. These are traditionally conservative areas in  
5 Canada, Republican in the United States, so we, you know, kind  
6 of found it amusing that there was this kind of geographically  
7 divide, almost, that you could find on a map and, you know, it  
8 became sort of joke that if this was a pretend, you know, a kind  
9 of parallel universe, a different world, and so on, and that's  
10 how the concept was born.

11           The flag you're referencing is what I created in  
12 the weeks following on my phone just as kind of a -- as a  
13 mechanism for branding symbolism kind of thing for, you know,  
14 community members and it started to become synonymous with  
15 myself and the podcast kind of as a -- as I guess a branding  
16 mechanism that people would, you know, display and they could  
17 buy patches, stickers, and things like this to basically denote  
18 that they're a fan of mine.

19           **MR. JOHN MATHER:** So -- and I take it from  
20 reading your letter to the Senate and what you just said, you  
21 don't take any issue and you agree that you are associated with  
22 Diagonon and the Diagonon flag?

23           **MR. JEREMY MacKENZIE:** Yes, it came out of my  
24 imaginations, yes.

25           **MR. JOHN MATHER:** Yeah, okay. And you talk about  
26 -- you mention there -- I think you said it began as a bit of a  
27 joke. But as I understand it, that joke has now evolved into an  
28 international community of your podcast fans; is that fair?

1                   **MR. JEREMY MacKENZIE:** Yes. It's also fairly  
2 synonymous with another thing that's been reference, the, you  
3 know, so-called "Plaid Army", which was several -- me and  
4 several other guys were just having a conversation one day and  
5 we all had similar shirts on. Someone made a joke about, you  
6 know, "What is this, the Plaid Army?" So it was kind of -- that  
7 evolved into this. It's the essentially the same thing. It's  
8 the same group of people and it's a just, again, kind of  
9 branding mechanism, a way for -- to unite community followers  
10 and so on.

11                   **MR. JOHN MATHER:** Right, and you specifically  
12 reference in your letter to the Senate that it has created an  
13 international community of your podcast fans; is that correct?

14                   **MR. JEREMY MACKENZIE:** Yes, there are followers  
15 and fans in the United States, some in Europe, Australia.

16                   **MR. JOHN MATHER:** And as I understand from your  
17 letter that these -- this community engages in regional meet and  
18 greets, barbeques, and family gatherings?

19                   **MR. JEREMY MACKENZIE:** Yes, correct. Sometime in  
20 the summer of 2021, I believe, we tried to host it in -- just,  
21 people wanted to come out and have kind of a meet and greet with  
22 myself and some other guys, and we had, as I said, a barbeque,  
23 you know, had some drinks, the guys were playing guitars, and so  
24 on. I observed that there was a few dozen people that came from  
25 as far away as British Columbia, Ontario, even in Saskatchewan,  
26 and it struck me as in this time of a lot of people feel very  
27 isolated and depressed. A lot of them expressed to me how much  
28 this meant for them to feel as though they had some kind of

1 connection and kinship with other people that felt the same way  
2 as they did about the future and shared their fears and  
3 concerns.

4           So and I just observed how much it seemed to help  
5 them, heal them, and make them happy. So I began what I called  
6 a "find your friends" campaign. So I used -- using my online  
7 presence and my telegram channel and so on, set up kind of  
8 regional areas or chat channels to facilitate my -- I mean, not  
9 everyone can come all the way to Saskatchewan from PEI,  
10 Newfoundland, or so on. So if there's people that are like  
11 minded, that are in your area that share this, they're a fan of  
12 my podcast and so on and would like to meet each other and share  
13 in this kind of activity, then you can do so this way. I was  
14 just trying to create a -- you know, an avenue for them to  
15 pursue, and I encouraged people to do that rather than sitting  
16 at home looking at their screens and you know, being fed, you  
17 know, fear and what I believe is a lot of toxic messaging on the  
18 media and television and so on. And I thought it would be good  
19 for people to get out and have real, face-to-face human  
20 interactions and relationships again. And I thought it would be  
21 beneficial to their mental health, and I saw that they would --  
22 there were good things coming from that, so I encouraged people  
23 to do so.

24           **MR. JOHN MATHER:** And you mentioned a first or an  
25 initial barbeque in either the summer of 2020, 2021. After that  
26 have you attended personally any of these other meet and greets  
27 that you encouraged people to participate in?

28           **MR. JEREMY MACKENZIE:** There was one other one in

1 Saskatchewan that I was present. There was another party sort  
2 of barbeque in Ontario in perhaps April of this year, and there  
3 was another gathering outside the City of Ottawa during the  
4 convoy period of time in February.

5 **MR. JOHN MATHER:** And are there other former  
6 Canadian Forces members in the Diagon community?

7 **MR. JEREMY MACKENZIE:** Yes, there are. I've  
8 often incorporated a lot of my commentary, my unique, I suppose  
9 you could say, kind of lived experiences through and true to  
10 military, my -- how I deal with my -- you know, the inherent  
11 trauma and so on that comes with that. It has gathered a -- it  
12 has attracted a fair amount of other veterans and military  
13 personnel because they resonate with the things I'm saying when  
14 they -- I'm speaking to something that they can understand or  
15 identify with, so there is a fair number. I couldn't hazard a  
16 number specifically, but a sizeable portion of the community,  
17 especially early on where other guys that knew me from work or  
18 so on but kind of spread through the areas, because I'm an  
19 outspoken guy, right, and so on.

20 **MR. JOHN MATHER:** Do members of the Diagon  
21 community ever refer to themselves as bigots?

22 **MR. JEREMY MACKENZIE:** Yes, they do. This was my  
23 doing to try and kind of take power out of the word, as it was  
24 being used as a slur, as a sign or as a defamatory method  
25 towards people like me and my followers and fans and so on.

26 So we just kind of adopted it as a tongue in  
27 cheek kind of defiant way of shrugging it off as because it  
28 doesn't bother us that these people are -- you know, actually,

1 if it doesn't bother me, it shouldn't bother them and they  
2 shouldn't care what, you know, these people think. They should  
3 let -- allow them to, you know, attack them this way and get  
4 under their skin and make them feel bad just because they are  
5 who they are and they like who they like.

6 **MR. JOHN MATHER:** So you and your followers were  
7 being called bigots? It didn't bother you and so as a way to  
8 show it didn't bother you, you embraced it and identify  
9 yourselves now as bigots?

10 **MR. JEREMY MACKENZIE:** In a tongue in cheek kind  
11 of sarcastic tone, yes.

12 **MR. JOHN MATHER:** And is that sort of tongue in  
13 cheek sarcastic tone consistent with the sort of comedy that you  
14 perform on your podcasts?

15 **MR. JEREMY MACKENZIE:** I would say yes, I'm a  
16 fairly sarcastic person, yes.

17 **MR. JOHN MATHER:** And we already -- you already  
18 mentioned the Diagon symbol or flag, and I'm going to pull it  
19 up just to confirm everyone can see what we're talking about.  
20 If we can pull up COM906?

21 And again, Mr. Mackenzie, at any time, if you  
22 can't see anything that I put up on the screen, just let me  
23 know.

24 **MR. JEREMY MACKENZIE:** Okay.

25 **MR. JOHN MATHER:** So is that you in this  
26 photograph that's on the screen?

27 **MR. JEREMY MACKENZIE:** Yes, it is. This was at  
28 one of the gatherings, I believe, outside Ottawa, sometime in

1 February. This is a still image from a video that was taken. I  
2 was standing on top of a table addressing the people that had  
3 arrived and attended and was just simply thanking them for  
4 showing up and encouraging them to keep taking care of each  
5 other and you know, I hope you had a good time, and so on.

6 **MR. JOHN MATHER:** And fair to say that the flag  
7 in the background, that's a Diagonon flag?

8 **MR. JEREMY MACKENZIE:** Yes.

9 **MR. JOHN MATHER:** Okay. And the Commission  
10 understands that on February 15th, 2022, you said in a video  
11 that you could not wait until that flag is seen as a -- or is  
12 described as a hate symbol? Do you know what I'm talking about?

13 **MR. JEREMY MACKENZIE:** Yes. Again, I was being  
14 kind of tongue in cheek, in a way, because the people that I  
15 believe are deciding what is and what is not is a hate symbol  
16 are incredibly disingenuous and you know, kind of smear  
17 merchants.

18 It was -- would have been kind of a gotcha trophy  
19 over them, not as actually in a serious manner displayed as a  
20 hate symbol, but more of an achievement that kind of lured them  
21 in more to focus on myself.

22 **MR. JOHN MATHER:** And do you see -- and I take it  
23 then, that this is another sort of part of your comedy, wanting  
24 this to be called a hate symbol?

25 **MR. JEREMY MACKENZIE:** Yes. It's because it's  
26 again, no one in my community would be surprised to hear me  
27 saying these things, and it certainly isn't a symbol of hatred,  
28 but we find it amusing that our, I guess enemies, if you could



1 say, do believe this and believe these absurd claims of ours,  
2 and it's just kind of an inside joke at this point.

3 **MR. JOHN MATHER:** You sell Diagonon merchandise;  
4 is that right?

5 **MR. JEREMY MACKENZIE:** I personally -- I have a  
6 shop that has just recently gone online in the past two or three  
7 months. Previously, other friends of mine offered, like, the  
8 flags, for example, another man was selling patches he was  
9 making at cost just to help promote community visibility and  
10 give people something to -- I thought it would be nice if some  
11 people had something to hold in their hand and kind of have them  
12 -- bring them some attachment and just something for them to  
13 enjoy in this way.

14 **MR. JOHN MATHER:** So the people who were selling  
15 the merchandise, they were friends of yours?

16 **MR. JEREMY MACKENZIE:** Yes.

17 **MR. JOHN MATHER:** They sold it with your  
18 approval?

19 **MR. JEREMY MACKENZIE:** Yes, they did.

20 **MR. JOHN MATHER:** And they are also part of the  
21 Diagonon community?

22 **MR. JEREMY MACKENZIE:** They would likely identify  
23 as fans of mine, and yes. However, as you can probably observe,  
24 it's not a particularly complicate thing to reproduce, so I  
25 don't -- it's not a copyrighted symbol by any means. There's no  
26 real official ownership to it as of yet, so people would just  
27 approach me and -- of their own voluntary intention, and ask  
28 like, "Hey, do you mind if I make this or make that and sell

1 this," you know, whoever.

2 I would say, "No, go ahead. If it gives you  
3 something to do, if you can make a few dollars from it and it  
4 helps you, then by all means."

5 **MR. JOHN MATHER:** Right. It's not a nuanced  
6 symbol, is it, in terms of its design?

7 **MR. JEREMY MACKENZIE:** No, it's essentially just  
8 a black square and I used my finger on my phone to do this about  
9 three times with a white paint maker selection, and as you can  
10 see, it's kind of an irregular -- it's not perfectly straight  
11 lines. They're kind of irregular and it's basically just my  
12 finger doing this a couple of times. And I sent that image fill  
13 off to be produced further.

14 **MR. JOHN MATHER:** So if someone wanted to show  
15 themselves as someone who supported your podcasts or supported  
16 the Diagonon community, it would be fairly easy for them to  
17 replicate the Diagonon flag; is that fair?

18 **MR. JEREMY MACKENZIE:** I would assume so, yes.  
19 It's not difficult to -- it looks fairly simple.

20 **MR. JOHN MATHER:** So Mr. Mackenzie, I think what  
21 I'm about to say will not come as a surprise to you, but in  
22 fairness, I want to ask you some questions about it.

23 The RCMP has described you in documents the  
24 Commission has received -- sorry, I should step it back -- the  
25 RCMP has described Diagonon let me be specific, has described  
26 Diagonon as a militia-like network with members that are armed  
27 and preparing for violence. The RCMP has also described  
28 Diagonon as having supporters that express sentiments akin to

1 accelerationism, viewing a coming collapse or civil war as  
2 necessary to right the course of the country.

3 In your letter to the Senate, you denied those  
4 sorts of allegations. Is that fair?

5 **MR. JEREMY MacKENZIE:** Yes, sir.

6 **MR. JOHN MATHER:** Yeah. And in the letter to the  
7 Senate, you said that you are under RCMP scrutiny because of the  
8 criticisms that you've made about the RCMP and as I understand  
9 reading your letter, but please correct me if I'm wrong, I  
10 understand it -- I understand you to be saying that the RCMP  
11 sort of is looking at you closely because of the way you  
12 criticized them and that's why they're saying these sorts of  
13 things about you.

14 **MR. JEREMY MacKENZIE:** That is my personal  
15 belief, yes.

16 There is a -- many, many of the followers in the  
17 vans and so on are, you can say, conservative Canadians.  
18 There's an aspect of, you know, firearms, supporting  
19 recreational culture and stuff, especially in western Canada,  
20 but there's certainly not anything resembling a militia, right,  
21 to this extent.

22 **MR. JOHN MATHER:** Moving away from what the RCMP  
23 says about Diagonon, I appreciate you wouldn't have been able to  
24 watch the testimony, but we had Superintendent Patrick Morris,  
25 who is the head of the OPP's Intelligence Bureau, testify. He's  
26 not a member of the RCMP and he testified at the inquiry that  
27 Diagonon is an extremist entity that holds extremist views.

28 I assume you also disagree with that statement.

1                   **MR. JEREMY MacKENZIE:** Yes, sir. It's my, again,  
2 belief and assertion that much of this narrative is coming from  
3 certain actors and members of the media. The Canadian Anti-Hate  
4 Network and so on has Astro-turfed and kind of laid the  
5 foundation of this -- this idea. They've been certainly paying  
6 me a lot of attention over the past few years and through  
7 personal disclosure documents of mine through various legal  
8 proceedings, it's been revealed that the police are actually  
9 relying upon articles, if you can call them that, by the  
10 Canadian Anti-Hate Network as open source intelligence, so  
11 they're relying upon what these people are saying about me as,  
12 you know, taking it at face value.

13                   **MR. JOHN MATHER:** But to be fair, Mr. MacKenzie,  
14 you don't know what the RCMP or the OPP are relying on in their  
15 entirety when they make these assessments, do you?

16                   **MR. JEREMY MacKENZIE:** Correct.

17                   **MR. JOHN MATHER:** I was going to ask you about  
18 two terms, one of which was the plaid army, but thank you,  
19 you've already explained that, so we can save that question.

20                   The next term that we've seen a reference to is a  
21 term that you've used sometimes called "the beach", and it is  
22 our understanding, but again, you can correct me if I'm wrong,  
23 that when -- sometimes when you reference "the beach", you're  
24 referencing D-Day in World War II. Is that accurate?

25                   **MR. JEREMY MacKENZIE:** Yes. It comes from a line  
26 in a movie I enjoy, "Saving Private Ryan". There's a line in it  
27 -- in that film right before the landing craft descend upon  
28 Omaha Beach, I believe, where Tom Hanks' character says, "I'll

1 see you on the beach". It's kind of a reassuring I will be  
2 there with you kind of sentiment, so I say this, again, as kind  
3 of -- and you know, my followers are familiar with this. I  
4 explained it several times.

5 But that's just kind of a callback to that film  
6 and expressing a sentiment that, you know, whatever's  
7 transpiring in the future will -- I will be there with you to  
8 support you and guys can support each other and so on.

9 It's just a message of encouragement, I suppose.

10 **MR. JOHN MATHER:** You attended the protest in  
11 Ottawa in January and February 2022?

12 **MR. JEREMY MacKENZIE:** Yes, sir.

13 **MR. JOHN MATHER:** And you attended them with  
14 other members of the Diagonon community?

15 **MR. JEREMY MacKENZIE:** Yes, I did.

16 **MR. JOHN MATHER:** When did you arrive in Ottawa?

17 **MR. JEREMY MacKENZIE:** I can't be certain of the  
18 exact date, but it was one or perhaps two days before the main  
19 body of the -- of the trucks arrived. I believe it was a Friday  
20 evening they showed up. So maybe perhaps that Thursday or  
21 Wednesday.

22 **MR. JOHN MATHER:** So you knew the convoy was  
23 coming to Ottawa and that's why you showed up?

24 **MR. JEREMY MacKENZIE:** Yes, I did. I observed  
25 the -- it was very clear to me by monitoring social media and so  
26 on as part of what I do to comment on social -- you know,  
27 current events and, you know, analyze political commentary, that  
28 kind of thing, that this was going to be a very significant

1 event. It was very clear to me this was not going to be an in  
2 and out, you know, weekend protest type of thing.

3 There was videos of long, long -- very long  
4 convoys of trucks and vehicles. They were coming in from  
5 multiple directions. There were open group chats or voice chats  
6 and stuff where these people were communicating back and forth  
7 you could listen in on.

8 It was clear this was going to be a pretty big  
9 deal, so I -- again, this was going to be something I would be  
10 talking about, that would have a lot of my attention anyway, so  
11 I decided why not go and get a close look at it as it transpired  
12 rather than watch it from -- you know, relying on other sources  
13 from home to understand what was happening.

14 **MR. JOHN MATHER:** Right. And it attracted your  
15 attention because the stated purpose of the truckers coming to  
16 Ottawa was to end the federal COVI-19 mandates, and that's a  
17 political view you also held; right?

18 **MR. JEREMY MacKENZIE:** That seemed to be one of  
19 their primary motivations, yes. There was a lot of other --  
20 that was one of the main factors.

21 There was a lot of other discontent in various  
22 groups. It wasn't -- it wasn't a monolithic that was the only  
23 objective for people. Again, there was very -- not really any  
24 hierarchy or any real organization that I could observe. It  
25 seemed like just a grassroots kind of movement of discontent  
26 with the federal government with things that had been  
27 transpiring.

28 The cost of living is rising. Social division.

1 Just a lot of the rhetoric officials and stuff were using on  
2 television. A lot of people were very unhappy over the past  
3 couple of years and it -- basically it -- I would describe it as  
4 -- if I could use a metaphor, the pot had just simply boiled  
5 over and many people have decided that this was going to be the  
6 time that they were going to show up and exercise their right to  
7 peacefully demonstrate their discontent and their displeasure  
8 with the performance of the federal government.

9 **MR. JOHN MATHER:** And when you arrived in Ottawa,  
10 you met people there who were members of the Diagonon community?

11 **MR. JEREMY MacKENZIE:** Yes, sir.

12 **MR. JOHN MATHER:** And presumably, if you met  
13 someone who hadn't heard of you or hadn't heard of Diagonon, you  
14 would tell them about it and you'd tell them about your podcasts  
15 and encourage them to listen and support?

16 **MR. JEREMY MacKENZIE:** Yes. If someone was  
17 unfamiliar or they asked a question, I would just simply say I'm  
18 a social media guy, I have a podcast. It's political  
19 commentary, comedy and some, you know, analysis and this kind of  
20 thing. If you're interested, I have business cards that  
21 somebody made up for me. I would hand them out to me and say,  
22 "This is the web site if you'd like to check it out" and so on  
23 and, you know, have a nice day, kind of thing.

24 **MR. JOHN MATHER:** And those business cards, they  
25 would have had the Diagonon logo on them?

26 **MR. JEREMY MacKENZIE:** Yes, on one side.

27 **MR. JOHN MATHER:** Did those -- sorry. You might  
28 have cut out.

1 I asked you, did the business cards have the  
2 Diagon logo on them?

3 **MR. JEREMY MacKENZIE:** Yes, they did. They have  
4 it on one side and then one of my other artistic logos on the  
5 other side with just simply the -- the web site on one side and  
6 then I think it says "Find me and tell your friends" on the  
7 other.

8 **MR. JOHN MATHER:** And you suggested this is  
9 something you'd do if someone came up to you, but I -- is it  
10 fair to say, Mr. MacKenzie, you're in the media business and you  
11 want to promote your media so you would also actively hand out  
12 those cards?

13 **MR. JEREMY MacKENZIE:** Yes, sir. If someone asks  
14 or they're interested or they express the desire to learn like  
15 what it is I'm doing, it's just easier to just give them this.  
16 It directs them to the web site. All my social media links and  
17 so on are there. There's a short video. They can go from  
18 there. If they like what they see, I presume they'll continue.  
19 If not, then so be it.

20 **MR. JOHN MATHER:** Did you attend at any point in  
21 the protest with a person named Alex Vriend? Apologies if I'm  
22 mispronouncing the name.

23 **MR. JEREMY MacKENZIE:** Yes, sir.

24 **MR. JOHN MATHER:** And who is Alex Vriend?

25 **MR. JEREMY MacKENZIE:** He's someone I met online  
26 through -- through the evolution of my podcast, I suppose.

27 I met Alex in person in the summer of 2021, I  
28 believe. We spent time together in Saskatchewan as he was



1 travelling around the country, meeting people.

2                   And as I understood it, he was just kind of in  
3 between, you know, jobs in life and wasn't really sure what --  
4 he was just taking the opportunity to -- he bought a van and a  
5 dog and just kind of went on the classic Canadian road trip  
6 around the country and was meeting up with other people in the  
7 community that expressed a desire to, you know, meet them and,  
8 you know, hang out and he'd become kind of one of the prominent  
9 -- prominent person because of his -- he also is a content  
10 creator. He makes a lot of memes and jokes and comedic things  
11 like this and so people were interested to meet him and ---

12                   **MR. JOHN MATHER:** And his content he posts under  
13 the name "Ferryman Stole". Is that correct?

14                   **MR. JEREMY MacKENZIE:** Yes, sir.

15                   **MR. JOHN MATHER:** And we understand both from  
16 your letter to the Senate and some videos that your counsel  
17 submitted that when you were in Ottawa, you encouraged peaceful  
18 protesting. Is that fair?

19                   **MR. JEREMY MacKENZIE:** Yes, sir.

20                   I was concerned, especially because of the  
21 rhetoric and verbiage coming out of, again, the Canadian Anti-  
22 Hate Network, which was being parroted -- started to be picked  
23 up by other, more credible news outlets and so on that I was  
24 concerned that if something should happen outside my control or  
25 -- you know, I can't really see the future but I wanted to state  
26 very clearly what my intentions were and what I expected of  
27 people if they were going to be representing myself or  
28 brandishing any of my -- I encouraged them not to because I

1 wanted this to be about Canada and that this about the country,  
2 "Bring a Canadian flag. This isn't about me. This isn't about  
3 -- I'm not trying to sell anything. This is more important.  
4 The bigger idea is more important. But if you do, you know,  
5 happen to have something, please conduct yourself appropriately  
6 because your action and decisions and things you say and you do  
7 will reflect upon me in the greater community," and so on. So -  
8 --

9 **MR. JOHN MATHER:** So just to ---

10 **MR. JEREMY MacKENZIE:** --- I wanted to have that  
11 on the record before, just in case.

12 **MR. JOHN MATHER:** So just to stop there, so you  
13 wanted someone who was wearing a Diagon symbol to act  
14 accordingly -- I guess not "accordingly" but act as  
15 appropriately and peacefully. At this point in time, were you  
16 aware that there -- either the RCMP or other police agencies  
17 would be maybe monitoring what you do or what your supporters  
18 do?

19 **MR. JEREMY MacKENZIE:** Yes, sir.

20 **MR. JOHN MATHER:** So you -- when you're giving  
21 that direction, you're aware that the authorities are watching?

22 **MR. JEREMY MacKENZIE:** I was under -- I was never  
23 explicitly given any notice, or no one had talked to me or  
24 spoken to anybody. It was pretty clear just on general  
25 observations, my own instincts, that this was -- we were  
26 probably on the radar somewhere, so I didn't want anything to be  
27 misconstrued. I was trying to be very clear about my intentions  
28 and, you know -- you know, "Jokes aside, this is about, you

1 know, protesting the government's performance and people  
2 exercising their rights to do so." I didn't want this to be  
3 misconstrued in any way. We were simply there to protest  
4 peacefully.

5 I said things like, "If there's a speed limit on  
6 walking for some reason, then you will walk slower than that.  
7 Don't even litter. Don't spit. Don't even throw a snowball.  
8 Don't give anyone any excuse to point at you say, 'Look what  
9 you've done. Look what you've incited,' " or created or  
10 fomented, and so on because that would have undermined the  
11 entire purpose of the -- of everything everyone was trying to  
12 achieve.

13 **MR. JOHN MATHER:** So, Mr. MacKenzie, I'm now  
14 going to read you, one by one, a list of names. And I may have  
15 some follow-up questions but all I want to know right now is,  
16 for each name, whether or not you communicated with this  
17 individual while you were -- either before you arrived in Ottawa  
18 or while you were in Ottawa; okay?

19 **MR. JEREMY MacKENZIE:** All right.

20 **MR. JOHN MATHER:** You understand?

21 **MR. JEREMY MacKENZIE:** Yes.

22 **MR. JOHN MATHER:** Tamara Lich.

23 **MR. JEREMY MacKENZIE:** No, I first spoke to  
24 Tamara, potentially, in July of this year, July/August, and that  
25 was it.

26 **MR. JOHN MATHER:** Okay. Chris Barber.

27 **MR. JEREMY MacKENZIE:** No.

28 **MR. JOHN MATHER:** James Bauder.

1                   **MR. JEREMY MacKENZIE:** No.

2                   **MR. JOHN MATHER:** Brigitte Belton.

3                   **MR. JEREMY MacKENZIE:** No.

4                   **MR. JOHN MATHER:** Benjamin Dichter.

5                   **MR. JEREMY MacKENZIE:** I'm aware of who Mr.  
6 Dichter is. I personally have not had any interaction with him.  
7 I was aware that he was a -- some kind of alleged manager of  
8 YouTube channels for where he would set up GoFundMes and name  
9 himself as a beneficiary ---

10                   **MR. JOHN MATHER:** Mr. MacKenzie, I don't mean to  
11 interrupt and -- it's just I want to make sure we get through it  
12 and you have time.

13                   **MR. JEREMY MacKENZIE:** Right.

14                   **MR. JOHN MATHER:** And I just want to know right  
15 now whether you communicated with these people. Your counsel  
16 will have an opportunity if there's other things that you want  
17 to bring up.

18                   **MR. JEREMY MacKENZIE:** Yes.

19                   **MR. JOHN MATHER:** Did you ever communicate,  
20 either before or while you were in Ottawa, with a Tom Marazzo?

21                   **MR. JEREMY MacKENZIE:** Yes, I spoke to Mr.  
22 Marazzo once, possibly twice, over the phone, once as I was  
23 driving back from Ottawa to the Maritimes to drop off some  
24 people that had accompanied me. They could only stay for a  
25 couple of days and had families and kids and so on. So I spoke  
26 to him for a couple of hours. We talked about, you know, our  
27 shared experiences in the military and so on. He indicated to  
28 me that he was, in some capacity, nearby something resembling

1 people that were making decisions, I guess, and basically just  
2 kind of connected in that, like, someone suggested we should  
3 meet each other and I expressed to him that if there was  
4 anything that I could do to help assist, get a message out or  
5 something, that I was willing to do that. No one ever asked me  
6 to. And likewise, I told him, if I saw or was made aware of  
7 anything that I felt that would be relevant that they should  
8 know about, that I would inform him, and so on. But I think  
9 that was the extent of our interaction.

10 I didn't have any real meaningful interaction  
11 with Mr. Marazzo I think until around April when he was at a  
12 benefit -- at a fundraising dinner for the Veterans for Freedom  
13 Organization in Burlington.

14 **MR. JOHN MATHER:** In Ottawa, how many times did  
15 you speak with Mr. Marazzo?

16 **MR. JEREMY MacKENZIE:** At least once, possibly  
17 twice.

18 **MR. JOHN MATHER:** And when was the first time you  
19 spoke with Mr. Marazzo?

20 **MR. JEREMY MacKENZIE:** It would have been some  
21 time during the first week, I believe, of when the trucks  
22 arrived. I was in the process -- I don't know, I was driving my  
23 truck and it was over the headset. The other guys were sleeping  
24 in the truck while we were talking so somewhere in between and  
25 Quebec and New Brunswick; I couldn't say.

26 **MR. JOHN MATHER:** So sometime before January 28<sup>th</sup>?

27 **MR. JEREMY MacKENZIE:** I'm not sure. I'm not  
28 sure of the dates of when the trucks arrived and when they left.

1           **MR. JOHN MATHER:** But -- sorry, and there's  
2 evidence of trucks arrived but it was some point before the  
3 trucks arrived; is that correct?

4           **MR. JEREMY MacKENZIE:** No, it was after.

5           **MR. JOHN MATHER:** It was after. How long after?

6           **MR. JEREMY MacKENZIE:** I would say, roughly, a  
7 week ---

8           **MR. JOHN MATHER:** Roughly, a week.

9           **MR. JEREMY MacKENZIE:** --- so seven, to five, to  
10 eight days, perhaps.

11           **MR. JOHN MATHER:** Fair enough. When you were in  
12 Ottawa, did you communicate directly with any Ottawa Police or  
13 OPP?

14           **MR. JEREMY MacKENZIE:** Not to my knowledge. I  
15 did have some friendly conversations on the street, you know,  
16 just, "Hi, how are you? How's it going? It's cold out," you  
17 know, that kind of thing, but nothing significant, no.

18           **MR. JOHN MATHER:** Did you receive from any --  
19 sorry, I think there was a -- did you receive, from any sources,  
20 information about police operations or police enforcement plans  
21 while you were in Ottawa?

22           **MR. JEREMY MacKENZIE:** Yes, there was a user that  
23 contacted me, I believe, on Telegram, I would say again, summer  
24 of 2021 who self-identified himself as an RCMP member, just kind  
25 of friendly -- expressed that he enjoyed the podcast and liked  
26 what I was saying and so on, so there was a loose relationship  
27 with this -- whoever this person was.

28           And during that time in Ottawa, they had reached

1 out to me to inform me of -- to say that the POU, which I had  
2 find, you know, if that was -- I didn't understand the  
3 nomenclature of a police officer but I understood it to be the  
4 Public Order Unit -- essentially the Riot Police were being  
5 activated to be sent to Ottawa. And further to that, after the  
6 *Emergency Act* had been invoked, this person had sent me -- well,  
7 they were screenshots, I guess, of either a WhatsApp group chat  
8 or a Telegram -- I'm not sure -- of various RCMP officers  
9 engaging in taking selfies of, you know, drinking and eating and  
10 so and celebrating the violence that they were bringing upon the  
11 people downtown and saying, "Wait until they hear our  
12 jackboots," and this kind of thing.

13 He sent that to me and I said, "Well, is this  
14 real?" And he assured me, "Yes." It seemed -- it looked very  
15 real and I said, "I will publish this." And he said, "That's  
16 why we sent it to you." So I did and I released that on  
17 Telegram and that -- you know, it went out. Since then, that  
18 person has deleted their account sometime in March and I haven't  
19 been in contact with them since.

20 **MR. JOHN MATHER:** Okay. Do you remember their  
21 name on Telegram?

22 **MR. JEREMY MacKENZIE:** The user handle was, like,  
23 "GK", or "PK", or something. It was two initials and a phone  
24 number. I think it was an Ontario area code but, other than  
25 that, I didn't ---

26 **MR. JOHN MATHER:** Other than that user, did  
27 anyone else provide information about police operations or  
28 enforcement plans?

1                   **MR. JEREMY MacKENZIE:** No.

2                   **MR. JOHN MATHER:** If we could pull up  
3 OPP00001668. And then if -- sorry, if we could go to page 5,  
4 please. Yeah, scroll down more. So is an OPP Intelligence  
5 brief, Mr. MacKenzie. You may have seen it with respect to some  
6 of disclosure we provided, but I assume you -- have you -- you  
7 wouldn't have seen the document before today. I'm going to ask  
8 you, if you look at Item 2, it says -- actually, for context,  
9 look at Item 1. It talks about a video posted to -- the name is  
10 redacted but it says the name of Instagram account and it says  
11 "Raging Dissident". So that would be you, Mr. MacKenzie ---

12                   **MR. JEREMY MacKENZIE:** Yes, sir.

13                   **MR. JOHN MATHER:** --- as far as you know?

14                   **MR. JEREMY MacKENZIE:** Yes, sir.

15                   **MR. JOHN MATHER:** And then Item 2, again, talks  
16 about a video posted to the "Raging Dissident" account in which  
17 the poster shares information credited to police sources that  
18 disclose enforcement plans, and then it provides a bit of a  
19 description. Is that the information that the user on Telegram  
20 provided you?

21                   **MR. JEREMY MacKENZIE:** Yes, sir.

22                   **MR. JOHN MATHER:** Okay. On this same -- on the  
23 same page, if you look at Item 3, it talks about on February 8<sup>th</sup>  
24 a user posted two videos to his Telegram channel, "Rage Board".  
25 Is that your Telegram channel?

26                   **MR. JEREMY MacKENZIE:** That was one of the  
27 previous names of it, yes.

28                   **MR. JOHN MATHER:** Okay. And if you look there,



1 if you -- there's a line break and then it says again:

2 "[Name redacted] says there's supposed  
3 to be some negotiations taking place  
4 with a government delegate, but he  
5 hasn't heard how it went from  
6 organizers yet; he goes on state."

7 Do you see that?

8 **MR. JEREMY MacKENZIE:** No, sir.

9 **MR. JOHN MATHER:** Sorry. Let me -- I'm talking a  
10 little quickly. I'll slow down.

11 **MR. JEREMY MacKENZIE:** Oh, yes. Yes. Thanks.

12 **MR. JOHN MATHER:** Yeah, you ---

13 **MR. JEREMY MacKENZIE:** Sorry, I've caught up.

14 **MR. JOHN MATHER:** And take your time. I want to  
15 make sure that you're reading this before I ask you questions.

16 So this suggests that you were aware that there  
17 might be negotiations with a government delegate, but you hadn't  
18 heard from the organisers yet. Do you know what that's a  
19 reference to?

20 **MR. JEREMY MacKENZIE:** I can't recall. I  
21 remember being under the impression that there was some of form  
22 of negotiations taking place between some sort of leadership  
23 apparatus for the convoy and the perhaps City of Ottawa, RCMP,  
24 OPP, I'm not sure. The police and the convoy people.

25 **MR. JOHN MATHER:** Fair enough. How did you learn  
26 that information?

27 **MR. JEREMY MacKENZIE:** That's a good question. I  
28 think it may have just been kind of common knowledge that there

1 was -- something like that was taking place. More of a rumour,  
2 perhaps. The -- as it goes on, yeah, the Public Order Unit, I  
3 was -- that was a -- given to me specifically by this user on  
4 Telegram from the RCMP, that they -- allegedly they were.

5 **MR. JOHN MATHER:** Right. And you're talking,  
6 then, about the part that's in bold after that, is that correct?

7 **MR. JEREMY MacKENZIE:** Yes. Yes.

8 **MR. JOHN MATHER:** Are you aware that Tom Marazzo  
9 met with City Manager Steve Kanellakos on February 8th, 2022?

10 **MR. JEREMY MacKENZIE:** No, sir.

11 **MR. JOHN MATHER:** Did Mr. Marazzo ever talk to  
12 you about meeting with Mr. Kanellakos or meeting with any  
13 government officials in any of the conversations you had?

14 **MR. JEREMY MacKENZIE:** No, he did not.

15 **MR. JOHN MATHER:** Okay. Have you ever spoken  
16 with Keith Wilson or Eva Chipuik?

17 **MR. JEREMY MacKENZIE:** No, sir.

18 **MR. JOHN MATHER:** We can take that down. Thank  
19 you, Mr. Clerk.

20 Mr. MacKenzie, I think you'd agree with me it's  
21 fair to say that you were critical of the Federal Government's  
22 response to the protests in Ottawa and Coutts; is that correct?

23 **MR. JEREMY MacKENZIE:** Yes, sir. Initially, it  
24 was -- I had no issue. Actually, I thought it was handled very  
25 appropriately. There was a strong police presence, but also  
26 there was a large number of people, so apparently there was a  
27 danger that there's going to be -- you know, something could  
28 happen so it made sense. I didn't take any issue with anything

1 that I had seen until they started becoming a little more  
2 aggressive here and there. There was an incident where some  
3 fuel cans were stolen, or seized, or what have you, but it  
4 wasn't really until the *EMA* was invoked that they became  
5 extremely aggressive and violent and that is -- that was what I  
6 took the most issue with.

7 **MR. JOHN MATHER:** Did you ever say that the RCMP  
8 was intentionally cutting truckers off from essential supplies  
9 in Ottawa and Coutts?

10 **MR. JEREMY MacKENZIE:** That is what I had been  
11 hearing from people, yes.

12 **MR. JOHN MATHER:** And so -- and did you then  
13 repeat that on your podcast?

14 **MR. JEREMY MacKENZIE:** I may have, yes.

15 **MR. JOHN MATHER:** Did you ever say that the RCMP  
16 made -- attempted to disrupt cell phone towers to ensure  
17 truckers could not communicate?

18 **MR. JEREMY MacKENZIE:** That again was another  
19 scenario. There were people having a lot of issues with their  
20 cell phones. That may or may not have been the conduct of some  
21 kind of interference, it could have been just too many cell  
22 phones and not enough towers, I'm not sure, but that again is  
23 another kind of running suspicion/theory at the time.

24 **MR. JOHN MATHER:** Fair enough. And my question  
25 right now is if you recall if that's something you said on your  
26 podcast that that was something that had been -- was being said?

27 **MR. JEREMY MacKENZIE:** I may have, yes.

28 **MR. JOHN MATHER:** And did you ever say on your

1 podcast that -- or -- sorry, let me back up. Did you ever  
2 distribute or know of anyone distributing contact information  
3 about the members of the Ottawa Police Service?

4 **MR. JEREMY MacKENZIE:** Not to my knowledge, no.

5 **MR. JOHN MATHER:** If we can pull up

6 SSM.NSC.CAN.00001575\_REL.0001.

7 Apologies for all those digits, Mr. MacKenzie.

8 So scroll up to the top, please, just so I can  
9 give the witness some context.

10 So Mr. MacKenzie, this is a CSIS Analytical  
11 Brief, dated February 21st, 2022.

12 And if we could go to page 3 of the brief,  
13 please. And scroll down a bit further, please. Scroll down a  
14 little bit further, please.

15 So this part of the brief says that:

16 "Since the initial weekend...key  
17 figures within Diagonon have made  
18 ...appeals for participation in and  
19 documentation of the demonstrations.  
20 Further, Vriend has been collecting  
21 donations to allow others to travel to  
22 participate in demonstration in Coutts,  
23 AB, or Ottawa, ON."

24 Do you see that?

25 **MR. JEREMY MacKENZIE:** Yes, sir.

26 **MR. JOHN MATHER:** Do you have any knowledge about  
27 whether or not Mr. Vriend was collecting donations to allow  
28 people to participate in both Coutts and Ottawa?

1                   **MR. JEREMY MacKENZIE:** I recall he was collecting  
2 some funds for someone. I don't think it was just in general  
3 open to whoever wanted them. I think there was one or two  
4 people potentially from western Canada expressed a desire to  
5 come down to Ottawa, they couldn't afford it, so I think that  
6 was roughly what was going on. And I wasn't directly involved,  
7 I can't recall entirely, but I think that's what was going on.

8                   **MR. JOHN MATHER:** And then if we could scroll up  
9 in this document to the, sorry, the next page up. Sorry.  
10 Sorry, keep scrolling up. Stop there.

11                   So this, again, this is a CSIS document, but it  
12 has a box here that says, In Jeremy MacKenzie's Own Words. It's  
13 -- the first one says:

14                   " 'This is the good guys versus the bad  
15                   guys.... The showdown has finally  
16                   fucking begun and it has begun in  
17                   Canada... you could go be a part of the  
18                   story now.' "

19                   Is that something you've said?

20                   **MR. JEREMY MacKENZIE:** It sounds like something I  
21 said, yes.

22                   **MR. JOHN MATHER:** And is that something you have  
23 said with respect to the protests in either Ottawa or Coutts?

24                   **MR. JEREMY MacKENZIE:** Probably, I believe so,  
25 yes.

26                   **MR. JOHN MATHER:** And then the next quote is:

27                   " 'This is the beach, get yourself out  
28 there.' "

1                   Is that something you said with respect to the  
2 protests in either Ottawa or Coutts?

3                   **MR. JEREMY MacKENZIE:** Probably, yes.

4                   **MR. JOHN MATHER:** Okay. And in this case, when  
5 you're using the "beach", are you referring to the analogy we  
6 spoke about with D-Day?

7                   **MR. JEREMY MacKENZIE:** I was referring to the  
8 idea that this -- again, a lot of people had felt very powerless  
9 and disenfranchised, upset, depressed, and this was an  
10 opportunity for them to actually go and participate and have  
11 their voices be heard and join these demonstrations, and rather  
12 than sitting at home complaining and whining about it on the  
13 couch, they could, you know, if you can, why not? Why not go  
14 and be involved?

15                   **MR. JOHN MATHER:** And I've heard you say that,  
16 Mr. MacKenzie. I'm asking you if in this case when you're using  
17 the word "beach" if you're -- it's using it in the same context  
18 when you're alluding to D-Day? And the reason I'm asking this  
19 is you know that the police and the government view you -- view  
20 your group as potentially -- as extremist, and so this is the  
21 sort of thing that would grab their interest. So when you're  
22 talking about "beach" you're talking about D-Day; is that right?

23                   **MR. JEREMY MacKENZIE:** I was trying to speak  
24 directly to my audience that are familiar with my verbiage, my  
25 kind of terminology and things I reference in the way that they  
26 would understand, that this is something important that, you  
27 know, we should -- you know, you can do together. It's not -- I  
28 didn't -- certainly didn't mean it any kind of violent context

1 or D-Day invasion type scenario. I certainly meant it as an  
2 encouraging kind of call to the community at large that, "Hey,  
3 you know, if this is something, you know, you could be involved  
4 in rather than just, again, sitting at home by yourself."

5 **MR. JOHN MATHER:** So Mr. Clerk, you can take that  
6 document down. Thank you.

7 I now have some questions for you, Mr. MacKenzie,  
8 about the protests in Coutts.

9 Just first, simple yes or no, did you ever travel  
10 to Coutts personally?

11 **MR. JEREMY MacKENZIE:** No.

12 **MR. JOHN MATHER:** Did you know anyone who was  
13 protesting in Coutts in February 2022?

14 **MR. JEREMY MacKENZIE:** I was aware that Mr. Chris  
15 Lysak was there, and I am loosely acquainted with Mr. Adam  
16 Skelly who had made a couple of trips there to deliver steaks  
17 and brisket and so on. There is a couple of comedians in the  
18 Edmonton and Calgary area that I know that travelled down to put  
19 on some, I don't know, a performance I think, and they just  
20 meet, greet, and leave, and that's about it.

21 **MR. JOHN MATHER:** What were the names of the two  
22 comedians?

23 **MR. JEREMY MacKENZIE:** It was Brendan Blackyer  
24 (ph) and a Sam Walker, or -- maybe -- I'm not sure if Sam  
25 attended, but Brendan for sure, and there was also Brett  
26 Fortier, who I don't know, personally I have not spoken to him.  
27 I was just made aware that they were there because they posted a  
28 video of them travelling there to say hi to everybody.

1           **MR. JOHN MATHER:** And so Chris Lysak, Mr. -- Adam  
2 Skelly, Brendan and Sam, are they members of the Diagonon  
3 community?

4           **MR. JEREMY MacKENZIE:** No. They may identify as  
5 fans. Mr. Lysak would, Brendan probably would, Sam,  
6 potentially, Mr. Fortier I've never met or spoken to.

7           **MR. JOHN MATHER:** If you're a fan of Diagonon,  
8 you're part of the community; right?

9           **MR. JEREMY MacKENZIE:** Again, it's just kind of  
10 self-identifying. You could say it's as simple as, you know,  
11 identifying as a Toronto Maple Leaf's fan by putting a sticker  
12 on your truck. It's really that simple.

13           **MR. JOHN MATHER:** So the answer to my question is  
14 yes?

15           **MR. JEREMY MacKENZIE:** I suppose so, yes.

16           **MR. JOHN MATHER:** Were you communicating with the  
17 individuals you just identified while they were in Coutts?

18           **MR. JEREMY MacKENZIE:** No.

19           **MR. JOHN MATHER:** How do you know Chris Lysak?

20           **MR. JEREMY MacKENZIE:** Mr. Lysak has been a long-  
21 time fan of the podcast. I'd met him personally in Saskatchewan  
22 in the summer of 2021, believe on the 1<sup>st</sup> meet and greet get-  
23 together I'd mentioned, and a subsequent one later in the year,  
24 perhaps September. There was a few dozen people. We, you know,  
25 had a beer and a steak, you know, with all these people, took  
26 photographs together at one of them, and that's pretty much it.

27           **MR. JOHN MATHER:** Did you talk to him when you  
28 were at either of those two meet and greets?



1                   **MR. JEREMY MacKENZIE:** Yes, I talked to dozens of  
2 people, yeah.

3                   **MR. JOHN MATHER:** Yeah.

4                   **MR. JEREMY MacKENZIE:** Chris was one of them.

5                   **MR. JOHN MATHER:** And I take it the topic of  
6 conversation at these meet and greets include the similar topics  
7 that you discuss on your podcast; is that fair?

8                   **MR. JEREMY MacKENZIE:** I generally don't like to  
9 engage in that. I find it kind of exhausting and I try to just  
10 make it -- keep it kind of a social, you know, meet and greet,  
11 you know, casual kind of social event. I don't really try to  
12 talk politics or anything like that ---

13                   **MR. JOHN MATHER:** But presumably ---

14                   **MR. JEREMY MacKENZIE:** --- to people.

15                   **MR. JOHN MATHER:** --- but presumably, your fans  
16 when they meet you in person, they want to talk to you about  
17 what they hear you talking about, your podcast. That's fair;  
18 isn't it?

19                   **MR. JEREMY MacKENZIE:** Sometimes, yes.

20                   **MR. JOHN MATHER:** Can we pull up COM00000907?

21                   So, Mr. MacKenzie, can you please identify the  
22 people in this photo?

23                   **MR. JEREMY MacKENZIE:** Yeah, that's the fellow I  
24 just mentioned. I had posted it to my Instagram page. That's  
25 myself on the -- my left and Mr. Lysak on the right.

26                   **MR. JOHN MATHER:** And this -- was this at the  
27 first event in Saskatchewan?

28                   **MR. JEREMY MacKENZIE:** I believe so, yes.

1           **MR. JOHN MATHER:** Okay. And just to be clear,  
2 Mr. MacKenzie, other than that event in Saskatchewan and then  
3 the other event in September 2021, is there any other times you  
4 met with Mr. Lysak?

5           **MR. JEREMY MacKENZIE:** No.

6           **MR. JOHN MATHER:** Did you communicate with him at  
7 any time other than at those events?

8           **MR. JEREMY MacKENZIE:** Mr. Lysak may have been in  
9 some larger online group chats where there's 30, 40 other people  
10 involved, never -- to my knowledge, never directly one-on-one.  
11 He has called me twice, I think, since he's been incarcerated,  
12 just simply to say hi and I just try to offer some encouragement  
13 to him and hope that he's doing well sort of.

14           **MR. JOHN MATHER:** So you spoke to him after his  
15 arrest in Coutts?

16           **MR. JEREMY MacKENZIE:** Yes, sometime this summer.

17           **MR. JOHN MATHER:** Okay. And I asked you  
18 generally about the people you identified who you knew in  
19 Coutts, but with respect to Mr. Lysak specifically, did you  
20 understand him to be a fan of your podcasts?

21           **MR. JEREMY MacKENZIE:** Yes, sir.

22           **MR. JOHN MATHER:** And you understood him to be a  
23 member of the Diagon community?

24           **MR. JEREMY MacKENZIE:** Yes.

25           **MR. JOHN MATHER:** Are you aware that Mr. Lysak,  
26 or at least there's been reports that Mr. Lysak had a Diagon  
27 flag flying outside the house in which he lived with his father?

28           **MR. JEREMY MacKENZIE:** I have heard that, yes.

1                   **MR. JOHN MATHER:** Yeah, so if we could pull up  
2 COM917?

3                   And so have you ever read this article that's on  
4 the screen, Mr. MacKenzie?

5                   **MR. JEREMY MacKENZIE:** I may have. It's tough to  
6 recall.

7                   **MR. JOHN MATHER:** It's an article in the Toronto  
8 Star and you're quoted in it. Do you remember giving a quote to  
9 the Toronto Star with respect to an article they were writing  
10 about Mr. Lysak?

11                   **MR. JEREMY MacKENZIE:** I think so. I've spoken  
12 with Toronto Star several times, yes.

13                   **MR. JOHN MATHER:** Okay. And if you could go down  
14 to page 3 just so I can show you just -- you'll see in the  
15 middle of the page it says,

16                                   "When reached by the Star this week,  
17                                   MacKenzie said in an email that he'd  
18                                   met Chris [...] along with "thousands  
19                                   of people by now through my podcast and  
20                                   travels around the country." "

21                   Which is as you explained. So we can take that  
22 down.

23                   Mr. MacKenzie, are you aware that on February 14<sup>th</sup>  
24 the RCMP executed a search warrant in Coutts, Alberta and  
25 arrested 13 people, and as a part of that arrest, they seized  
26 several weapons and body armour? Is that something you're aware  
27 of?

28                   **MR. JEREMY MacKENZIE:** Yes, sir.



1                   **MR. JEREMY MacKENZIE:** M'hm.

2                   **MR. JOHN MATHER:** So is that a video you posted,  
3 Mr. MacKenzie?

4                   **MR. JEREMY MacKENZIE:** Yes, that appears to be a  
5 clip from one of my podcast episodes probably shortly after that  
6 had taken place. At the time, and still presently, I'm very  
7 skeptical of law enforcement, especially considering the  
8 political nature in which there appears to be a lot of  
9 interference going on in the country. I was concerned that --  
10 from that aspect of what was happening out there. Again, I  
11 don't know anything other than what's been posted in the media  
12 and what's been said other than that they've been charged with -  
13 - what they've been charged with. Of course, if it -- evidence  
14 does appear or is presented that proves that these allegations  
15 are, in fact, correct, obviously, that is something I would  
16 denounce. I don't stand by that. As I said, this is not  
17 something that is supported by myself. It would undermine the  
18 entire purpose of these protests. And until then, I hope they  
19 get a fair trial, and we'll see what happens.

20                   **MR. JOHN MATHER:** And you're correct, Mr.  
21 MacKenzie, the matter is before the courts, and so it is yet to  
22 be adjudicated in the appropriate setting.

23                   **MR. JEREMY MacKENZIE:** Fair enough.

24                   **MR. JOHN MATHER:** The media reports are that the  
25 people who were arrested, there was concern by the police that  
26 some of them were intending to use the weapons to harm police  
27 officers or murder police officers. Again, that is going to be  
28 dealt with another matter, but I assume if that was someone's

1 intent, you would denounce it ---

2 **MR. JEREMY MacKENZIE:** Yeah.

3 **MR. JOHN MATHER:** --- at -- is that what -- did I  
4 hear that correctly?

5 **MR. JEREMY MacKENZIE:** Absolutely, yes.

6 **MR. JOHN MATHER:** In the video -- you can take it  
7 down, thank you, Mr. Clerk -- you mention the boys in Alberta  
8 when you're talking about the arrest. Other than Mr. Lysak, do  
9 you know anyone else who got arrested in Alberta?

10 **MR. JEREMY MacKENZIE:** No, sir.

11 **MR. JOHN MATHER:** I'm just -- just to be clear,  
12 I'm going to read you the names and I just want you to say yes  
13 or no, yes, I know them, no, I don't know them.

14 **MR. JEREMY MacKENZIE:** Sure.

15 **MR. JOHN MATHER:** Ursula Gwen Allred?

16 **MR. JEREMY MacKENZIE:** No.

17 **MR. JOHN MATHER:** Luke Berk?

18 **MR. JEREMY MacKENZIE:** No.

19 **MR. JOHN MATHER:** Christopher Dean Carbert or  
20 Carbert?

21 **MR. JEREMY MacKENZIE:** No.

22 **MR. JOHN MATHER:** Evan Banning Colenutt?

23 **MR. JEREMY MacKENZIE:** No.

24 **MR. JOHN MATHER:** Johnson Chichow Law?

25 **MR. JEREMY MacKENZIE:** No.

26 **MR. JOHN MATHER:** Jaclyn Francis Martin?

27 **MR. JEREMY MacKENZIE:** Ms. Martin I did have a  
28 conversation with maybe in June or July, and she was in one of

1 these video chats and introduced herself and mentioned that she  
2 was -- well, maybe that wasn't her. Martin?

3 **MR. JOHN MATHER:** And, Mr. MacKenzie, just to  
4 stop you there. I'm interested in people you knew as of ---

5 **MR. JEREMY MacKENZIE:** At the time?

6 **MR. JOHN MATHER:** --- as of February ---

7 **MR. JEREMY MacKENZIE:** Yes.

8 **MR. JOHN MATHER:** --- 14<sup>th</sup>, 2022.

9 **MR. JEREMY MacKENZIE:** Right. Yeah, no.

10 **MR. JOHN MATHER:** Justin Lyle Martin?

11 **MR. JEREMY MacKENZIE:** No.

12 **MR. JOHN MATHER:** Jerry Mitchell Troy Morin?

13 **MR. JEREMY MacKENZIE:** No.

14 **MR. JOHN MATHER:** Easton Stewart Oler?

15 **MR. JEREMY MacKENZIE:** No.

16 **MR. JOHN MATHER:** Anthony George Olienick?

17 **MR. JEREMY MacKENZIE:** No.

18 **MR. JOHN MATHER:** Joanne Lyne Person?

19 **MR. JEREMY MacKENZIE:** No.

20 **MR. JOHN MATHER:** Janx Anthon Zaremba?

21 **MR. JEREMY MacKENZIE:** No.

22 **MR. JOHN MATHER:** Mr. Commissioner, I'm almost  
23 done, if I could have a few more minutes, please.

24 **COMMISSIONER ROULEAU:** Okay.

25 **MR. JOHN MATHER:** Mr. MacKenzie, I'm sure you are  
26 no doubt aware that the RCMP released photos of the weapons and  
27 body armour they seized, and why don't we pull up two photos  
28 first with COM915. And if we could just scroll out.

1                   And this is just to give you some context, Mr.  
2 MacKenzie. This is the larger photo the weapons and the  
3 ammunition and the vests that were seized.

4                   And then if we could pull up COM916. And what  
5 I'm going to show you is a photo that's zooming in on the vest  
6 that if you're looking at the photos to the right.

7                   I expect you know what I'm going to show you at  
8 this point, Mr. MacKenzie.

9                   **MR. JEREMY MacKENZIE:** Yes, I do.

10                  **MR. JOHN MATHER:** So this was -- this is a zoom-  
11 in of the photo we're looking at, and that's one of the pieces  
12 of -- that's a ballistic vest, as I understand it. Is that  
13 correct?

14                  **MR. JEREMY MacKENZIE:** It appears to be some kind  
15 of tactical vest. If it was ballistic, it would have to have  
16 some kind of ballistic plates or Kevlar or something inserted  
17 into it. It's not clear.

18                  **MR. JOHN MATHER:** Right. Fair enough.

19                  You see on there, there's two patches with the  
20 Diagonon symbol; correct?

21                  **MR. JEREMY MacKENZIE:** Yes. It does appear that  
22 that is the case. However, I was made aware of this shortly  
23 after this took place. And after some scrutiny and taking a  
24 closer look at the photos, they don't appear to be -- as I said,  
25 there was man in Prince Edward Island who was making these and  
26 selling them at cost to whoever. Thousands of these went out  
27 across Canada, some to the United States, some to Australia.

28                  These ones are -- appear to be homemade or made



1 by someone else. As of now, I don't recall anyone coming  
2 forward to say that they had produced these or where these came  
3 from, so I can't really speak to as their origins.

4 **MR. JOHN MATHER:** Right. But you agreed with me  
5 earlier, Mr. MacKenzie, that any one of your fans or anyone who  
6 is in the Diagonon community who supported you could have easily  
7 made a patch that looks just like that. Isn't that right?

8 **MR. JEREMY MacKENZIE:** Yes.

9 **MR. JOHN MATHER:** If we could pull up -- and this  
10 will be the last document, Mr. Commissioner,  
11 PB.NSC.CAN.0008508\_REL.0001.

12 So Mr. MacKenzie, again this is a document --  
13 this one's from the RCMP "K" Division, and it's a form of report  
14 about the arrests that we've been talking about in Coutts,  
15 Alberta.

16 And if we can scroll down to where it says  
17 "Current situation", it says in the second bullet point:

18 "A ballistic vest was seized during the  
19 search warrant at the residence in  
20 Coutts which contained a patch  
21 reflective of the DIAGOLON flag. It is  
22 believed that this vest belongs to one  
23 of the accused, Christopher LYSAK. Open  
24 source information has linked LYSAK to  
25 [redacted name]."

26 So Mr. MacKenzie, this isn't your report, I know  
27 you didn't produce it, but you would agree with me that from the  
28 RCMP's perspective, they believed that the vest with the

1 Diagolon symbol was Mr. Lysak's; correct?

2 **MR. JEREMY MacKENZIE:** That does appear to be  
3 what they believe, yes.

4 **COMMISSIONER ROULEAU:** Sorry. Your counsel had  
5 an objection.

6 **MR. SHERIF FODA:** It's unfair to this witness to  
7 ask him to speculate what is in the RCMP's mind and their  
8 perspective about intelligence.

9 **COMMISSIONER ROULEAU:** I think maybe the question  
10 wasn't that well framed, but the quote speaks for itself. He  
11 could ask whether he agrees with the quote, is on the RCMP  
12 letterhead. I mean, it's really not much further than that, I  
13 take it.

14 **MR. JOHN MATHER:** No, I actually withdraw the  
15 question, Mr. Commissioner. I agree that he has no -- he  
16 doesn't know why the RCMP made their observations, so I agree  
17 with that and I withdraw it. And those are my questions.

18 Thank you.

19 **COMMISSIONER ROULEAU:** Okay. So now we'll go  
20 with first the Convoy Organizers.

21 **MR. BRENDAN MILLER:** The Convoy Organizers are  
22 ceding their time to Mr. MacKenzie's counsel, sir.

23 **COMMISSIONER ROULEAU:** Okay.

24 Government of Canada?

25 **--- CROSS-EXAMINATION BY MR. STEPHEN AYLWARD**

26 **MR. STEPHEN AYLWARD:** Good afternoon, Mr.  
27 MacKenzie. My name is Stephen Aylward. I'm one of the lawyers  
28 for the Government of Canada.

1                   **MR. JEREMY MacKENZIE:** Hello.

2                   **MR. STEPHEN AYLWARD:** Mr. MacKenzie, you  
3 described Diagonon as a grassroots community. Do I have that  
4 right?

5                   **MR. JEREMY MacKENZIE:** No, I wouldn't say it's  
6 grassroots. It sprang from my imagination and I create the  
7 content from which the -- the entertainment and so on attracts  
8 people to it and which they will then either self-identify as a  
9 fan or not.

10                  **MR. STEPHEN AYLWARD:** And you've described  
11 yourself as the *de facto* leader of Diagonon?

12                  **MR. JEREMY MacKENZIE:** No, that's not correct.  
13 I've never described myself in that manner. That's a -- that's  
14 been put forward into the media again by people at the Canadian  
15 Anti-Hate Network.

16                         Again, this is a figment of my imagination in a  
17 fictional world.

18                  **MR. STEPHEN AYLWARD:** I see.

19                  **MR. JEREMY MacKENZIE:** I can't really lead if --  
20 a fictional world, exactly.

21                  **MR. STEPHEN AYLWARD:** The letter to the Senate  
22 that Commission counsel brought up earlier, you had described  
23 yourself as the *de facto* leader in quotes, so I take it, then,  
24 you're saying that was being used ironically in that context.

25                  **MR. JEREMY MacKENZIE:** Yes, I was trying to  
26 identify myself as the person in question that the Senate was  
27 debating about and then the House of Commons were talking about  
28 -- which alarmed me, and I was acting in the interests of

1 protecting not only myself, but other people that identify as  
2 fans and followers of mine, and it was clear that this was an  
3 issue of national importance. And I felt obliged to say  
4 something about it rather than ignore it.

5 **MR. STEPHEN AYLWARD:** Right. And you have no  
6 formal authority over anyone who's part of the Diagonon  
7 community. Is that right?

8 **MR. JEREMY MacKENZIE:** That's correct. There's  
9 no hierarchy and there's no rank system, membership, code of  
10 conduct, uniforms, anything like this. It's a very informal --  
11 again, I would propose it as if you're a fan of the Calgary  
12 Flames or Montreal Canadiens or not or something. It's just as  
13 simple as saying you like it or you don't.

14 **MR. STEPHEN AYLWARD:** Okay. And you view  
15 yourself as somewhat of a calming presence within the Diagonon  
16 community?

17 **MR. JEREMY MacKENZIE:** No, I would view myself as  
18 the, I guess, central figure from which the rest of it sort of  
19 orbits.

20 **MR. STEPHEN AYLWARD:** Earlier you agreed with  
21 Commission counsel that you had put out messages urging people  
22 in Ottawa not to use violence or to act unlawfully. You agree  
23 with that.

24 **MR. JEREMY MacKENZIE:** Correct. I did use my  
25 platform to try my best to, again, put forward messages and, I  
26 guess, responsible messaging.

27 **MR. STEPHEN AYLWARD:** And you were putting out  
28 those messages because you were concerned that some members of

1 the Diagolon community would use violence or would act  
2 unlawfully.

3 **MR. JEREMY MacKENZIE:** My concern was that  
4 something could happen outside of my control and I would rather  
5 have had -- say something on record of what I would expect  
6 people to -- you know, to behave lawfully and peacefully so that  
7 they -- if they follow me, listen to me, and they heard that and  
8 then chosen to act on their own and do something -- something  
9 outside the desires of, you know, myself, then that's not really  
10 something I can control. I can't control what other people want  
11 to do. But I did want to make it clear that this was -- this  
12 was -- my intention was a peaceful demonstration.

13 **MR. STEPHEN AYLWARD:** And you explained that  
14 there were other members of the Diagolon community with you in  
15 Ottawa at the time of the Freedom Convoy?

16 **MR. JEREMY MacKENZIE:** That's correct.

17 **MR. STEPHEN AYLWARD:** How many, would you say?

18 **MR. JEREMY MacKENZIE:** There was a property that  
19 we were staying at outside the city limits that had been offered  
20 up by someone who was a fan. He had a vacant building, no  
21 furniture but, you know, it's got a roof, it's got heat, so you  
22 can stay there.

23 At times there were three or four or five of us.  
24 Other times, as many as 20.

25 **MR. STEPHEN AYLWARD:** And were there other people  
26 that you saw in Ottawa with Diagolon symbols who weren't part of  
27 that group?

28 **MR. JEREMY MacKENZIE:** I didn't personally

1 observe anyone. One individual I did see that had a kind of  
2 flag, but outside that, I didn't see any symbolism of flags or  
3 patches or so on. I did encounter a number of people that  
4 recognized me and wanted to have a picture and talk and shake  
5 hands and so on.

6 **MR. STEPHEN AYLWARD:** Could we please call up  
7 SSM.NSC.CAN.00000079\_REL\_0001?

8 Mr. MacKenzie, are you aware of reports that  
9 members of the Plaid Army put out a YouTube video in which they  
10 expressed the hope that the Freedom Convoy in Ottawa would be  
11 the Canadian version of the January 6th riot in Capitol Hill?

12 **MR. JEREMY MacKENZIE:** I believe I know the --  
13 the clip that you're referring to, which is, again, taken out of  
14 context of a much larger presentation broadcast which I was not  
15 a party to. Obviously, I can't speak to that person's  
16 intentions or what they meant by that, but I will reinforce  
17 that, again, it was not my intention to see any kind of  
18 violence, political violence or anything like that because it  
19 again, undermines the intentions and objectives of the  
20 protestors, which was to peacefully demonstrate their  
21 discontent.

22 **MR. STEPHEN AYLWARD:** Thank you. If we could  
23 actually pull up the next document? It a video,  
24 PB.CAN.00001820\_REL.0001, and if we could start the video at the  
25 55-second mark, please?

26 And just while we're calling that up, you're  
27 aware that that there was a deal that was struck between some of  
28 the protest organizers in Ottawa and the City of Ottawa?

1                   **MR. JEREMY MACKENZIE:** I don't believe so, no.

2                   **THE REGISTRAR:** Counsel, if you would just allow  
3 a brief indulgence. We're having a bit of difficulty locating  
4 that.

5                   **MR. STEPHEN AYLWARD:** Maybe I'll move on to the  
6 next topic and then I'll come back to that.

7                   In terms of the Coutts incident that Mr. Mather  
8 was just discussing with you, were you aware that there were a  
9 number of individuals who travelled from Ottawa who were at the  
10 Freedom Convoy event in Ottawa who then travelled to Coutts?

11                   **MR. JEREMY MACKENZIE:** No, sir.

12                   **MR. STEPHEN AYLWARD:** And in particular, to  
13 clarify, referring to individuals who were charged as part of  
14 that RCMP operation.

15                   **MR. JEREMY MACKENZIE:** No, sir.

16                   **MR. STEPHEN AYLWARD:** When -- just a moment ago,  
17 when you were describing the -- we were looking at a photo of a  
18 -- some sort of body armour that had the Diagonon symbol on it,  
19 and you were expressing some concerns about the authenticity of  
20 the Diagonon symbol there.

21                   Just to be clear, were you suggesting that the  
22 Diagonon symbol had been planted there by law enforcement?

23                   **MR. JEREMY MACKENZIE:** Again, at the time and  
24 still, I am sceptical of the RCMP particularly, but law  
25 enforcement Canada has a history of things like this taking  
26 place. It's not outside the realm of possibility that something  
27 like that is very easily replicated. Could it be planted? I'm  
28 not suggesting that it certainly has or has not, but I would

1 leave that open to possibility, yes.

2 **MR. STEPHEN AYLWARD:** I take it there's still  
3 some issue in pulling up that video?

4 **THE REGISTRAR:** Correct, Counsel.

5 **COMMISSIONER ROULEAU:** Is it going to be a while?  
6 Should this be put off til a little later?

7 **THE REGISTRAR:** This may take a little while,  
8 Commissioner.

9 **COMMISSIONER ROULEAU:** Okay. So maybe, if you're  
10 agreeable, you can complete your examination, subject to this  
11 video, and we can slot you in a little bit in maybe 10 minutes,  
12 whenever this is sorted out?

13 **MR. STEPHEN AYLWARD:** Yes, that's fine. I did  
14 have one other video clip that I wanted to play. Is it possible  
15 to pull up the -- a different video clip?

16 **THE REGISTRAR:** Oh, sure, Counsel. I can assist  
17 if you have the doc ID?

18 **MR. STEPHEN AYLWARD:** Yes. Okay. It's  
19 COM00000911, the video that was played earlier. And if we could  
20 just start that around the 30-second mark?

21 (VIDEO PLAYBACK)

22 **MR. STEPHEN AYLWARD:** And so earlier you  
23 mentioned that there were some videos in which you had urged  
24 people in Ottawa not to use violence, not to act unlawfully.

25 Do you view your comments, "You want to dance?  
26 Let's dance," or I believe it was, "Hold the fuck down," do you  
27 view those comments as in line with your earlier messaging?

28 **MR. JEREMY MACKENZIE:** It was my intention to







1                   **MR. JEREMY MacKENZIE:** Hello.

2                   **MR. PAUL CHAMP:** --- I'm a lawyer for the Ottawa  
3 Coalition of Residents and Businesses, the people from downtown  
4 Ottawa.

5                   Just have a couple of questions for you.

6                   **MR. JEREMY MacKENZIE:** Sure.

7                   **MR. PAUL CHAMP:** You mentioned in your testimony  
8 about getting the screen captures of texts, group texts from  
9 RCMP officers. You got that from a current RCMP member, is that  
10 right?

11                   **MR. JEREMY MacKENZIE:** At the time it was  
12 delivered to me, I understood that to be the case. I couldn't  
13 speak to if this person is still employed or not.

14                   **MR. PAUL CHAMP:** Okay. And do you occasionally  
15 have interactions of people who are fans, or interested in what  
16 you say, or supporters who are current members of law  
17 enforcement?

18                   **MR. JEREMY MacKENZIE:** Yes, that's correct.

19                   **MR. PAUL CHAMP:** And while you were in Ottawa,  
20 were you -- during the convoy protests, were you in  
21 communication with some of these individuals who are current law  
22 enforcement members and are supporters of yours?

23                   **MR. JEREMY MacKENZIE:** Not -- not directly, no.

24                   **MR. PAUL CHAMP:** And have you ever been in  
25 contact with, or anyone communicated to you who is a current  
26 member of the Canadian Security Intelligence Service who's a  
27 supporter of you, or a fan of you?

28                   **MR. JEREMY MacKENZIE:** No. I've actually made

1 numerous overtures and offers to speak to the Canadian Security  
2 Intelligence Service to try and shed some light on, you know,  
3 myself and this community that they seem so concerned about, and  
4 as of -- today is the first day that I have ever been asked a  
5 single question by anyone in any official capacity about it.

6 **MR. PAUL CHAMP:** Right. And you mentioned that  
7 you had three or four people, or sometimes as many as 20 people,  
8 staying with you in the same location in Ottawa, is that right?

9 **MR. JEREMY MacKENZIE:** Correct, yes.

10 **MR. PAUL CHAMP:** And those were up to 20 people  
11 who were supporters or fans of yours?

12 **MR. JEREMY MacKENZIE:** Yes, that's correct.

13 **MR. PAUL CHAMP:** And some of these people were  
14 former members of the military or current members of the  
15 military; veterans like yourself?

16 **MR. JEREMY MacKENZIE:** I do not think so. I'd  
17 have to go through a list to refresh my memory, but no, no-one's  
18 jumping out at me. I don't think so. I believe they're all  
19 civilians.

20 **MR. PAUL CHAMP:** Okay. Did any of them -- did  
21 any of them bring any firearms with them?

22 **MR. JEREMY MacKENZIE:** No, sir. And I actually  
23 went out of my way to make sure that was adamantly very clear  
24 that that would not be something I would endorse. And it's not  
25 a good idea, and again, it would be a very dangerous situation.  
26 It's illegal, and it's undermining the objectives of the  
27 protesters.

28 **MR. PAUL CHAMP:** For sure. Yeah, you were

1 concerned about that, right; that some people in the protest  
2 might undermine the purpose of the protest by becoming violent.  
3 And you didn't want that to happen; correct?

4 **MR. JEREMY MacKENZIE:** That's correct.

5 **MR. PAUL CHAMP:** And that's why you made that  
6 message out to people to not be violent, is that right?

7 **MR. JEREMY MacKENZIE:** Yes, sir.

8 **MR. PAUL CHAMP:** Because you knew some of the  
9 people who were there could be volatile and could be violent, is  
10 that right?

11 **MR. JEREMY MacKENZIE:** I understand that, in  
12 great numbers of people, and tens of thousands of people, there  
13 is always going to be outliers of folks who, you know, may be  
14 unhinged, they may be mentally ill. There could be any number  
15 of factors that may contribute to something, and I was just  
16 doing my best to mitigate any potential -- any influence that I  
17 have to try to, you know, push things in a positive direction,  
18 rather than, you know, say nothing or worse, contribute to, you  
19 know, something negative happening.

20 **MR. PAUL CHAMP:** And when you were in Ottawa did  
21 you have contact with Mr. Randy Hillier?

22 **MR. JEREMY MacKENZIE:** I met with Mr. Hillier  
23 once, maybe twice. He didn't have much of a voice; he was  
24 feeling under the weather, but yeah, I met him once or twice.

25 **MR. PAUL CHAMP:** While you were in Ottawa?

26 **MR. JEREMY MacKENZIE:** Correct.

27 **MR. PAUL CHAMP:** And when you got the information  
28 about the RCMP text, did you pass that on to anyone in the

1 convoy leadership?

2 **MR. JEREMY MacKENZIE:** No, sir. I looked at it,  
3 I sat with it for about 10 minutes, and I just decided to  
4 publish it on my calendar page for everyone to look at, and from  
5 there it went to *Counter Signal* Kean Bexte; *Rebel News* took it,  
6 various other -- various other independent journalists, and so  
7 on, took note of it.

8 Notably the legacy media CBC and so on did not  
9 comment or provide any coverage or insight of that, but I simply  
10 just put it out there and, you know, it went off on its own into  
11 the wild.

12 **MR. PAUL CHAMP:** And you met with Mr. Hillier.  
13 Did you meet with any other elected political officials while  
14 you were in Ottawa during the convoy protests?

15 **MR. JEREMY MacKENZIE:** No, sir.

16 **MR. PAUL CHAMP:** Either federally or  
17 provincially?

18 **MR. JEREMY MacKENZIE:** Not to my knowledge, no.

19 **MR. PAUL CHAMP:** And you'd indicated in your  
20 testimony that you met Ms. Tamara Lich this summer?

21 **MR. JEREMY MacKENZIE:** I spoke to her on the  
22 phone. I did see Tamara Lich briefly, she walked by me  
23 somewhere in a hotel lobby. But I hadn't had any formal  
24 interaction, conversation or anything with her until I'd spoken  
25 to her on the phone sometime in, I want to say August.

26 **MR. PAUL CHAMP:** And the two of you, you were  
27 discussing -- what was the topic you were discussing; this  
28 upcoming Inquiry, or other issues?

1                   **MR. JEREMY MacKENZIE:** No, she had actually  
2 called to express concern and so on for my legal situation.

3                   **MR. PAUL CHAMP:** For your legal situation?

4                   **MR. JEREMY MacKENZIE:** Yes, outside of the -- of  
5 this.

6                   **MR. PAUL CHAMP:** Okay.

7 Thank you very much, Mr. MacKenzie.

8                   **COMMISSIONER ROULEAU:** Okay, thank you.

9 Next, the Ottawa Police Service.

10 **--- CROSS-EXAMINATION BY MS. JESSICA BARROW:**

11                   **MS. JESSICA BARROW:** Good afternoon, Mr.  
12 MacKenzie. My name is Jessica Barrow, and I am counsel for the  
13 Ottawa Police Service.

14 Can you see and hear me all right?

15                   **MR. JEREMY MacKENZIE:** Yes, I can. Hello.

16                   **MS. JESSICA BARROW:** Excellent.

17 I'm going to start with something that you  
18 testified to earlier, and you indicated that in the lead-up to  
19 the events in Ottawa you were of the view that this was not  
20 going to be what you referred to as an in-and-out event. But  
21 just to be clear, you were not one of the organizers of this  
22 event; correct?

23                   **MR. JEREMY MacKENZIE:** That's correct. I believe  
24 I may have been misconstrued as such, or perceived to be a  
25 bigger personality in this, simply because of my social media  
26 presence and a video that I had released, basically, reacting to  
27 the convergence of the trucks moving towards Ottawa. I was, you  
28 know, kind of excited by it and interested in what was going to

1 happen. That video, it's achieved a fair amount of traction and  
2 play. So I think maybe people associated me with that for that  
3 reason. However, I -- no, at no time did I have any contact  
4 with any organizers. I didn't ask for any money, take any  
5 money, give any money; I had no hand in the logistics planning,  
6 anything like that. I was simply there at my own volition to  
7 observe and, you know, just be there for the experience.

8 **MS. JESSICA BARROW:** So you really had no  
9 knowledge as to the specific intentions of the organizers,  
10 except for whatever, perhaps, you were seeing online; is that  
11 fair?

12 **MR. JEREMY MacKENZIE:** The -- as far as the  
13 intentions were concerned, I was basically just collating the  
14 information that I could find in social media and what people  
15 were saying. I was aware of who some of the people were for  
16 that reason, and they were echoing the same, you know, similar  
17 kind of sentiments; they were there to, you know, do the protest  
18 and show their discontent, and exercise their rights to do so,  
19 and so on. I didn't have any -- I hadn't seen anything  
20 disagreeable with that. I didn't see any intentions of, you  
21 know, violence or so on.

22 **MS. JESSICA BARROW:** Right. But with respect to  
23 your comment, in terms of this not being an in-and-out event,  
24 ---

25 **MR. JEREMY MacKENZIE:** M'hm.

26 **MS. JESSICA BARROW:** --- are you aware that the  
27 organizers, or some of them testified earlier this week that  
28 this event become -- became much more significant than they had



1 really anticipated?

2 **MR. JEREMY MacKENZIE:** No, I was not. I haven't  
3 been able to view much of it or hear much of what's, you know,  
4 transpired earlier. It was apparent to me just simply because  
5 of the -- Canada's a very large country, and the effort required  
6 just to simply go to Ottawa from Alberta and British Columbia,  
7 in Halifax and so on, indicated to me -- and the numbers in  
8 which people were going, indicated to me this was not going to  
9 be a quick trip to the city, as it were.

10 **MS. JESSICA BARROW:** Are you aware that,  
11 similarly, that some of the organizers testified that they had  
12 not anticipated staying as long as they ultimately did?

13 **MR. JEREMY MacKENZIE:** No, I'm not.

14 **MS. JESSICA BARROW:** Okay. I'm going to move on  
15 to the issue of social media.

16 Obviously, we heard some testimony from you today  
17 about your particular use of social media. Would you agree with  
18 me that social media is a tool that some people use to influence  
19 the actions of others?

20 **MR. JEREMY MacKENZIE:** Yes, of course.

21 **MS. JESSICA BARROW:** In fact, it's actually a  
22 career now, being a social media influencer?

23 **MR. JEREMY MacKENZIE:** Yes, some people make a  
24 living that way.

25 **MS. JESSICA BARROW:** And it's a tool that's used  
26 to encourage people to buy things or used for social advocacy?

27 **MR. JEREMY MacKENZIE:** Yes, I think it's  
28 empowered a lot of people to express their voice in the world

1 and establish themselves as such if they want to act similarly  
2 to the way that corporate broadcasting and larger companies and  
3 stuff do to push whatever products, ideas and things that they  
4 want to they can now compete with them in the same kind of space  
5 I suppose.

6 **MS. JESSICA BARROW:** So then I take it you would  
7 agree with me that social media has the power, both  
8 unintentionally and intentionally, to influence the actions of  
9 others?

10 **MR. JEREMY MacKENZIE:** I would say that anything  
11 that anyone ---

12 **MR. SHERIF FODA:** Mr. Commissioner.

13 **MR. JEREMY MacKENZIE:** --- is paying any large  
14 amount of attention to ---

15 **COMMISSIONER ROULEAU:** Sorry, there's -- if you  
16 just hold on a moment, your counsel is standing up here.

17 **MR. SHERIF FODA:** I'm not sure social media can  
18 have an intent. I'm not sure if the question is precise, and  
19 I'm not sure how relevant it is in the circumstances. Perhaps  
20 social media users could have that kind of power, but my client,  
21 I don't think it's fair for him to testify about the power that  
22 social media has in terms of intent and lack of intent.

23 **MS. JESSICA BARROW:** I was speaking specifically  
24 to social media influencers, but I'm happy to be more clear if  
25 that's required.

26 **COMMISSIONER ROULEAU:** I think you have to be  
27 more clear. Social media is something we should be looking  
28 into, but ---

1                   **MS. JESSICA BARROW:** Sure.

2                   **COMMISSIONER ROULEAU:** --- if you could try and  
3 rephrase the question.

4                   **MS. JESSICA BARROW:** Happy to.

5                   So to be clear, Mr. MacKenzie, I'm speaking  
6 obviously specifically to the users that are using social media.  
7 And in terms of influencing others, my question was would you  
8 agree with me that those using social media can both  
9 intentionally and unintentionally influence others?

10                  **MR. JEREMY MacKENZIE:** Yes, of course. I would  
11 imagine that any form of media, whether it's social media,  
12 television, movies, music, and if they're inundated, especially,  
13 you know, in sort of a way that that becomes a large focus of  
14 their day-to-day lives, then it would have an impact on the way  
15 that they view things, of course.

16                  **MS. JESSICA BARROW:** And you indicated earlier  
17 that depending on the platform and depending on the specific  
18 post that anywhere between tens of thousands to hundreds of  
19 thousands of people have followed you.

20                  **MR. JEREMY MacKENZIE:** It's unclear. There is no  
21 real way to measure, but tens of thousands would be -- probably  
22 be a fair assessment, yes.

23                  **MS. JESSICA BARROW:** I think you may have  
24 indicated that one of your YouTube videos may have garnered up  
25 to half-a-million views. Do I have that incorrect?

26                  **MR. JEREMY MacKENZIE:** No. Several of them have  
27 in the past, yes.

28                  **MS. JESSICA BARROW:** Okay. So I'm not going to

1 take you to this specific document, but for the record, it's  
2 OPP835, and it's a document published by the Canadian Anti-Hate  
3 Network, which I take from your earlier testimony you disagree  
4 with, but it describes:

5 "Diagolon, also referred to as Plaid  
6 Army, as a conspiracy-based network  
7 that is increasingly evolving into a  
8 militia comprising neo-fascists who  
9 anticipate a violent revolution which  
10 they will seize power." (As read)

11 I take it you disagree with that assessment of  
12 the organisation. Is that fair?

13 **MR. JEREMY MacKENZIE:** Yes, I disagree, and I  
14 don't agree that this is an -- my imagination is an organisation  
15 of any kind. I'm not clear on what neo-fascists accelerationist  
16 means, and in my opinion the Canadian Anti-Hate Network is not a  
17 credible news or information research source.

18 **MS. JESSICA BARROW:** Fair enough. But I take it  
19 you would agree with me that at least some people might  
20 interpret your messaging in that way because obviously the  
21 Canadian Anti-Hate Network does?

22 **MR. JEREMY MacKENZIE:** Again, sure. I can't  
23 control how people interpret or don't interpret, you know, any  
24 number of things. I can only control things that I say and  
25 conduct myself the best that I can, and if it's interpreted the  
26 wrong way then I'm happy to clarify. But I can't, again, be  
27 expected to control the interpretations of other people.

28 **MS. JESSICA BARROW:** Fair enough. I'll just ask

1 one more question because I believe I'm getting the signal that  
2 I'm out of time.

3 **MR. JEREMY MacKENZIE:** Of course.

4 **MS. JESSICA BARROW:** But as a follow-up to that,  
5 there were a few veiled references to violence that we saw  
6 earlier counsel take you to, and you indicated in response to  
7 those that it certainly wasn't your intention to promote  
8 violence and that your followers would know that. Is that a  
9 fair assessment of your answer?

10 **MR. JEREMY MacKENZIE:** Yes, I think so.

11 **MS. JESSICA BARROW:** But it's true that you have  
12 not obviously spoken to all of your followers; right?

13 **MR. JEREMY MacKENZIE:** Well, I don't exactly take  
14 attendance, so there's no way to know who is listening to me at  
15 any number of -- all I can do is use my platforms accordingly,  
16 and if it's listened to or not by individual people is not  
17 within my control.

18 **MS. JESSICA BARROW:** And so you obviously  
19 couldn't know how they're interpreting your message?

20 **MR. JEREMY MacKENZIE:** No.

21 **MS. JESSICA BARROW:** Okay. Thank you, those are  
22 my questions.

23 **COMMISSIONER ROULEAU:** Okay. Next, is the  
24 Ontario Provincial Police.

25 **MR. CHRISTOPHER DIANA:** Commissioner, I have no  
26 questions. Thank you.

27 **COMMISSIONER ROULEAU:** Okay, next is counsel for  
28 former Chief Sloly.

1           **MR. TOM CURRY:** Commissioner, also no questions  
2 for the witness. Thank you.

3           **COMMISSIONER ROULEAU:** Okay. Next, is the  
4 Government of Alberta.

5           **UNIDENTIFIED SPEAKER:** Thank you, Commissioner.  
6 We have no questions either.

7           **COMMISSIONER ROULEAU:** Okay, the Democracy Fund,  
8 JCCF?

9           **MR. ANTOINE D'AILLY:** Antoine D'Ailly for the  
10 Citizens for Freedom. Our group would like to cede our time to  
11 counsel for the witness.

12           **COMMISSIONER ROULEAU:** That seems to be a popular  
13 person. Mr. Foda, I guess it's your turn. You seem to have  
14 collected a lot of support.

15           **MR. SHERIF FODA:** I won't need all the time,  
16 Mr. Commissioner, but I'm happy to commence now.

17           **COMMISSIONER ROULEAU:** Go ahead.

18           **MR. SHERIF FODA:** Thank you, sir.

19 **--- CROSS-EXAMINATION BY MR. SHERIF FODA:**

20           **MR. SHERIF FODA:** Good afternoon, Mr. MacKenzie.  
21 Can you see me?

22           **MR. JEREMY MacKENZIE:** Yes, sir.

23           **MR. SHERIF FODA:** This is the first time you've  
24 seen me actually on video.

25           **MR. JEREMY MacKENZIE:** That is correct.

26           **MR. SHERIF FODA:** I want to start off with just  
27 covering some of the questions that you were asked by the last  
28 counsel, counsel for the Ottawa Police Service.

1                   **MR. JEREMY MacKENZIE:** Okay.

2                   **MR. SHERIF FODA:** The Canada Anti-Hate Network,  
3 you were asked about sort of the information that they have put  
4 out there about you.

5                   **MR. JEREMY MacKENZIE:** Yeah.

6                   **MR. SHERIF FODA:** Are you aware if the Canada  
7 Anti-Network has itself spread any misinformation during the  
8 convoy?

9                   **MR. JEREMY MacKENZIE:** Yes, as a matter of fact  
10 the president or the chief, as I understand it, Mr. Farber, was  
11 on national television advising the Nation of Canada that  
12 antisemitic flyers were being distributed throughout Downtown  
13 Ottawa as a result of the nature of the people involved, when in  
14 fact that was a screengrab from an event in Miami, Florida that  
15 had taken place weeks earlier.

16                   **MR. SHERIF FODA:** And do you know if the Canada  
17 Anti-Hate Network's views about you have been relied upon by law  
18 enforcement or other senior officials in the Federal Government?

19                   **MR. JEREMY MacKENZIE:** Yes, I have, through,  
20 again, legal disclosure, documents referenced by law  
21 enforcement, open source intelligence and so on, there are a  
22 number of pages and articles and things written by the Canada  
23 Anti-Hate Network used as justification for their assessment of  
24 me.

25                   **MR. SHERIF FODA:** And have you ever had any  
26 communication with anyone from the Canada Anti-Hate Network?

27                   **MR. JEREMY MacKENZIE:** I have, actually. One of  
28 their journalists, Mr. Smith I believe, reached out to me in --

1 just as late as February, I was here. Previous to that, no one  
2 had ever approached me for a comment or explanation. They just  
3 were content to just publish things sometimes with no bylines  
4 whatsoever, written by ostensibly no one. I attempted to  
5 explain and kind of level, you know, man-to-man with Mr. Smith  
6 about, you know, who I am and so on. That didn't really go  
7 anywhere.

8 I had also been contact informally, casually with  
9 Mr. Kurt Phillips over Twitter over the past several months  
10 before I was banned.

11 **MR. SHERIF FODA:** And did your conversations have  
12 anything to do about the convoy or your alleged extremist  
13 activities?

14 **MR. JEREMY MacKENZIE:** No, they were pretty  
15 casual in nature. Just about kind of surface level things about  
16 other, you know, personalities and stuff, other maybe casual,  
17 some of the different beers that we enjoyed, things like this.

18 **MR. SHERIF FODA:** You were asked questions about  
19 social media and social media influencers and their ability to  
20 either unintentionally or intentionally influence others. What  
21 are your views on legacy media being able to do that?

22 **MR. JEREMY MacKENZIE:** Well, again, yeah, with  
23 seeing the size of the platform that it has and the amount of  
24 funding that's being dumped into it from the Canadian taxpayer,  
25 it's one of the bigger microphones that exists, and it's my  
26 opinion that it has an extreme amount of bias and has been  
27 almost weaponised in that way to push state and government  
28 messaging to influence and, you know, perhaps correct the way



1 that people are thinking as it benefits the people that pay  
2 their bills.

3 **MR. SHERIF FODA:** I'd like to pull up  
4 POE.JMK00000001. It's an article from the Globe and Mail. Can  
5 you see this article on your screen, Mr. MacKenzie?

6 **MR. JEREMY MacKENZIE:** Yes, sir.

7 **MR. SHERIF FODA:** Are you familiar with it?

8 **MR. JEREMY MacKENZIE:** No, I've never seen this  
9 before.

10 **MR. SHERIF FODA:** Okay, if we could scroll down a  
11 little bit, and stop right there for a moment. Could you please  
12 read that, Mr. MacKenzie, and tell us when you're done?

13 **MR. JEREMY MacKENZIE:** Yes, sir. Do you want me  
14 to read aloud or just silently?

15 **MR. SHERIF FODA:** No, just to yourself.

16 **MR. JEREMY MacKENZIE:** Okay.

17 **MR. SHERIF FODA:** I'm going to just cover some of  
18 the content in that.

19 **MR. JEREMY MacKENZIE:** Okay. Yeah, I got it,  
20 thanks.

21 **MR. SHERIF FODA:** Okay, if we could go down a  
22 little bit further.

23 **MR. JEREMY MacKENZIE:** Okay.

24 **MR. SHERIF FODA:** And a little bit further.

25 **MR. JEREMY MacKENZIE:** Okay.

26 **MR. SHERIF FODA:** And then just a little bit  
27 further.

28 **MR. JEREMY MacKENZIE:** Okay.

1           **MR. SHERIF FODA:** So this -- this was an article  
2 that was published around February 16<sup>th</sup>, after the *Emergencies*  
3 *Act* was invoked by the government.

4           **MR. JEREMY MacKENZIE:** Okay.

5           **MR. SHERIF FODA:** And there are comments made by  
6 Public Safety Minister about -- that were later clarified by his  
7 spokesperson. Mr. Mendicino didn't name any organization during  
8 the news conference but his spokesperson, Alexander Cohen, later  
9 said that the minister's remarks were in reference to Diagonon.

10          **MR. JEREMY MacKENZIE:** I see.

11          **MR. SHERIF FODA:** If we could up just a little  
12 bit further to the comments that were actually made by Mr.  
13 Mendicino -- no, further up, please, right there. So:

14                                "It could have been deadly for  
15 citizens, protesters, and officers. We  
16 need to be clear-eyed about the  
17 seriousness of these incidents and  
18 indeed several of the individuals at  
19 Coutts have strong ties to a far-right  
20 extreme organization with leaders who  
21 are in Ottawa."

22                                How many members -- or, sorry, how many of the  
23 individuals at Coutts did you have any ties to?

24          **MR. JEREMY MacKENZIE:** Just the -- again, Mr.  
25 Lysak who I'd met twice.

26          **MR. SHERIF FODA:** And would you consider that to  
27 be strong ties?

28          **MR. JEREMY MacKENZIE:** No.



1                   **MR. SHERIF FODA:** Sorry, if we could just go back  
2 to the beginning. Mr. MacKenzie, I understand this was taken on  
3 January 28<sup>th</sup>. If you could please just watch it.

4                   **MR. JEREMY MacKENZIE:** M'hm.

5                                   (VIDEO PLAYBACK)

6                   **MR. SHERIF FODA:** Where was this video taken,  
7 sir?

8                   **MR. JEREMY MacKENZIE:** That video appears to be  
9 taken in the residence I mentioned earlier that we stay at a  
10 large amount of time outside the City of Ottawa.

11                   **MR. SHERIF FODA:** And what was the message that  
12 you were trying to convey?

13                   **MR. JEREMY MacKENZIE:** I was just trying to keep  
14 people safe. And again, if they -- I obviously wouldn't want  
15 them to intervene into something that seemed, you know, unsafe  
16 or dangerous but if they could, you know, I believe that the --  
17 as dangerous as it could be, the Smartphones that people have  
18 can be their best defence. They can film, you know, what's  
19 happening around them and protect themselves in that way. And  
20 if they were to encounter or see anything disturbing, or  
21 frightening, or alarming, then they should leave and get away  
22 from that, and then potentially even report it to authorities,  
23 if necessary.

24                   **MR. SHERIF FODA:** Speaking about reporting things  
25 to authorities, have you ever reported extremist behaviour to  
26 authorities?

27                   **MR. JEREMY MacKENZIE:** Yes.

28                   **MR. SHERIF FODA:** Can you please tell us about

1 that?

2 **MR. JEREMY MacKENZIE:** One example, let's see,  
3 this is -- it would have been fall, I think, of 2021. There was  
4 a group online identifying themselves as "Awakes"--something. It  
5 was armed men in the woods with masks. One of them,  
6 specifically, said, "This is a call to arms," which, as I  
7 understand, is an illegal thing to do. It was very clear that  
8 they intended to -- were promoting the idea of arming people,  
9 arming citizens -- I think it was an acronym for "liberating our  
10 neighbourhood" or something like that -- and to engage the, you  
11 know, forces of the state in violent confrontation. They were  
12 commenting on my videos and inferring that they were trying to  
13 connect with me and so on. I found this very alarming. And  
14 again, putting my -- potentially myself at risk but other, you  
15 know, people that follow me and could be exposed to this and  
16 have been scared in whatever was going on there, so I -- once I  
17 became aware of the video, I immediately called the mounted  
18 police about it.

19 **MR. SHERIF FODA:** And did you receive a response?

20 **MR. JEREMY MacKENZIE:** I did. They called me  
21 back. They asked me what I knew about, you know, if --  
22 anything. And I said, "All I know is what I've seen on the  
23 internet. I'm simply brining it to your attention because, if I  
24 were you, this is something that would concern me." And that  
25 was pretty much the end of that interaction. I'm not sure  
26 whatever took place after that but ---

27 **MR. SHERIF FODA:** You didn't have follow-up after  
28 that?

1                   **MR. JEREMY MacKENZIE:** I don't think so. I think  
2 there was one constable from Saskatchewan that they had called  
3 me to say they may have more questions in the future, but that  
4 was the end of that interaction.

5                   **MR. SHERIF FODA:** Were you willing to have a  
6 continuous relationship with law enforcement to assist them in  
7 identifying legitimate threats to public safety?

8                   **MR. JEREMY MacKENZIE:** Of course. If I could --  
9 if there was anything for me to give them or assist them in any  
10 way, I would have, yes.

11                   **MR. SHERIF FODA:** I'd like to play another clip,  
12 JMK00000001. And my understanding is that this is a clip from  
13 February 5<sup>th</sup>.

14                   **MR. JEREMY MacKENZIE:** Okay.

15   (VIDEO PLAYBACK)

16                   **MR. SHERIF FODA:** Where were when this video was  
17 taken, sir?

18                   **MR. JEREMY MacKENZIE:** I believe I was driving,  
19 travelling back to Ottawa from the Maritimes.

20                   **MR. SHERIF FODA:** Okay. Can you please tell the  
21 Commissioner sort of what your itinerary was during the convoy  
22 protests?

23                   **MR. JEREMY MacKENZIE:** From beginning to end or -  
24 --

25                   **MR. SHERIF FODA:** Yeah. My understanding is that  
26 you were not in Ottawa the entire time. Can you ---

27                   **MR. JEREMY MacKENZIE:** Yes. Yeah.

28                   **MR. SHERIF FODA:** --- sort of just go over, in

1 general terms, your itinerary?

2 **MR. JEREMY MacKENZIE:** Okay. So I left the  
3 Maritimes, again, a couple of days -- I arrived one or two days  
4 before the trucks showed up. I picked up a couple of friends  
5 and associates. They wanted to go. There was kind of a carpool  
6 that year. I said I would take them. We were down -- so people  
7 stayed at the location I mentioned, and then after roughly five  
8 days or so, these gentlemen had to go home. I drove them home.

9 I only intended to stay for that length of time,  
10 and then when I got home, I decided I was -- it was unclear how  
11 long this was going to go on, so I decided to go back a few days  
12 later.

13 That's around that time was when I made that  
14 video, and then I stayed in Ottawa, the Ottawa area, for the  
15 duration until probably three to four days after the invocation  
16 of the *Emergency Act* and everyone was cleared out of downtown.

17 Then my partner and I left and we headed back to  
18 the Maritimes.

19 **MR. SHERIF FODA:** When you were in Ottawa, did  
20 you engage in any illegal activity?

21 **MR. JEREMY MACKENZIE:** No.

22 **MR. SHERIF FODA:** Did you bring a vehicle?

23 **MR. JEREMY MACKENZIE:** Yes, I drove my personal  
24 vehicle, a pickup truck.

25 **MR. SHERIF FODA:** Where did you park?

26 **MR. JEREMY MACKENZIE:** Either on the farm where I  
27 was staying or hotel parking lots that, you know, were set up,  
28 or if it was in the interest of going downtown to see the

1 protest, I would park at parking lots that were available as  
2 close as possible and then walk the remaining couple of blocks.

3 **MR. SHERIF FODA:** Did you pay for parking?

4 **MR. JEREMY MACKENZIE:** Yes.

5 **MR. SHERIF FODA:** Did you assault anyone while  
6 you were in Ottawa?

7 **MR. JEREMY MACKENZIE:** No.

8 **MR. SHERIF FODA:** Threaten anyone while you were  
9 there?

10 **MR. JEREMY MACKENZIE:** No.

11 **MR. SHERIF FODA:** Did you engage in violent  
12 behaviour?

13 **MR. JEREMY MACKENZIE:** No, sir.

14 **MR. SHERIF FODA:** Were you armed?

15 **MR. JEREMY MACKENZIE:** No.

16 **MR. SHERIF FODA:** Were you charged with any  
17 offences in relation to your participation in the convoy in  
18 Ottawa?

19 **MR. JEREMY MACKENZIE:** No, sir.

20 **MR. SHERIF FODA:** Do you believe or do you know  
21 whether or not your public political commentary has drawn the  
22 ire of officials?

23 **MR. JEREMY MACKENZIE:** That is my belief, yes.

24 **MR. SHERIF FODA:** Sir, you were asked questions  
25 about whether you had any -- whether Diagonon had any structure.  
26 I think you were asked if you had any formal authority over  
27 anyone in the Diagonon community, and I believe you indicated  
28 that there was no hierarchy or no formal structure?



1                   **MR. JEREMY MACKENZIE:** Correct.

2                   **MR. SHERIF FODA:** To be fair, you have a vice-  
3 president?

4                   **MR. JEREMY MACKENZIE:** Yes.

5                   **MR. SHERIF FODA:** Could you tell the Commissioner  
6 who your vice-president is?

7                   **MR. JEREMY MACKENZIE:** The vice-president is --  
8 of Diagonon, which is of my imagination, he is a -- my sidekick  
9 that has evolved over the years. He's a demonic goat figurine  
10 named Phillip with a very, very serious narcotics problem and a  
11 time-travelling goat.

12                   **MR. SHERIF FODA:** Do you think any reasonable  
13 person who consumes your content, either regularly or semi-  
14 regularly would actually consider Diagonon to be an  
15 organization?

16                   **MR. JEREMY MACKENZIE:** I would think not, no.

17                   **MR. SHERIF FODA:** How do you explain what is  
18 included in intelligence reports and what is expressed in  
19 national media and expressed by ministers of the highest level  
20 in our country?

21                   **MR. JEREMY MACKENZIE:** It's my opinion that the  
22 foundation work by the Canadian Anti-Hate Network as pertains to  
23 targeting me as a previously government-funded -- has enjoyed a  
24 fair amount of government funding, to target and smear people  
25 that they, you know, consider perhaps politically inconvenient  
26 or people they just want to shut up, they irregularly engage in  
27 defamatory statements while there action, things like this; out-  
28 of-context statements, they'll take a clip here, a sentence

1 there and stitch it together and make it appear as something  
2 that it is not.

3           From there, some media outlets, legacy media  
4 outlets, lazily -- unfortunately, it appears -- took it at face  
5 value, copy/paste, print the story then which is consumed by  
6 police officers, which again, unfortunately, rather than doing  
7 any digging themselves or investigating or asking me a single  
8 question, take these things at face value and compile these  
9 reports and up the network it goes until it lands on the desk of  
10 the public safety minister or you know, perhaps even the prime  
11 minister's office, where they're faced with these scenarios that  
12 have no basis in reality.

13           I consider this entire situation entirely  
14 avoidable. This -- none of this needed to happen, and it's  
15 absurd, and I consider the single most embarrassing and  
16 grotesque intelligence failure in national history.

17           **MR. SHERIF FODA:** Mr. Mather, when he first  
18 started asking you questions, clarified that you're obviously  
19 testifying from in custody?

20           **MR. JEREMY MACKENZIE:** Yes, sir.

21           **MR. SHERIF FODA:** Okay. And my understanding is  
22 you have no criminal record?

23           **MR. JEREMY MACKENZIE:** That is correct.

24           **MR. SHERIF FODA:** How do you intend on pleading  
25 to all of the charges that you face?

26           **MR. JEREMY MACKENZIE:** Not guilty.

27           **MR. SHERIF FODA:** Those are my questions.

28           **COMMISSIONER ROULEAU:** Okay. Thank you. Any re-

1 examination?

2 **MR. STEPHEN ARMSTRONG:** No, Mr. Commissioner.

3 Thank you.

4 Okay. Well, thank you for your testimony, Mr.  
5 Mackenzie, and good luck with your trials.

6 **MR. JEREMY MACKENZIE:** Thank you, Commissioner.

7 **COMMISSIONER ROULEAU:** Okay. Next, we're going  
8 to take the afternoon break and then we'll come back with our  
9 final witness of the day and of the week.

10 **THE REGISTRAR:** The Commission is in recess for  
11 15 minutes. La Commission est levée pour 15 minutes.

12 --- Upon recessing at 4:21 p.m.

13 --- Upon resuming at 4:37 p.m.

14 **THE REGISTRAR:** Order. A l'ordre. The  
15 Commission has reconvened. La Commission reprend.

16 **MR. JEFFREY LEON:** Thank you, Commissioner.

17 Jeffrey Leon, co-lead counsel for the Commission.

18 The next witness is Daniel Bulford.

19 **COMMISSIONER ROULEAU:** Go ahead.

20 **--- MR. DANIEL BULFORD, Sworn:**

21 **--- EXAMINATION IN-CHIEF BY MR. JEFFREY LEON:**

22 **MR. JEFFREY LEON:** Good afternoon, Mr. Bulford.

23 Clerk, could you please put up HRF00001553?

24 Do you recognize this as a statement that you  
25 prepared for the Commission?

26 **MR. DANIEL BULFORD:** Yes, sir, I do.

27 **MR. JEFFREY LEON:** Okay. We will put that in  
28 evidence, and if you ever need to refer to the statement while

1 I'm asking you questions, you let me know, okay?

2 **MR. DANIEL BULFORD:** Yes, sir.

3 **MR. JEFFREY LEON:** You can take that down now.

4 I understand that you were born in Saskatchewan  
5 and resided in Northern Alberta for several years?

6 **MR. DANIEL BULFORD:** Yes, that's correct.

7 And is it necessary that counsel speaks to the  
8 protection?

9 **MR. JEFFREY LEON:** He's already given that ---

10 **MR. DANIEL BULFORD:** Okay, thank you.

11 **MR. JEFFREY LEON:** --- protection, but he may  
12 want to do it again.

13 **UNIDENTIFIED SPEAKER:** Sir, that's --  
14 protection's already been marked as an exhibit. You're listed  
15 in -- invocation.

16 **MR. DANIEL BULFORD:** Okay, thank you.

17 **COMMISSIONER ROULEAU:** Simply for the record,  
18 I'll refer to the statement that's in the record and the fact  
19 that you are under subpoena from the Commission, and as a  
20 result, it will be deemed that you've objected to each answer to  
21 seek the protection of the relevant *Evidence Act*, okay?

22 **MR. DANIEL BULFORD:** Thank you, Commissioner.

23 **MR. JEFFREY LEON:** Thank you for that reminder.

24 Now, I understand that you spent 15 years in the  
25 RCMP?

26 **MR. DANIEL BULFORD:** That's correct.

27 **MR. JEFFREY LEON:** And tell us briefly your  
28 career in the RCMP.

1                   **MR. DANIEL BULFORD:** I joined the RCMP in August  
2 of 2006. I graduated from the Depot Training Academy January  
3 2007. I was posted to Whitehorse, Yukon as a general duty  
4 constable for roughly four years.

5                   In December 2010, I transferred to Mayo, Yukon, a  
6 smaller, more remote community four hours north of Whitehorse.  
7 I was posted there for roughly two and a half years.

8                   And then I transferred to Ottawa where, for the  
9 remainder of my career, I was a full-time sniper observer on the  
10 National Division Emergency Response Team.

11                   **MR. JEFFREY LEON:** And you resigned from the RCMP  
12 in December 2021?

13                   **MR. DANIEL BULFORD:** That's correct.

14                   **MR. JEFFREY LEON:** And why did you do that?

15                   **MR. DANIEL BULFORD:** I spoke out publicly against  
16 the federal government vaccination mandate for COVID-19 vaccines  
17 and after speaking out publicly, my security clearance was  
18 revoked and I knew that I would be subject to disciplinary  
19 action. And after I reviewed what my options were in regards to  
20 that, I discovered that if I was terminated for misconduct,  
21 which I suspected would be the case, I could potentially lose  
22 roughly half of my pension transfer value, so I made the  
23 decision to resign out of fear that I would not be able to set  
24 my family up adequately financially in the future.

25                   **MR. JEFFREY LEON:** Thank you.

26                   And beyond that, has -- have the COVID-19 public  
27 health measures affected you or your family?

28                   **MR. DANIEL BULFORD:** Yes, sir, very much.

1                   **MR. JEFFREY LEON:** Can you say briefly why?

2                   **MR. DANIEL BULFORD:** Well, the obvious beginning  
3 is that I felt it necessary to leave my 15-year career, which I  
4 was provided 15 dedicated years of service to the Mounted  
5 Police. I was not a complainer. I worked hard. I was  
6 passionate about my craft. I think I had a reputation of being  
7 a hard-working professional.

8                   Then beyond that, my -- my wife and I were no  
9 longer permitted access to public spaces that we as taxpaying  
10 Canadians were helping fund. And that prevented us from being  
11 involved in our children's activities such as minor hockey,  
12 which we were both heavily involved in for a number of years,  
13 roughly six years.

14                   We couldn't travel to see our family in northern  
15 Alberta, which, you know, living in the second-largest land mass  
16 country in the world, was problematic, so it's roughly 40 hours  
17 of drive time.

18                   And we lost neighbours and friends who were  
19 perfectly fine to have relationships with us until the vaccine  
20 passport deadline kicked in, and then we were no longer worthy  
21 to speak to.

22                   And beyond that, there was a very heightened  
23 state of anxiety about how much further the situation in Canada  
24 would degenerate. And what I mean by that is that the  
25 dehumanization effort had begun, and that was in -- I believe  
26 that was in August of 2021 when the Prime Minister had initially  
27 announced the federal -- the impending federal vaccination  
28 mandate and then he was campaigning into September for his snap

1 election.

2 And he was making comments regarding ---

3 **MR. JEFFREY LEON:** Okay, sir, we only have an  
4 hour, so ---

5 **MR. DANIEL BULFORD:** Okay.

6 **MR. JEFFREY LEON:** --- can we -- I think the  
7 Commissioner understands what you're saying.

8 **MR. DANIEL BULFORD:** The ultimate problem was  
9 that the Canadian population was led to believe that people like  
10 myself and my family were a threat to other people and their  
11 children, which was not true, by his own admission in July of  
12 2021 on camera.

13 **MR. JEFFREY LEON:** You're a member of an  
14 organization, Mounties for Freedom, that opposes public health  
15 measures and specifically COVID-19 vaccine?

16 **MR. DANIEL BULFORD:** That's correct.

17 **MR. JEFFREY LEON:** And also Police Stand on Guard  
18 for Thee, which are police officers, active and retired, whose  
19 stated mission includes "to repair and regain public trust being  
20 damaged or lost due to enforcement measures of" -- sorry, "due  
21 to the enforcement emergency measures". Correct?

22 **MR. DANIEL BULFORD:** That's correct.

23 **MR. JEFFREY LEON:** And then you're also on the  
24 Advisory Board of Taking Back Our Freedoms?

25 **MR. DANIEL BULFORD:** That's correct.

26 **MR. JEFFREY LEON:** We've heard Taking Back Our  
27 Freedoms, about that organization, in previous evidence. I take  
28 it it was founded to push back against COVID-19 vaccine

1 mandates?

2                   **MR. DANIEL BULFORD:** I would say that's accurate,  
3 but -- and in general, the COVID measures that were resulting in  
4 a segregation of our society. So not just the mandate, but the  
5 passport as well.

6                   **MR. JEFFREY LEON:** And its mission has expanded  
7 to focus on rejuvenating Canada's democracy and institutions;  
8 correct?

9                   **MR. DANIEL BULFORD:** That's correct.

10                   **MR. JEFFREY LEON:** Now, when did you first learn  
11 of the Freedom Convoy?

12                   **MR. DANIEL BULFORD:** At least one week prior to  
13 its arrival in Ottawa. Probably before that. Saw circulating  
14 videos on social media about its growing size and travel across  
15 Canada.

16                   **MR. JEFFREY LEON:** And did somebody contact you  
17 to become involved with the convoy when it arrived in Ottawa?

18                   **MR. DANIEL BULFORD:** So initially, I was supposed  
19 to work in a volunteer security capacity for a number of the  
20 doctors that were speaking out against the COVID-19 health  
21 measures and vaccinations because they had received a number of  
22 threats. So myself and a number of other individuals with  
23 similar training in close protection were going to be providing  
24 a volunteer security service to them.

25                   **MR. JEFFREY LEON:** And who asked you to do that?

26                   **MR. DANIEL BULFORD:** That was through Taking Back  
27 Our Freedoms.

28                   **MR. JEFFREY LEON:** And was there somebody



1 specific that asked you?

2 **MR. DANIEL BULFORD:** George Bears.

3 **MR. JEFFREY LEON:** Thank you.

4 And I take it that before the convoy arrived,  
5 your role -- you were asked to take on an expanded role. Is  
6 that right?

7 **MR. DANIEL BULFORD:** Yes.

8 So I was -- it was the -- I believe it was the  
9 night of January 25th, I was called by a personal friend asking  
10 for help with volunteer security for Adopt A Trucker. So I met  
11 with the Adopt A Trucker volunteers the following morning with  
12 Mr. Chris Garrah was there. That was the first time I'd ever  
13 encountered him.

14 And based on what I saw from this small group of  
15 volunteers that had very little time to prepare for this major,  
16 major event that was about to land in Ottawa, I felt that I  
17 could be better put to you in assisting them and I could pass  
18 off the doctor security role to others.

19 **MR. JEFFREY LEON:** And you became in charge of  
20 VIP security?

21 **MR. DANIEL BULFORD:** No, that -- so that was the  
22 role that I passed off to others.

23 **MR. JEFFREY LEON:** Did you have a title in this  
24 new position?

25 **MR. DANIEL BULFORD:** The title would be volunteer  
26 security coordinator, and then I ended up becoming a police  
27 liaison as well.

28 **MR. JEFFREY LEON:** And when did you start? Do

1 you recall the date?

2 **MR. DANIEL BULFORD:** That day, January 26th.

3 **MR. JEFFREY LEON:** Okay. And were you told how  
4 many vehicles were going to arrive on the convoy?

5 **MR. DANIEL BULFORD:** No, I was not. There was --  
6 we were getting varied numbers from circulating social media,  
7 you know, anywhere between 10,000 vehicles upwards of 50,000  
8 vehicles.

9 I had no idea of an accurate number.

10 **MR. JEFFREY LEON:** And how long did you  
11 understand that the convoy would be staying in Ottawa?

12 **MR. DANIEL BULFORD:** At that time, my  
13 understanding was that the convoy intended to come to Ottawa and  
14 stay until mandates were lifted.

15 **MR. JEFFREY LEON:** And you mentioned that you  
16 became a police liaison. Did you have communications with the  
17 Ontario Police Service?

18 **MR. DANIEL BULFORD:** I ---

19 **MR. JEFFREY LEON:** Or, sorry, the Ottawa Police  
20 Service?

21 **MR. DANIEL BULFORD:** Yes, I had communication  
22 regularly with the Ottawa Police Service, the Parliamentary  
23 Protective Service, the OPP, and the RCMP.

24 **MR. JEFFREY LEON:** And just generally, what  
25 function did you perform in liaising with those police forces?

26 **MR. DANIEL BULFORD:** Well, there was a tremendous  
27 amount of information coming into me on any given day. And so  
28 what I viewed -- my primary function, what I spent the majority

1 of my time doing, was triaging information that could have been  
2 any type of threat to public safety, anything that I felt had  
3 any kind of credibility or something that could -- was beyond my  
4 scope to verify, I would forward to that to the police -- all  
5 the different police liaisons I was connecting with.

6 **MR. JEFFREY LEON:** And I take -- I understand you  
7 were working out of the Swiss Hotel where there was an operation  
8 and logistical support centre?

9 **MR. DANIEL BULFORD:** That's correct.

10 **MR. JEFFREY LEON:** And you formed an incident  
11 command using that model?

12 **MR. DANIEL BULFORD:** Yeah, that's correct. So  
13 there was a number of us volunteers that had worked in first-  
14 responder type jobs -- you know, police, paramedic, some -- a  
15 lot of firefighters from outside of the City of Ottawa -- and  
16 what we did was we tried to establish an incident command system  
17 -- like a network and a model -- an incident command model so  
18 that it was easily identifiable who was responsible for what so  
19 that it would make our communication more efficient and just to  
20 overall streamline our day-to-day operations.

21 **MR. JEFFREY LEON:** And one of the other  
22 individuals working with you was Vincent Gircys; have I got that  
23 right?

24 **MR. DANIEL BULFORD:** Yes, Vincent, he came to the  
25 Swiss Hotel very early on and we connected. And what eventually  
26 -- so he -- my apologies. He came to the Swiss. He was there  
27 for the first weekend, maybe, not a very long period of time.  
28 He returned home. And then he came to Ottawa, at which time,

1 when he asked me what he could do, I asked him if he could go  
2 over to the Arc Hotel and support them.

3 **MR. JEFFREY LEON:** Thank you. And then, who was  
4 the first police that you communicated with?

5 **MR. DANIEL BULFORD:** Cst. Isabelle Cyr-Pidcock of  
6 the Ottawa Police Service.

7 **MR. JEFFREY LEON:** And did you call her or did  
8 she call you?

9 **MR. DANIEL BULFORD:** I called her on the 26<sup>th</sup>.

10 **MR. JEFFREY LEON:** And could you tell us about  
11 that conversation?

12 **MR. DANIEL BULFORD:** Yeah, I contacted her. I  
13 gave a brief description of who I was and what I was going to be  
14 doing in support of the convoy. Mr. Garrah had advised me that  
15 he had already been in communication with her and that we were  
16 expecting a map package from the Ottawa City Police as to where  
17 the trucks were supposed to enter into the city and where they  
18 were supposed to park and stage.

19 **MR. JEFFREY LEON:** And did she tell you anything  
20 else, let's say, about emergency vehicle lanes?

21 **MR. DANIEL BULFORD:** We may have discussed that  
22 on the phone call but it was definitely -- there was specific  
23 instructions delivered within the map package that she did end  
24 up sending me on the 27<sup>th</sup> of January.

25 **MR. JEFFREY LEON:** And so could you put up,  
26 please, HRF00001313. And if you could go to the next page,  
27 please. Is this the map package she sent you?

28 **MR. DANIEL BULFORD:** Yes, I believe so.

1                   **MR. JEFFREY LEON:** And we see it says under  
2 "Ottawa Truck Convoy":

3                                   "Take direction from police whenever  
4                                   applicable. Leave open space for  
5                                   emergency vehicle access at all times.  
6                                   No closed trailer permitted on  
7                                   Wellington near Parliament Hill. All  
8                                   staging areas must be kept an adjacent  
9                                   emergency access lane.."

10                   And emergency routes that are listed there:

11                                   "...no convoy access at any time."

12                   Correct?

13                   **MR. DANIEL BULFORD:** Correct.

14                   **MR. JEFFREY LEON:** And did you communicate those  
15 instructions to anyone?

16                   **MR. DANIEL BULFORD:** Yes, I emailed this map  
17 package to Tamara Lich with the understanding that they would be  
18 receiving a briefing in Arnprior the night before entering the  
19 city.

20                   **MR. JEFFREY LEON:** And how did you know to email  
21 them to Ms. Lich?

22                   **MR. DANIEL BULFORD:** Well, Ms. Lich had contacted  
23 me prior to the convoy arriving in Ottawa, not in regards to  
24 this but for support with monitoring and responding to social  
25 media, which I said that I agreed that the Mounties for Freedom  
26 could help her with. And I so forwarded that -- her contact  
27 information off to -- we had a social media committee at the  
28 time and then -- so I was already aware that she was -- like, I

1 would call -- describe her as "the face of the convoy" and so  
2 that's who I communicated the map package to.

3 **MR. JEFFREY LEON:** Thank you. And if you can  
4 just scroll to the next page, please. This is one of the maps.  
5 There were one, two, three, four, five, five maps, if you can  
6 scroll up. And again, what were those maps of? What was that  
7 telling you?

8 **MR. DANIEL BULFORD:** These are the entrance  
9 routes for the various convoys that were approaching from  
10 different directions and where they would be directed to enter  
11 the city and where to park.

12 **MR. JEFFREY LEON:** And if we can go to the next  
13 page, please. This is from Cst. Cyr-Piddock, and it says:

14 "Routes to staging areas."

15 And what did you understand that to mean?

16 **MR. DANIEL BULFORD:** Exactly what it says.

17 **MR. JEFFREY LEON:** And so you knew that there  
18 were -- you understood there would be certain staging areas?

19 **MR. DANIEL BULFORD:** I did.

20 **MR. JEFFREY LEON:** Yeah. And if you can go to  
21 the last page -- or, sorry, the next page over -- sorry, one --  
22 yeah, there, there are certain instructions there including, "No  
23 parking on Elgin Street from Wellington to Highway 417," and so  
24 forth. And all of that, you say you passed on to Ms. Lich?

25 **MR. DANIEL BULFORD:** Yes.

26 **MR. JEFFREY LEON:** What police force was this  
27 Cst. Cyr-Piddock with?

28 **MR. DANIEL BULFORD:** Ottawa Police Service.

1                   **MR. JEFFREY LEON:** Thank you. And where were you  
2 when the convoy started to arrive?

3                   **MR. DANIEL BULFORD:** I was in the Swiss Hotel.

4                   **MR. JEFFREY LEON:** Now, we've heard evidence that  
5 from time to time some emergency lanes were blocked either on a  
6 short-term basis or, for example, on Kent Street on a long-term  
7 basis. What observations did you make about emergency lanes?

8                   **MR. DANIEL BULFORD:** I did see, when I would do a  
9 -- let's refer to it as a perimeter walk -- that the only place  
10 that I ever observed that the emergency lanes were blocked was  
11 for roughly, I would estimate, two, maybe three blocks north and  
12 south on Kent Street.

13                   **MR. JEFFREY LEON:** And that was it?

14                   **MR. DANIEL BULFORD:** That's all I recall.

15                   **MR. JEFFREY LEON:** Okay. And then ---

16                   **MR. DANIEL BULFORD:** My -- I apologise. Perhaps  
17 at Rideau and Sussex as well.

18                   **MR. JEFFREY LEON:** Okay. We'll come to Rideau  
19 and Sussex.

20                   If you can turn up, please, Mr. Clerk,  
21 PB.NSC.CAN.00001367, and go... And if you can go to page 10,  
22 please. A little further. Sorry, can you try page 11? Oh, no.  
23 Excuse me for one second.

24                   Let me just ask you the question. At -- on --  
25 did you have a further conversation with members of police  
26 forces on January 28th?

27                   **MR. DANIEL BULFORD:** As referenced in this  
28 document?

1                   **MR. JEFFREY LEON:** Yes. Let me just turn it up  
2 for you.

3                   It's -- excuse me. One moment. All right, it's  
4 page 11 at the bottom.

5                   You see it refers to you, that you're organising  
6 the volunteer security for the group warroomcanada.net. What  
7 was that?

8                   **MR. DANIEL BULFORD:** That was the initial website  
9 domain that Mr. Garrah was operating Adopt-A-Trucker through.

10                  **MR. JEFFREY LEON:** And it says on Friday,  
11 January 28, 2022, you:

12                                   "...reached out to points of contact  
13                                   within the RCMP, OPP, and the NCRCC  
14                                   seeking information obtained via open  
15                                   source on the demonstration."

16                  Do you remember that?

17                  **MR. DANIEL BULFORD:** Yes. I don't recall  
18 reaching out to the OPP that early, I could be mistaken, but I  
19 definitely reached out to Ottawa Police Service, PPS, and the  
20 RCMP. And when it references the NCRCC, that's a Command Centre  
21 that was at my old building of work ---

22                  **MR. JEFFREY LEON:** Yes.

23                  **MR. DANIEL BULFORD:** --- and so the specific  
24 person I reached out to from the RCMP I believed to be working  
25 out of that location.

26                  **MR. JEFFREY LEON:** And do you remember who that  
27 was?

28                  **MR. DANIEL BULFORD:** Constable Chris Angel.



1                   **MR. JEFFREY LEON:** And Do you remember who you  
2 reached out to in the PPS?

3                   **MR. DANIEL BULFORD:** Constable Émilie Gosselin  
4 (ph).

5                   **MR. JEFFREY LEON:** And did you reach out again to  
6 Constable Cyr-Pidcock?

7                   **MR. DANIEL BULFORD:** Yes, I believe so. And  
8 perhaps by that time I already had learned of Constable Paul  
9 Askin from the Ottawa Police Service as well.

10                   **MR. JEFFREY LEON:** And if we go back to the  
11 document, it says:

12                                    "In his email, BULFORD noted 'The  
13                                    single largest concern of everyone  
14                                    involved is that outside influences  
15                                    will attempt to instigate an action  
16                                    that will damage the credibility of the  
17                                    official convoy group and supporters.'"

18                                    What -- why were -- was that your main concern?

19                   **MR. DANIEL BULFORD:** Well, I've worked many of  
20 these large events in the NCR over my career, and consistently  
21 the biggest concern from a protective policing standpoint was  
22 always the potential for a lone wolf or a small group when you  
23 have a large crowd of people coming together, like a similar  
24 event like a Canada Day or a Remembrance Day. That was one of  
25 our primary function from my old unit was to be in positions  
26 where we could observe anything of a suspicious nature that  
27 could potentially become a lone actor or a small group attack.

28                   **MR. JEFFREY LEON:** And I understand that you

1 reached out to, on January 29th, to Sergeant Front of the OPS.  
2 Do you recall that?

3 **MR. DANIEL BULFORD:** Sergeant Frost?

4 **MR. JEFFREY LEON:** I believe it was Front. Is  
5 the name is Cross?

6 **MR. DANIEL BULFORD:** The OPS, Ottawa Police  
7 sergeant?

8 **MR. JEFFREY LEON:** Yes.

9 **MR. DANIEL BULFORD:** That was a man by the name  
10 of Pat -- Sergeant Pat Frost.

11 **MR. JEFFREY LEON:** Frost. I'm sorry, it was a  
12 typo. And what did you discuss with him?

13 **MR. DANIEL BULFORD:** So that would've been very  
14 early in the morning I received a call from some of the truckers  
15 down at the intersection of Booth and Sir John A. MacDonald  
16 Parkway. They were frustrated that they had been blocked from  
17 continuing further up onto Wellington, like up towards the  
18 Supreme Court.

19 And so I went down just to see what would be  
20 possible, and while I was there, I ended up speaking with two of  
21 the young -- one of the officers was a younger man, and I spoke  
22 to those officers asking if it would be possible to have some of  
23 the trucks that were extended along Sir John A. MacDonald  
24 Parkway to condense closer to the, I would call it the main body  
25 of the convoy parked on Wellington at Parliament, and -- because  
26 there was a large gap. If I recall correctly, there was a large  
27 gap kind of around the Supreme Court of Canada all the way down  
28 the hillside of Wellington and then extending west ---

1                   **MR. JEFFREY LEON:** Yes.

2                   **MR. DANIEL BULFORD:** --- to the Booth and SJAM.

3                   And so they -- those officers got me into contact  
4 with Sergeant Pat Frost, and so I met with him at the Ottawa  
5 Police Headquarters, and I -- we drove around Downtown Ottawa  
6 together. And he relayed to me that he had managed a large  
7 tractor protest in the City of Ottawa before, and so he -- we  
8 were touring around the downtown core trying to determine what  
9 potential locations trucks could be brought in closer to  
10 Parliament, and you know, establishing what was a hard no-go,  
11 you know, like such as primary bus routes and emergency lanes.

12                   **MR. JEFFREY LEON:** And what were your general  
13 observations of the protest during the first weekend?

14                   **MR. DANIEL BULFORD:** Well, I didn't get out of  
15 the Swiss Hotel very much those first initial days, but when I  
16 finally did it was the largest event I have ever observed in  
17 Downtown Ottawa in my time here.

18                   **MR. JEFFREY LEON:** And what about the conduct of  
19 the participants?

20                   **MR. DANIEL BULFORD:** Well, it was a -- I'd say it  
21 was a very festive atmosphere. People were very emotional.  
22 Hugs all over the place. There was -- the stage, the crane  
23 stage truck had already been established up at the intersection  
24 of Metcalfe and Wellington by the time I got out for the very  
25 first time to go actually see it for myself.

26                   And so that's where I went, and it was  
27 incredible. The crowd was humongous and people... If I recall  
28 correctly, the first time I got out was to actually go make a

1 speech on the stage truck, and it was a very overwhelming  
2 emotional experience because I felt that there was a sense of  
3 hope that Canada wouldn't go to a very dark place.

4 **MR. JEFFREY LEON:** And what was your speech  
5 about, just very generally?

6 **MR. DANIEL BULFORD:** It -- well, I know that I  
7 included some of those remarks in my speech, that prior to that  
8 convoy I was ready to leave the country. I was -- my wife and I  
9 had discussed that at length, moving somewhere where we would  
10 be, well, treated as an equal citizen, and especially for the  
11 future of our children, and that seeing the convoy and the  
12 rallying of support behind it all across Canada restored my  
13 faith in Canadians, that they weren't just going to let Canada  
14 degenerate further.

15 **MR. JEFFREY LEON:** Did you talk about security  
16 issues or behavioural issues?

17 **MR. DANIEL BULFORD:** I did. I gave a thank you  
18 to the first responders and I even kind of tipped my hat  
19 slightly to some of my old colleagues that were up on the roof  
20 of the Parliament buildings doing overwatch, you know, saying  
21 that I know a lot of these people, they're good people and  
22 they're here to protect us, too.

23 There was a great deal of mistrust of the police  
24 and -- and I reminded everyone or advocated for everyone to  
25 remain lawful -- peaceful and lawful at all times so that the  
26 government and the media could not label us with similar  
27 derogatory terms that they already had.

28 **MR. JEFFREY LEON:** And if we could go -- put back

1 up, please, HRF00001553.

2 And if you can just scroll through that to the  
3 date February 1.

4 So if you can stop it just there.

5 I take it you took daily notes of everything that  
6 you were doing?

7 **MR. DANIEL BULFORD:** Yeah, I tried to document as  
8 much as I could.

9 **MR. JEFFREY LEON:** And that's all set out in your  
10 statement?

11 **MR. DANIEL BULFORD:** Yes.

12 **MR. JEFFREY LEON:** So for example, you were  
13 dealing with issues like -- you identified on February 1st that  
14 you received a call about an aggressive unidentified male at  
15 Wellington and Metcalf, and you reported that to the police.

16 **MR. DANIEL BULFORD:** Okay.

17 **MR. JEFFREY LEON:** In the first paragraph there?

18 **MR. DANIEL BULFORD:** Yeah, I don't recall if I  
19 called the police. I think people that were present at the  
20 stage truck at the time called the police.

21 **MR. JEFFREY LEON:** And if you just keep  
22 scrolling, please, you'll see there's a number of events or  
23 issues that you dealt with on February 1st and then into  
24 February 2nd.

25 And then if we come to February 3rd, could you  
26 put up, please, HRF00001287?

27 This is a letter from the Justice Centre for  
28 Constitutional Freedoms to the Mayor, but it refers on page 2 to

1 a press conference that you gave on February 3.

2 **MR. DANIEL BULFORD:** That's correct.

3 **MR. JEFFREY LEON:** And so in the second paragraph  
4 there, you indicate that you'd like to put people's minds at  
5 ease. The public is watching people that have concerns over  
6 what they're seeing in regards to the heavy police presence.

7 What was your objective there?

8 **MR. DANIEL BULFORD:** Just to bring down the  
9 overall anxiety level of the protestors. In my mind, Ottawa  
10 residents have seen that type of police presence probably on a  
11 regular basis at large-scale events, but a lot of these people  
12 that travelled to Ottawa have likely never been here before and  
13 likely never participated in an event of this magnitude.

14 So I just wanted everyone to understand that when  
15 you have a massive crowd such as this come to the National  
16 Capital Region for a large event, it's normal to have multiple  
17 police agencies involved, it's normal to have specialized units  
18 moving around in more tactical-looking clothing, and it's normal  
19 to have snipers on rooftops because that was something that a  
20 lot of people were really panicked about.

21 They were nervous about the presence of snipers  
22 being the roof and, that being my old job, I was able to speak  
23 to people and keep the -- you know, keep them calm. Like it's  
24 totally normal. Don't panic. That's what happens here all the  
25 time.

26 **MR. JEFFREY LEON:** And if you can go -- put up,  
27 please, HRF00001289. And it's page 11 of the document, I  
28 believe.

1 Can you just scroll back a bit? No, more.

2 This is an affidavit that you swore in connection  
3 with the proceedings, the class action commenced by Zexi Li.

4 **MR. DANIEL BULFORD:** Yes, that's correct.

5 **MR. JEFFREY LEON:** And you talk about, at  
6 paragraphs 7 and 8, if you can scroll there, about a complaint  
7 from an Ottawa resident about honking through the night.

8 **MR. DANIEL BULFORD:** Yes, that's correct.

9 **MR. JEFFREY LEON:** And you say you told him that  
10 quiet hours from 8:00 p.m. to 8:00 a.m. had been put in place.

11 When -- what was your understanding of that? Who  
12 put that into place?

13 **MR. DANIEL BULFORD:** My understanding is that the  
14 truck captains had already put that into place even the day  
15 before, if not no -- if not that day, the day before.

16 That's what was communicated to myself, and this  
17 was the one and only complaint I ever received about it.

18 **MR. JEFFREY LEON:** And what was your  
19 understanding moving to -- through the period of time that the  
20 convoy was in Ottawa? Did that change?

21 **MR. DANIEL BULFORD:** Well, there was -- the  
22 injunction came into place as well, which definitely impacted  
23 the horn honking. And I would -- I would say in my opinion, it  
24 reduced it even further.

25 **MR. JEFFREY LEON:** And can we go to paragraph 9  
26 of your affidavit?

27 You say there:

28 "My primary concern is individuals or

1 groups with potential to deliberately  
2 instigate conflict with the Freedom  
3 Convoy movement and to discredit the  
4 Freedom Convoy."

5 Can you say what you're -- how that -- why that  
6 was your concern?

7 **MR. DANIEL BULFORD:** Well, I would go back  
8 partially to my concern about a lone wolf or small cell that  
9 could potentially try and leverage the large crowd for their own  
10 agenda, but I also -- I also had concerns because I've done  
11 overwatch at a number of protests and counter-protests in  
12 Ottawa, and I've seen with my own eyes how aggressive groups  
13 related to the Antifaa can be when they are much larger in  
14 numbers than the group that they're counter-protesting against  
15 and how aggressive they can be overrunning the police line as  
16 well.

17 **MR. JEFFREY LEON:** So when you were referring to  
18 instigators, who were you referring to?

19 **MR. DANIEL BULFORD:** Well, people who were -- who  
20 would deliberately try to initiate a violent interaction with a  
21 Freedom Convoy protestor or maybe even someone who would try to  
22 infiltrate the crowd with a racist-type flag to try and bring  
23 discredit to the Freedom Convoy protest.

24 **MR. JEFFREY LEON:** And do you recall, and I  
25 believe the date was February 8, having a conversation with  
26 Constable Wierzbicki about your concern and displeasure with the  
27 psychological operation being waged on convoy participants?

28 **MR. DANIEL BULFORD:** Yes, I do.



1                   **MR. JEFFREY LEON:** And what was that about?

2                   **MR. DANIEL BULFORD:** So in the initial -- I would  
3 say close to initial two weeks, I thought that Chief Sloly was  
4 pretty fair in his remarks regarding the convoy, you know,  
5 understanding his position as the Chief of Police of the City of  
6 Ottawa, but I thought that he was pretty unbiased. And then  
7 after the -- I think it was a Council meeting or a Police  
8 Services Board meeting, there was a lot of rhetoric regarding  
9 the Freedom Convoy protesters' allegations of being extremists,  
10 insurrectionists, I believe even the term, "Domestic terrorism"  
11 may have been thrown around.

12                   And I noticed at that time, that was -- that also  
13 coincided with a lot of that same rhetoric from the legacy  
14 media, and, you know, we'd already heard and seen the Prime  
15 Minister using similar language. And so I felt that that was --  
16 that was definitely heightening the anxiety of the overall  
17 crowd, the fear that they were going to be labelled such and  
18 dealt with as such by law enforcement because they were under so  
19 much pressure from the -- from the different levels of  
20 government. And there was also -- I believe that was right  
21 around the same time that there was also -- they were being  
22 denied access to service, some of the portable toilets. So, I  
23 mean, you're denying people their basic sanitation needs.

24                   And there was also information beginning to  
25 circulate about the involvement of CAS, or Children's Aid  
26 Society, I believe is what that stands for. And that, to me,  
27 was -- that was a clear red flag to me that if you are  
28 deliberately trying to provoke people to take action, if you

1 make them believe that you're going to take their kids away,  
2 that's going to elicit a very strong emotional response, and I  
3 believe that that was deliberately done in order to bully the  
4 Freedom Convoy protesters.

5 **MR. JEFFREY LEON:** And we can put up, please,  
6 document HRF00000568.

7 (SHORT PAUSE)

8 **MR. JEFFREY LEON:** Is this type of daily security  
9 briefing that you would prepare on a day-to-day basis?

10 **MR. DANIEL BULFORD:** I believe there was a  
11 mistake. I did not prepare these daily security briefings,  
12 like, a document.

13 **MR. JEFFREY LEON:** Yes.

14 **MR. DANIEL BULFORD:** That was another individual.  
15 But, I mean, these are some of my -- some of the actions that I  
16 took place in and in the conversations that I took place in.

17 **MR. JEFFREY LEON:** And who is Cst. Wierzbicki?

18 **MR. DANIEL BULFORD:** He is an OPP liaison  
19 officer.

20 **MR. JEFFREY LEON:** And in this document, you  
21 refer to in the -- under February 4 in the first paragraph to an  
22 incident at Confederation Park, and then you refer to an  
23 incident involving, "The New Queen of Canada" and next paragraph  
24 down, you were asked about Pat King's involvement in the convoy,  
25 and you indicated that you, "Had limited knowledge...and almost  
26 zero contact with" him.

27 And if you can scroll further down, please? Next  
28 page. There is no next page.

1                   And did you also at one time speak to Cst.  
2 Wierzbicki about a Memorandum of Understanding that was  
3 circulating?

4                   **MR. DANIEL BULFORD:** I don't recall speaking to  
5 Cst. Wierzbicki about that, no.

6                   **MR. JEFFREY LEON:** Did you know about the  
7 Memorandum of Understanding?

8                   **MR. DANIEL BULFORD:** Yes, I had heard about it,  
9 and I think I may have seen it circulating online ahead of the  
10 convoy. The first time I ever actually read it was just last  
11 week.

12                   **MR. JEFFREY LEON:** Thank you. And you mentioned  
13 the intersection at Rideau and Sussex. Did you have occasion to  
14 go to Rideau and Sussex?

15                   **MR. DANIEL BULFORD:** Yes. I walked through that  
16 intersection multiple times daily, at least probably twice a day  
17 when I would go out for a foot patrol and when I would come  
18 back.

19                   **MR. JEFFREY LEON:** And what were your  
20 observations?

21                   **MR. DANIEL BULFORD:** Well, they were primarily  
22 made up of Quebecois truckers, but then there was also -- like  
23 other witnesses have testified, there was also, like, a Polish  
24 or Eastern European contingent. And I actually encountered a  
25 Cuban Canadian who spoke to me at length about how he felt  
26 strongly about being there to support the convoy because he had  
27 lived through Communism and that Canadians could not give up  
28 their freedoms.

1                   **MR. JEFFREY LEON:** And were you there at any time  
2 when there was attempts to move vehicles from Rideau and Sussex?

3                   **MR. DANIEL BULFORD:** No, I was not.

4                   **MR. JEFFREY LEON:** And what -- how -- what was  
5 your impression of the way people were behaving at the  
6 intersection?

7                   **MR. DANIEL BULFORD:** Well, on weekends they would  
8 have a stage and music, and they would have, like, a nightly  
9 dance party, definitely on the Friday and the Saturday night,  
10 typically, is what I recall.

11                   **MR. JEFFREY LEON:** And what about during the  
12 week; do you recall?

13                   **MR. DANIEL BULFORD:** There was a lot of -- a lot  
14 of different food tents and barbeques; people were cooking and  
15 preparing food in clumps of people.

16                   **MR. JEFFREY LEON:** Now, we heard evidence from  
17 Keith Wilson -- you know Mr. Wilson?

18                   **MR. DANIEL BULFORD:** Yes, I do.

19                   **MR. JEFFREY LEON:** That there were leaks in  
20 either the OPS, OPP or both because the convoy organizers were  
21 aware of police operations before they happened. Did you know  
22 about that?

23                   **MR. DANIEL BULFORD:** I never had any active duty  
24 officers leaking me any sensitive information. I did have a  
25 number of police officers, former police officers, former  
26 military that were helping me with some of those different  
27 security tasks, and there was -- I'm not exactly certain of the  
28 number but there was officers that were on leave for various

1 reasons, whether it be the mandates or their own personal  
2 reasons -- I didn't ask; it wasn't my business -- that were also  
3 helping with some of the security tasks that I was coordinating.

4 **MR. JEFFREY LEON:** Okay. And if I can move to a  
5 different subject, did you continue to have contact with PLT of  
6 the police forces over the entire period?

7 **MR. DANIEL BULFORD:** In general, yes. There  
8 might have been -- there might have been the odd day where there  
9 was no communication. I know communication with the Ottawa  
10 Police Service liaison teams kind of -- I recall it reducing  
11 near the end, like, especially after the *Emergencies Act* had  
12 been invoked, but, from my recollection, the OPP was fairly  
13 regularly engaged.

14 **MR. JEFFREY LEON:** And did you -- concerning the  
15 OPS, did you have a view on how effective they were being?

16 **MR. DANIEL BULFORD:** Well, I think they were  
17 overwhelmed by the size of the convoy. I think that I actually  
18 had -- the young officer that I spoke to that -- early in the  
19 convoy, down at Booth and Sir John A. Macdonald, he actually  
20 said to me, "I can't believe the size of this." Something to  
21 this effect, "I can't believe the size of this. We're totally  
22 unprepared for something this size." And I kind of laughed and  
23 I said, "Well, you guys have to stop listening to the CBC for  
24 intelligence." And that was kind of the end of that  
25 interaction. But -- because if you had been paying attention to  
26 open source, like any kind of social media, it was obvious that  
27 this was a huge event that was about to land in Ottawa.

28 But coming back to how effective they were, I

1 have no complaints about dealing with them, but I don't think it  
2 was ever really -- I never really felt as though there was any  
3 kind of a negotiation taking place. It was just my means to  
4 communicate with the police because we would try and do -- we  
5 would try and get simple returns from the police liaisons, like,  
6 something as simple as like, "Could we possibly get access to  
7 this location so we could drop some portable toilets?"

8                   And we were getting shut down almost all the  
9 time. The only time I ever remember having any success with  
10 that was after I had expressed my displeasure about the  
11 psychological operation that was being conducted when I had that  
12 discussion with OPP Wierzbicki.

13                   **MR. JEFFREY LEON:** And at one point, did you come  
14 to learn that Chief Sloly had asked for 1,800 police officers?

15                   **MR. DANIEL BULFORD:** Yes, I did.

16                   **MR. JEFFREY LEON:** And what was your reaction to  
17 that?

18                   **MR. DANIEL BULFORD:** Well, I anticipated that at  
19 the very least, he was asking for a large number because this  
20 could be a sustained event and members would obviously need to  
21 be cycled out for sustainment, and likely, that they were  
22 preparing for a mass mobilization.

23                   **MR. JEFFREY LEON:** And did you do anything as a  
24 result of hearing that information?

25                   **MR. DANIEL BULFORD:** I mean, we had discussions  
26 about it. I don't -- it didn't change what my role was. My  
27 task was to just continue trying to keep things as safe as  
28 possible.

1                   **MR. JEFFREY LEON:** And were you aware of  
2 negotiations that were taking place between the leaders in the  
3 convoy and the mayor?

4                   **MR. DANIEL BULFORD:** I was made aware of that  
5 after the fact.

6                   **MR. JEFFREY LEON:** Okay. And in terms of -- did  
7 you have any communication with anyone who was involved in the  
8 Ambassador Bridge protest?

9                   **MR. DANIEL BULFORD:** No, I did not. I believe we  
10 had -- we've already seen an email that was forwarded to me by  
11 Ms. Lich ---

12                   **MR. JEFFREY LEON:** Yes.

13                   **MR. DANIEL BULFORD:** --- during her testimony,  
14 and that was the only time I'd ever seen anything from Windsor,  
15 and that -- I didn't even open that until well after the Ottawa  
16 convoy had been dismantled.

17                   **MR. JEFFREY LEON:** And what about Coutts?

18                   **MR. DANIEL BULFORD:** No, sir.

19                   **MR. JEFFREY LEON:** Emerson, Surrey?

20                   **MR. DANIEL BULFORD:** None.

21                   **MR. JEFFREY LEON:** Now, at what point do you  
22 recall learning that the *Emergencies Act* was to be invoked?

23                   **MR. DANIEL BULFORD:** I believe the day that it  
24 was officially announced by the federal government.

25                   **MR. JEFFREY LEON:** Did you hear anything about it  
26 prior to that date?

27                   **MR. DANIEL BULFORD:** I think there was  
28 discussions, people wondering if it would be, and my thought

1 process was that -- well, I wasn't going -- I would not have --  
2 be surprised if it was because the City had declared a state of  
3 emergency, the province had declared one. To me, it would not  
4 surprise me in the least if the next logical step was the  
5 federal government.

6 **MR. JEFFREY LEON:** And do you recall subsequent  
7 to the invocation on February 16, holding a press conference?

8 **MR. DANIEL BULFORD:** Yes, I do.

9 **MR. JEFFREY LEON:** And that was with Mr. Gircys  
10 and Mr. Cornell?

11 **MR. DANIEL BULFORD:** That's correct.

12 **MR. JEFFREY LEON:** And who is Mr. Cornell?

13 **MR. DANIEL BULFORD:** He is one of the members of  
14 the steering committee for the group, "Veterans for Freedom".  
15 He's a combat veteran.

16 **MR. JEFFREY LEON:** And if I can just read you  
17 what I understand you said at that press conference.

18 "The Emergency Order clearly states  
19 that the protest is allowed to continue  
20 if the protest is peaceful. The  
21 government is trying to order the  
22 police to use force against peaceful  
23 protestors. We call on our fellow  
24 Canadians to come to Ottawa to exercise  
25 their legal right to assembly and  
26 protest. The more Canadians that come  
27 to Ottawa, the harder it will be for  
28 the police to carry out the



1 government's illegal order."

2 Is that something you said?

3 **MR. DANIEL BULFORD:** That's correct.

4 **MR. JEFFREY LEON:** And did you receive advice as  
5 to your interpretation of the Emergency Order?

6 **MR. DANIEL BULFORD:** Yes. We had received a  
7 briefing from the legal team that based on, I believe it's  
8 Justice McLean's ruling, that as long as people did not come to  
9 Ottawa to engage in violence, disrupt trade, or block critical  
10 infrastructure, we still fell within the confines of a lawful  
11 protest.

12 **MR. JEFFREY LEON:** And did somebody request that  
13 you give this press conference, or did you do it on your own  
14 initiative?

15 **MR. DANIEL BULFORD:** Well, I was working with the  
16 media relations people from early on. I think my -- like you  
17 mentioned that my first press conference that I attended was on  
18 February 3rd, and so I did a number of press conference events  
19 during my time with the convoy.

20 **MR. JEFFREY LEON:** And at this point, isn't it  
21 fair to say that you believed that enforcement action could come  
22 at any time?

23 **MR. DANIEL BULFORD:** Perhaps I was naively hoping  
24 that my brothers and sisters in law enforcement would see the  
25 truth on the ground as opposed to what the government and the  
26 media was saying, and that they would take a historic  
27 opportunity to stand up for our Charter of Rights and Freedoms.

28 **MR. JEFFREY LEON:** And did you think about or was

1 it a concern to you that you were encouraging people to come  
2 into Ottawa where that sort of law enforcement activity might  
3 well take place?

4 **MR. DANIEL BULFORD:** No, because at that time,  
5 like I said, I still had faith that frontline members would do  
6 the right thing.

7 **MR. JEFFREY LEON:** Now, my understanding is that  
8 on February 18, your wife advised you that you were going to be  
9 arrested?

10 **MR. DANIEL BULFORD:** Yes, that's correct. I --  
11 she advised me that she had received a text message from one of  
12 our neighbours that the news was reporting that the police were  
13 looking for me to arrest me.

14 **MR. JEFFREY LEON:** And if we turn to the document  
15 PB.NSC.CAN00008924, the second page of the document? This is an  
16 RCMP document, and if you look at the bottom of the page, you'll  
17 see:

18 "Information collected. Freedom Convoy  
19 organizers held a press conference at  
20 1330 hours. Participants included ---

21 "

22 And that's blanked out.

23 "--- spoke to the same thing."

24 And you see what it says there about Canadians  
25 still being allowed to come to Ottawa with their children to  
26 engage in peaceful, lawful, protest. Is that what you said at  
27 your press conference?

28 **MR. DANIEL BULFORD:** Yeah, I believe that's

1 accurate.

2 **MR. JEFFREY LEON:** And you'll see the last  
3 paragraph there:

4 "All three individuals have contravened  
5 to section 5 of the Emergency Measures  
6 Regulations by inviting a person to  
7 participate in an assembly that may  
8 reasonably be expected to lead to a  
9 breach of the peace."

10 Now, I can come back, were you arrested on  
11 February 18?

12 **MR. DANIEL BULFORD:** Yes, I was.

13 **MR. JEFFREY LEON:** And can you briefly tell the  
14 Commissioner about that?

15 **MR. DANIEL BULFORD:** Well, after the press  
16 conference and my wife showed me the text message from our  
17 neighbour, I left the Lord Elgin Hotel, I walked down to Rideau  
18 and Sussex where I knew that the police action had already  
19 begun.

20 Initially, I encountered the Sûreté du Québec.  
21 No one would respond to me. So then I realized that there was  
22 RCMP, a line of RCMP officers over closer to the Senate or the  
23 old train station, and so I walked over to them. I approached  
24 the line. I presented myself and I said I -- something to the  
25 effect of, "I hear that you're looking for me to arrest me. Is  
26 that true?"

27 And then I was arrested for mischief.

28 **MR. JEFFREY LEON:** And were you ultimately

1 charged?

2 **MR. DANIEL BULFORD:** No, I was not.

3 **MR. JEFFREY LEON:** Were your bank accounts  
4 frozen?

5 **MR. DANIEL BULFORD:** Yes, they were.

6 **MR. JEFFREY LEON:** Can you tell the Commissioner  
7 about that, please?

8 **MR. DANIEL BULFORD:** To my recollection, we  
9 realized that our bank accounts were frozen, so two different  
10 banks and a primary credit card. I realized -- I think we --  
11 how I recall it going was that accessing online banking with our  
12 primary bank and it was just like a blank dash where the account  
13 balance would normally be. And then I believe my wife confirmed  
14 with the other bank. I attempted to use the credit card and it  
15 was declined and my wife spoke to a banking professional, a  
16 friend of ours, to ask if, with our accounts frozen, would our  
17 mortgage and automatic withdrawals still be paid, and we were  
18 advised that it would not be. And so I would say, roughly, a  
19 period of five to six days, we were completely dependent on what  
20 cash we had.

21 **MR. JEFFREY LEON:** And after that? Well, how  
22 long were your accounts frozen?

23 **MR. DANIEL BULFORD:** I believe it was -- my  
24 accounts were unfrozen on the Tuesday, the 22<sup>nd</sup> or the 23<sup>rd</sup> of  
25 February when the -- after the *Emergencies Act* had been revoked.

26 **MR. JEFFREY LEON:** So they were frozen for how  
27 many days?

28 **MR. DANIEL BULFORD:** I -- I believe I realized

1 they were frozen on the 17<sup>th</sup>, and then I think that was the  
2 Thursday. I didn't receive any kind of notification about it  
3 until, I think, the bank -- one bank called me and left a  
4 voicemail on the Saturday and then it was unfrozen after the  
5 *Emergencies Act* was revoked.

6 **MR. JEFFREY LEON:** And were you able to meet your  
7 day-to-day expenses during that period?

8 **MR. DANIEL BULFORD:** Well, fortunately, we didn't  
9 have a whole pile of expenses that we had to incur during those  
10 days, but we had some help from some family.

11 **MR. JEFFREY LEON:** All right. Thank you, sir.  
12 Those are my questions.

13 **MR. DANIEL BULFORD:** If I may add one thing about  
14 the accounts being frozen ---

15 **MR. JEFFREY LEON:** Yes.

16 **MR. DANIEL BULFORD:** --- I was never notified by  
17 the police that my accounts were frozen. Contrary to what was  
18 said to Parliament by the RCMP when they testified in Committee.

19 **MR. JEFFREY LEON:** Thank you.

20 **MR. DANIEL BULFORD:** Thank you.

21 **COMMISSIONER ROULEAU:** Okay, next, we have the  
22 Ottawa Police Service, please.

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

24 **MR. DAVID MIGICOVSKY:** Good afternoon, Mr.  
25 Bulford. My name is David Migicovsky; I'm a lawyer for the  
26 Ottawa Police Service.

27 **MR. DANIEL BULFORD:** Good afternoon, sir.

28 **MR. DAVID MIGICOVSKY:** Good afternoon. You

1 talked about your interactions with the PLT and I gather from  
2 reviewing your statement, you had many interactions with the  
3 PLT; is that correct?

4 **MR. DANIEL BULFORD:** That's correct.

5 **MR. DAVID MIGICOVSKY:** And they were very  
6 helpful?

7 **MR. DANIEL BULFORD:** I think they desired to be,  
8 yes.

9 **MR. DAVID MIGICOVSKY:** And you had the sense that  
10 they wished they had more ability to negotiate?

11 **MR. DANIEL BULFORD:** Yes, I would say that's  
12 accurate. I do recall -- I do recall a -- you know, when there  
13 was attempts to negotiate, occasionally receiving the reply to  
14 be, like, that was their decision to make.

15 **MR. DAVID MIGICOVSKY:** Right. In your statement  
16 you prepared, you have a statement that says, "Canada Freedom  
17 Rights Movement, a Daniel Joseph Bulford statement." That's the  
18 statement that was prepared for you by the Justice Centre's  
19 lawyers?

20 **MR. DANIEL BULFORD:** No, sir, I prepared that  
21 myself.

22 **MR. DAVID MIGICOVSKY:** And you've put that logo  
23 on top, or that name on top, "Canada Freedom Rights Movement"?

24 **MR. DANIEL BULFORD:** Yes, I did.

25 **MR. DAVID MIGICOVSKY:** Okay. And did you suggest  
26 that everyone else do that as well?

27 **MR. DANIEL BULFORD:** No, I did not.

28 **MR. DAVID MIGICOVSKY:** Okay. In that report, you

1 indicate a number of potentially criminal actions involving non-  
2 convoy members that you reported to the OPS, and so I see things  
3 in that report about bikers, about the new Queen of Canada,  
4 false claims that bricks had been ordered in your name,  
5 potential instigation, concerns about Canada unity, vandalism of  
6 trucks, social media posts made by a Mr. Lacasse, a sabotage of  
7 transport trucks, bikers, and bomb threats; right? Those are  
8 all things that you referenced?

9 **MR. DANIEL BULFORD:** That's correct.

10 **MR. DAVID MIGICOVSKY:** And you're a strong  
11 supporter, I take it, of law and order?

12 **MR. DANIEL BULFORD:** My dad was a police officer  
13 for 38 years. Both of my older brothers were police officers.  
14 Obviously, I was. And there's only one of us remaining but the  
15 -- my hometown in Alberta referred to us as the "Bezanson Blue  
16 Bloods".

17 **MR. DAVID MIGICOVSKY:** And I know from the Ottawa  
18 Police Service Institutional Report that I won't turn up in  
19 order to save time that during the period of the convoy, there  
20 were a number of criminal charges laid. In fact, we know -- and  
21 it's on page 14, that there were 533 of them, according to  
22 Schedule C. But what I don't see a single notation of in your  
23 statement is where you brought any of those criminal offences to  
24 the attention of the Ottawa Police.

25 **MR. DANIEL BULFORD:** Can you refresh on the dates  
26 that you're referring to?

27 **MR. DAVID MIGICOVSKY:** The dates, yes. You  
28 statement -- I'm not sure when your statement was prepared ---

1                   **MR. DANIEL BULFORD:** M'hm.

2                   **MR. DAVID MIGICOVSKY:** --- but the evidence that  
3 we have in the record is that during the period of the Freedom  
4 Convoy, so from January 28<sup>th</sup> to a date in March, there were a  
5 total of 533 criminal charges.

6                   **MR. DANIEL BULFORD:** Okay.

7                   **MR. DAVID MIGICOVSKY:** Sorry, I can't remember if  
8 that's laid or people arrested. And so I didn't see anywhere in  
9 your statement where you brought information about those -- that  
10 criminal activity to the attention of the Ottawa Police.

11                   **COMMISSIONER ROULEAU:** Okay, just hold on one ---

12                   **MR. BRENDAN MILLER:** I have an objection.

13                   **COMMISSIONER ROULEAU:** Yes.

14                   **MR. BRENDAN MILLER:** My friend is misstating the  
15 evidence to the witness and I object to it on that basis. The  
16 evidence is is that the vast majority of charges were laid after  
17 the fact and that actually, at least based on the one document  
18 in evidence, criminal charges that existed at the time, before  
19 the invocation, were only about 19 that -- of charges laid. So  
20 with respect to my friend stating, in the OPS document -- and I  
21 can advise the Commission that after I looked at what they had  
22 put together, I asked for disclosure from them with respect to  
23 when these charges were laid, and they've decided to provide  
24 that and they're using a jumbled-up statistic. So, in my  
25 submission, sir, my friends can ask the witness about why he  
26 didn't include OPS information in his statement that isn't  
27 clear. I think he needs to actually put the actual evidence  
28 that is before this tribunal before him and not jumble it up



1 into a fact that these are 500-some-odd charges that may or may  
2 not have been laid during the time period that he was here, sir.

3 **COMMISSIONER ROULEAU:** Okay, well, maybe you can  
4 just ask the question without ---

5 **MR. DAVID MIGICOVSKY:** I think ---

6 **COMMISSIONER ROULEAU:** --- reference to the ---

7 **MR. DAVID MIGICOVSKY:** I think the question was  
8 fair and my friend's now used a couple minutes of my time. But  
9 there were a lot of charges during the period of the Freedom  
10 Convoy; we know that. And I don't see anywhere in your  
11 statement where you reference informing the Ottawa Police of the  
12 situations leading to those criminal charges.

13 **MR. DANIEL BULFORD:** Well, I often reported to  
14 the Ottawa Police, the various police agencies, anything that  
15 came to my attention that I believed to be criminal or a public  
16 safety concern. And I believe that the majority of those  
17 arrests and charges happened during the dismantle operation of  
18 the protest, a significant chunk of which I was in custody.

19 **MR. DAVID MIGICOVSKY:** You were in custody as of  
20 what date, sir?

21 **MR. DANIEL BULFORD:** February 18<sup>th</sup>.

22 **MR. DAVID MIGICOVSKY:** And -- well, the record  
23 will speak for itself. And so in your statement in paragraph 80  
24 of your statement, you say you did everything to cooperate with  
25 the police and to maintain public peace and police safety; is  
26 that correct or is that incorrect?

27 **MR. DANIEL BULFORD:** That's correct.

28 **MR. DAVID MIGICOVSKY:** Okay. And so I also note

1 that in the Institutional Report of the Ottawa Police that the  
2 communications centre received many emergency calls from  
3 businesses to have protesters removed because they weren't  
4 wearing a mask, to deal with complaints about being harassed  
5 while walking on the street with masks, to complaints of being  
6 sexually harassed and threatened. I see as well that questions  
7 were asked about OPS's enforcement plans. I see as well that  
8 there were noise complaints that were received and requests for  
9 charges against the protesters. And I don't see anywhere, sir,  
10 in your statement where you reference any of those things.

11 **MR. DANIEL BULFORD:** Well, sir, that's not my job  
12 to handle the call volume that the Ottawa Police receives. And  
13 there's a lot of allegations that I've heard during testimony at  
14 this Inquiry that I haven't -- I have no knowledge or have not  
15 seen any real evidence of. I'm not suggesting that it's not  
16 possible, but people were not calling me to report criminal  
17 offences to the police.

18 **MR. DAVID MIGICOVSKY:** You've heard the evidence  
19 of Councillors McKenney and Fleury?

20 **MR. DANIEL BULFORD:** Yes.

21 **MR. DAVID MIGICOVSKY:** And you heard about what  
22 their constituents had to put up with; correct? You heard that  
23 evidence? I'm just asking you that question.

24 **MR. DANIEL BULFORD:** Yes, I heard their evidence.

25 **MR. DAVID MIGICOVSKY:** And so either -- did you  
26 believe what Councillor McKenney and Fleury said, or did you  
27 think the issues they were raising were trivial?

28 **MR. DANIEL BULFORD:** I wouldn't characterise what

1 they were saying as trivial, but again I have come to the point  
2 where I am not going to believe anything until I see actual  
3 evidence of it.

4 **MR. DAVID MIGICOVSKY:** You told me about you  
5 clearly respect law and order. I take it you have a lot of  
6 respect for the Canadian court system. Correct?

7 **MR. DANIEL BULFORD:** I sincerely hope it's still  
8 functioning the way it is intended, yes.

9 **MR. DAVID MIGICOVSKY:** It's important that  
10 decisions of the court be respected?

11 **MR. DANIEL BULFORD:** Yes.

12 **MR. DAVID MIGICOVSKY:** And one of the decisions  
13 was that the convoy had negatively impacted residents and the  
14 convoy protesters were breaching by-laws. You're aware of that?

15 **MR. DANIEL BULFORD:** Could you specify the  
16 by-laws?

17 **MR. DAVID MIGICOVSKY:** Were you aware of that,  
18 sir?

19 **MR. DANIEL BULFORD:** Well, again, sir, it's not  
20 my profession to enforce by-laws in the City of Ottawa.

21 **MR. DAVID MIGICOVSKY:** And as a police officer  
22 you understand that disclosing confidential information is an  
23 offence?

24 **MR. DANIEL BULFORD:** What type of confidential  
25 information are you referring ---

26 **MR. DAVID MIGICOVSKY:** Confidential information.  
27 It's an offence under the *Police Services Act* and it's also an  
28 offence under the Code of Conduct for the RCMP; correct?

1                   **MR. DANIEL BULFORD:** That's correct. You mean  
2 like as it relates to information I learned during my time as a  
3 police officer?

4                   **MR. DAVID MIGICOVSKY:** No, I'm just asking you  
5 the question generally, that the disclosure of confidential  
6 information is an offence; correct? While -- if a serving  
7 police officer discloses information that is an offence;  
8 correct?

9                   **MR. DANIEL BULFORD:** Like under the -- if I was  
10 to disclose something confidential as a -- as an active serving  
11 police officer that would be an offence under the RCMP Code of  
12 Conduct?

13                   **MR. DAVID MIGICOVSKY:** Right.

14                   **MR. DANIEL BULFORD:** I would agree with that,  
15 yes.

16                   **MR. DAVID MIGICOVSKY:** Right. And same thing  
17 would apply to a municipal police officer who discloses  
18 information they had as a police officer?

19                   **MR. DANIEL BULFORD:** I -- I'm not entirely  
20 certain. I would assume you're probably accurate, but I didn't  
21 fall under the *Police Services Act*.

22                   **MR. DAVID MIGICOVSKY:** Okay, sure. It would be  
23 breach of confidence if that's of assistance. But it can also  
24 potentially be a criminal offence as well, correct, breach of  
25 trust?

26                   **MR. DANIEL BULFORD:** Yeah, probably.

27                   **MR. DAVID MIGICOVSKY:** And being a person who  
28 supports law and order, you would not condone that kind of

1 thing, would you? You wouldn't want police officers to be  
2 breaching their oaths and providing confidential information to  
3 members of the convoy, would you?

4 **MR. DANIEL BULFORD:** No.

5 **MR. DAVID MIGICOVSKY:** And so Mr. Wilson in his  
6 witness statement talks about people working at the Swiss Hotel.  
7 That was where you were?

8 **MR. DANIEL BULFORD:** That's correct.

9 **MR. DAVID MIGICOVSKY:** And so he said,  
10 "There were former law enforcement  
11 officers, they had radios, maps, many  
12 of these ex service personnel were  
13 connected and brought in intel. Wilson  
14 is unaware of the sources, but the  
15 Freedom Convoy was receiving leaked  
16 information from law enforcement." (As  
17 read)

18 I just want to be clear, you never became aware  
19 of any leaked information from Ottawa Police Service ---

20 **MR. DANIEL BULFORD:** I ---

21 **MR. DAVID MIGICOVSKY:** --- officers, did you?

22 **MR. DANIEL BULFORD:** I will be 100 percent clear.  
23 At no time did I receive sensitive information from an active  
24 duty Ottawa Police officer.

25 **MR. DAVID MIGICOVSKY:** And you never received  
26 confidential information from an Ottawa Police officer, did you?

27 **MR. DANIEL BULFORD:** No.

28 **MR. DAVID MIGICOVSKY:** Okay. And Mr. Wilson

1 never told you who these people were.

2 **MR. DANIEL BULFORD:** No.

3 **MR. DAVID MIGICOVSKY:** And you were very involved  
4 in the security response and the incident command that was going  
5 on at that hotel; correct?

6 **MR. DANIEL BULFORD:** That's correct.

7 **MR. DAVID MIGICOVSKY:** So one would expect that  
8 you would know if there was leaked confidential information;  
9 correct?

10 **MR. DANIEL BULFORD:** Yes, I expect I would.

11 **MR. DAVID MIGICOVSKY:** And you're not suggesting,  
12 obviously, that if such a thing had occurred that the Ottawa  
13 Police Service would condone that kind of thing; correct?

14 **MR. DANIEL BULFORD:** I think it's fair to say  
15 that the Ottawa Police would not condone that.

16 **MR. DAVID MIGICOVSKY:** Right. And one of the  
17 things you reference in your statement at paragraph 80 is you  
18 accused the police leadership, and I'm just going to quote you  
19 of, quote:

20 "...knowingly attempting to instigate a  
21 strong emotional reaction from convoy  
22 participants by using inflamed rhetoric  
23 and threatening the involvement of  
24 Child Protective Services." (As read)

25 **MR. DANIEL BULFORD:** Yes, that's correct.

26 **MR. DAVID MIGICOVSKY:** Okay.

27 Mr. Clerk, I wonder if I could ask you, please,  
28 to call up HRF00001553, and if we go to page 22, please. At

1 paragraph 103. Thank you.

2 And I'll just read that sentence, the first  
3 sentence, sir, "I also advised" -- and this is from your  
4 statement; correct?

5 **MR. DANIEL BULFORD:** That's correct.

6 **MR. DAVID MIGICOVSKY:**

7 "I also advised him of my belief that  
8 our own Government was committing  
9 crimes against humanity, allowing  
10 thousands of Canadians to die because  
11 they've been denied life saving  
12 treatment and others have been disabled  
13 or have died from the vaccine,  
14 something a homicide detective may want  
15 to consider."

16 And would you agree with me that that would be an  
17 example of inflammatory rhetoric, attempting to instigate a  
18 strong emotional response?

19 **MR. DANIEL BULFORD:** I don't think it's an  
20 example of inflammatory rhetoric, I think it's absolutely  
21 factually true.

22 **MR. DAVID MIGICOVSKY:** Okay.

23 **MR. DANIEL BULFORD:** And that I was trying to  
24 elicit a response from Detective Benson ---

25 **MR. DAVID MIGICOVSKY:** Okay.

26 **MR. DANIEL BULFORD:** --- because he, as a  
27 homicide detective, should be investigating something of that  
28 nature.

1                   **MR. DAVID MIGICOVSKY:** And in -- I won't take you  
2 to the paragraph to save time, but in paragraph 121 of your  
3 statement you also talk about the extreme dehumanisation of  
4 unvaccinated people. And I guess you don't see that as  
5 inflammatory rhetoric either; correct?

6                   **MR. DANIEL BULFORD:** No, sir.

7                   **MR. DAVID MIGICOVSKY:** And in your witness  
8 statement you talk about the police breaching windows and  
9 extracting protesters during the tactical operation, the POU  
10 operation. Do you recall that?

11                   **MR. DANIEL BULFORD:** I do.

12                   **MR. DAVID MIGICOVSKY:** And you know, of course,  
13 from your experience in law enforcement that it's easy to be an  
14 armchair quarterback and say what's wrong with the police  
15 carrying out a tactical operation after the fact; correct? It's  
16 very difficult to be on the ground and in the theatre of  
17 operations, isn't it?

18                   **MR. DANIEL BULFORD:** I would agree with that, and  
19 I think to add context to the answer, is that I believe in my  
20 statement I outlined why I believed that occurred.

21                   **MR. DAVID MIGICOVSKY:** And you would agree with  
22 me that in the theatre of operations police may be dealing with  
23 situations that may be volatile and more dangerous than appear  
24 to onlookers; correct?

25                   **MR. DANIEL BULFORD:** That's correct.

26                   **MR. DAVID MIGICOVSKY:** And you're aware from the  
27 police operations that were carried out by the Ottawa Police  
28 Service, the OPP, the RCMP and a number of other Public Order



1 Units, you're aware from your experience that there would  
2 generally be an arrest and detention plan prepared for those  
3 type of circumstances; correct?

4 **MR. DANIEL BULFORD:** Yes.

5 **MR. DAVID MIGICOVSKY:** And so OPP04 --  
6 OPP00004286, if we could just briefly call that up.

7 **COMMISSIONER ROULEAU:** You're going to have to be  
8 wrapping up pretty soon.

9 **MR. DAVID MIGICOVSKY:** If I might just have one  
10 more minute?

11 **COMMISSIONER ROULEAU:** No problem.

12 **MR. DAVID MIGICOVSKY:** Thanks very much.

13 That is -- if you'd just be good enough to scroll  
14 down. That is the arrest and detention plan with respect to the  
15 operation that was carried out and you wouldn't presume to say  
16 that it wasn't an appropriate arrest plan, would you?

17 **MR. DANIEL BULFORD:** I can't -- I don't feel I'm  
18 qualified to speak to that for a major Public Order operation  
19 such as what occurred. My typical experience with an arrest  
20 plan was in a much smaller context and it was very simple.

21 **MR. DAVID MIGICOVSKY:** Okay. And finally just to  
22 finish off, you testified in answer to my friend, that you  
23 expected when -- although there was an announcement of the -- a  
24 large number of police officers and you realized that they were  
25 preparing for a tactical or a public order unit response, you  
26 testified that you thought that the police officers would do the  
27 right thing, correct?

28 **MR. DANIEL BULFORD:** I had hoped so.

1                   **MR. DAVID MIGICOVSKY:** And you thought that they  
2 would disregard the situation and simply allow the status quo to  
3 continue, correct?

4                   **MR. DANIEL BULFORD:** Yes, I had hoped that they  
5 would see through the false narrative and stand up for us and do  
6 what was right and protect us.

7                   **MR. DAVID MIGICOVSKY:** Thank you very much, those  
8 are all my questions.

9                   **COMMISSIONER ROULEAU:** Okay. Next is the Ottawa  
10 Residents Coalition.

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

12                   **MR. PAUL CHAMP:** Good evening now, Mr. Bulford, I  
13 guess we can say. My name is Paul Champ, for the record, for  
14 the Ottawa Coalition Residents and Businesses.

15                   Mr. Bulford, I just want to ask you about the  
16 first thing you were talking about. You were concerned about  
17 being disciplined for speaking out about vaccine rules and  
18 restrictions?

19                   **MR. DANIEL BULFORD:** The federal vaccine mandate.

20                   **MR. PAUL CHAMP:** And you were concerned about  
21 being disciplined for speaking out about that?

22                   **MR. DANIEL BULFORD:** Yes, I was.

23                   **MR. PAUL CHAMP:** I'm very sorry to hear that. I  
24 think that would have been totally inappropriate.

25                   **MR. DANIEL BULFORD:** Well, that's my lived  
26 experience with the RCMP, sir.

27                   **MR. PAUL CHAMP:** Yeah, I've represented RCMP  
28 officers for over 20 years, including people for speaking

1 publicly and if things had been different I would have been  
2 happy to represent you on that.

3 Now, I want to ask you some questions about your  
4 drive around with Sgt. Frost on the eve of the protests. So the  
5 two of you drove around looking at appropriate spots for the  
6 trucks to park; is that right?

7 **MR. DANIEL BULFORD:** That's correct.

8 **MR. PAUL CHAMP:** And during that drive, did the  
9 two of you discuss in any way about how long the protest might  
10 last?

11 **MR. DANIEL BULFORD:** I don't recall. It may have  
12 been. It may have come up and at that time I didn't have an  
13 accurate timeline.

14 **MR. PAUL CHAMP:** Sure, because you've told us  
15 that you expected the protest would last until the federal  
16 government dropped the vaccine mandates and rules; is that  
17 right?

18 **MR. DANIEL BULFORD:** That was my impression, yes.

19 **MR. PAUL CHAMP:** And is that what you conveyed to  
20 Sgt. Frost?

21 **MR. DANIEL BULFORD:** Potentially.

22 **MR. PAUL CHAMP:** Okay. Now, I just want to ask  
23 you as an aside about the crowd size. You indicated that it was  
24 the largest crowd you had ever observed in Ottawa?

25 **MR. DANIEL BULFORD:** I would say that's accurate,  
26 yes.

27 **MR. PAUL CHAMP:** I believe some of the records we  
28 have from police records that the size of the crowds were in the

1 10,000 to 15,000 range; does that sound about right?

2 **MR. DANIEL BULFORD:** No, sir.

3 **MR. PAUL CHAMP:** What did you think the size was?

4 **MR. DANIEL BULFORD:** Based on my experience doing  
5 overwatch on Canada Day and seeing the large crowds, especially  
6 like, let's say, Canada Day 150 where it was probably the  
7 biggest I had seen -- I would have estimated the crowds in  
8 downtown Ottawa on Parliament Hill, Wellington, that general  
9 vicinity ---

10 **MR. PAUL CHAMP:** M'hm.

11 **MR. DANIEL BULFORD:** --- I would have estimated  
12 close to 100,000.

13 **MR. PAUL CHAMP:** So do you think that the police  
14 were recording false information deliberately or they just  
15 assessed it differently than you?

16 **MR. DANIEL BULFORD:** I can't say. Well, I doubt  
17 very much that they would record it false deliberately.

18 **MR. PAUL CHAMP:** Could it be that you maybe just  
19 -- it was hard for you to assess because all the trucks took up  
20 so much space, it was tough to assess the size?

21 **MR. DANIEL BULFORD:** I thought about that. The  
22 trucks do take up a lot of space. But the crowd even between  
23 the trucks was jam packed from the Supreme Court almost all the  
24 way to the Chateau Laurier. And I don't recall seeing that  
25 before. I recall seeing large crowds moving around Parliament  
26 Hill, along Wellington, into the Byward Market. But those  
27 numbers encompass a much large geographic area than what I'm  
28 referring to.

1           **MR. PAUL CHAMP:** Right. And when you do  
2 overwatch you're up on top of the buildings, like Langevin Block  
3 and stuff like that, so you'd have a better eye view of the  
4 crowd.

5           **MR. DANIEL BULFORD:** That's correct.

6           **MR. PAUL CHAMP:** And you weren't able to be up on  
7 those buildings during this time, right?

8           **MR. DANIEL BULFORD:** No.

9           **MR. PAUL CHAMP:** Okay. Now, I want to ask you  
10 about the dance parties you told us about. You thought those  
11 parties were Fridays and Saturday nights?

12           **MR. DANIEL BULFORD:** I believe so.

13           **MR. PAUL CHAMP:** But you and I, I don't think,  
14 are so far off in age. You weren't going out to the dance  
15 parties every night, I gather, Mr. Bulford?

16           **MR. DANIEL BULFORD:** I didn't have time, sir.

17           **MR. PAUL CHAMP:** Yeah, I understand. And so if  
18 there were dance parties on Wednesdays and Thursday nights you  
19 wouldn't necessarily know.

20           **MR. DANIEL BULFORD:** I seem to recall them being  
21 restricted to weekends. But I could be mistaken.

22           **MR. PAUL CHAMP:** Okay. Now, I want to ask you  
23 some questions about your interactions with law enforcement.  
24 We've already heard a lot of your evidence on that, about your  
25 interactions with PLTs. But you also had interactions with  
26 officers who were off duty; is that right?

27           **MR. DANIEL BULFORD:** No. Like, you mean, active  
28 officers?

1           **MR. PAUL CHAMP:** Yes, exactly.

2           **MR. DANIEL BULFORD:** No.

3           **MR. PAUL CHAMP:** And just to be clear, I'm not  
4 going to be asking for names. I'm just trying to understand,  
5 because we heard the testimony from Mr. Wilson the other day who  
6 ---

7           **MR. DANIEL BULFORD:** Yes, I understand.

8           **MR. PAUL CHAMP:** And I just want to understand  
9 it. So was Mr. Wilson getting that information from others?

10          **MR. DANIEL BULFORD:** I can't say for certain.  
11 But all of the officers that were supporting me in a security  
12 context were either off work for their own personal reasons ---

13          **MR. PAUL CHAMP:** Right.

14          **MR. DANIEL BULFORD:** --- or they had left their  
15 service.

16          **MR. PAUL CHAMP:** Right.

17          **MR. DANIEL BULFORD:** They had made a similar  
18 decision to me and had decided to leave policing.

19          **MR. PAUL CHAMP:** How many people are we talking  
20 about here, roughly?

21          **MR. DANIEL BULFORD:** A dozen.

22          **MR. PAUL CHAMP:** A dozen. And so each one of  
23 those officers would have had their own network of contacts in  
24 law enforcement; is that right?

25          **MR. DANIEL BULFORD:** Possible.

26          **MR. PAUL CHAMP:** And could have been getting  
27 information from current law enforcement?

28          **MR. DANIEL BULFORD:** I don't know, sir. But you

1 have to remember, it wasn't just -- it was people from all  
2 across Canada, from multiple multiple agents. Like, they had  
3 worked for multiple agencies. It wasn't just one service.

4 **MR. PAUL CHAMP:** Right. I want to ask you about  
5 a different topic, Mr. Bulford. Now, the convoy organizers --  
6 Ms. Lich, Mr. Barber, others, yourself -- you were doing  
7 everything possible to convey to protesters to refrain from any  
8 kind of violence, correct?

9 **MR. DANIEL BULFORD:** Yes, I would say so.

10 **MR. PAUL CHAMP:** But because you were security  
11 you were dealing with threats at times; is that right?

12 **MR. DANIEL BULFORD:** Yeah, but not threats from  
13 within the convoy protest. Most of the -- anything that I was  
14 receiving that was information of a public safety concern was  
15 typically someone who was committing a criminal act or  
16 potentially a criminal act against the protest.

17 **MR. PAUL CHAMP:** Right.

18 **MR. DANIEL BULFORD:** There was one or two  
19 instances where there were some vehicles that people had  
20 reported that they were kind of presenting the idea of blocking  
21 the intersections.

22 **MR. PAUL CHAMP:** Right.

23 **MR. DANIEL BULFORD:** And those instances were  
24 reported to me by convoy protesters which then I passed on to  
25 the police because we were trying to act within the confines of  
26 we do not want to block all of the intersections.

27 **MR. PAUL CHAMP:** But Mr. Bulford, my  
28 understanding is you were concerned and were doing what you

1 could to protect the convoy organizer leaders; is that right,  
2 like, coordinating with some of the other officers to ensure  
3 that Mr. Barber and Ms. Lich and so forth were safe?

4 **MR. DANIEL BULFORD:** Ms. Lich did end up getting  
5 a former military member to provide some security for her ---

6 **MR. PAUL CHAMP:** Yeah.

7 **MR. DANIEL BULFORD:** --- because she had received  
8 a number of death threats.

9 **MR. PAUL CHAMP:** Right.

10 **MR. DANIEL BULFORD:** Other than that, the only  
11 people that were really receiving, like, a close protection  
12 detail, if you want to call it that ---

13 **MR. PAUL CHAMP:** Yeah.

14 **MR. DANIEL BULFORD:** --- were the doctors and  
15 former Premier Peckford when he was in town.

16 **MR. PAUL CHAMP:** Right.

17 **MR. DANIEL BULFORD:** Because especially three of  
18 the doctors in particular had received a number of death -- or a  
19 number of harassing -- or they had been subject to harassment  
20 and a number of threats themselves.

21 **MR. PAUL CHAMP:** Now, Ms. Lich, she very  
22 successfully raised large money -- amount of money from GoFundMe  
23 but, you know, we heard her testimony. She was encountering all  
24 kinds of difficulty in accessing any of that money.

25 You knew about that at the time; correct?

26 **MR. DANIEL BULFORD:** Yes.

27 **MR. PAUL CHAMP:** And there was many people who  
28 were very angry at her for not being able to produce that money.



1 There is different theories and so forth that she was  
2 deliberately not giving the money to them and so forth. There  
3 was that going around; right?

4 **MR. DANIEL BULFORD:** There was -- there was  
5 fractures within the -- within, I would say, the freedom  
6 movement. Maybe not just specific to Ottawa, but even ---

7 **MR. PAUL CHAMP:** Right.

8 **MR. DANIEL BULFORD:** --- people -- I found that  
9 the people who were the biggest critics of people like Ms. Lich  
10 were people who were not here presently in Ottawa.

11 **MR. PAUL CHAMP:** Sure.

12 But what I'm getting at is that, you know,  
13 although Ms. Lich was trying to convey what she was, you know,  
14 trying to do to get -- to get the access to the GoFundMe money  
15 to help the truckers, which, you know, we've seen all the  
16 documents. That's what she was doing. But some people at that  
17 protest who were wanting access to that money, perhaps had  
18 driven a long way, they were getting very frustrated and she was  
19 -- was she getting threats from some of those people?

20 **MR. DANIEL BULFORD:** Not that I recall.

21 **MR. PAUL CHAMP:** No, none.

22 **MR. DANIEL BULFORD:** No.

23 **MR. PAUL CHAMP:** So what was the security detail  
24 for?

25 **MR. DANIEL BULFORD:** Well, my impression was that  
26 she was being -- receiving threats from people that were opposed  
27 to the convoy being in Ottawa.

28 **MR. PAUL CHAMP:** And everyone else who wanted

1 access to that money who'd driven across the country, spent  
2 thousands of dollars, they were just content to sit and they  
3 weren't angry about not getting access to the money.

4 **MR. DANIEL BULFORD:** I don't have any information  
5 or evidence to support that, sir.

6 **MR. PAUL CHAMP:** Sir -- Mr. Bulford, you're a  
7 professional; right?

8 **MR. DANIEL BULFORD:** Yes.

9 **MR. PAUL CHAMP:** You're a professional security  
10 detail protecting very important people; correct?

11 **MR. DANIEL BULFORD:** In my past career, yeah.

12 **MR. PAUL CHAMP:** Right. Let's just like be  
13 honest with each other.

14 Someone in her situation, if you'd assessed that  
15 as a professional, you would have thought she might be at risk,  
16 her physical safety. The people wanting access to that money  
17 who weren't getting it were frustrated.

18 That was a -- that was a reasonable threat  
19 assessment, was it not?

20 **MR. DANIEL BULFORD:** It could be potential, yes,  
21 but I didn't have -- I didn't have any intelligence or evidence  
22 to support that notion other than the fact that, yeah, she was -  
23 - she was the face of the convoy. They had raised a substantial  
24 amount of money. But my experience when you've seen Ms. Lich in  
25 public, people loved her.

26 **MR. PAUL CHAMP:** Now, you're aware also, Mr.  
27 Bulford, that GoFundMe, they were concerned because they -- some  
28 of their staff were getting threats for not releasing the money.

1 Were you aware of that?

2 **MR. DANIEL BULFORD:** No, sir, I was not aware of  
3 that.

4 **MR. PAUL CHAMP:** You never heard about that?

5 **MR. DANIEL BULFORD:** No, sir.

6 **MR. PAUL CHAMP:** But that was some of the  
7 concerns at GoFundMe, so the -- Ms. Lich and Mr. Wilson and so  
8 forth never shared that with you.

9 **MR. DANIEL BULFORD:** No, sir.

10 **MR. PAUL CHAMP:** What about fuel providers who  
11 then decided to stop providing fuel. Did you ever hear about  
12 any of them getting threats?

13 **MR. DANIEL BULFORD:** From the convoy?

14 **MR. PAUL CHAMP:** Yes. Well, from anyone.

15 **MR. DANIEL BULFORD:** No, sir.

16 **MR. PAUL CHAMP:** Companies who had stopped.

17 **MR. DANIEL BULFORD:** Honestly, no. I don't -- I  
18 don't recall information about fuel providers being threatened.

19 **MR. PAUL CHAMP:** Now, what about tow truck  
20 drivers? We've heard a lot about tow truck drivers.

21 Were there any threats to tow truck drivers if  
22 they tried to assist law enforcement? Had you heard anything  
23 about that?

24 **MR. DANIEL BULFORD:** The first time I heard of it  
25 was from the police witnesses at this inquiry.

26 **MR. PAUL CHAMP:** Right. Right.

27 And what about Mr. King? Did you ever view him  
28 in any way as a threat to any of the other convoy organizers?

1                   **MR. DANIEL BULFORD:** Like a physical threat?

2                   **MR. PAUL CHAMP:** Yes.

3                   **MR. DANIEL BULFORD:** No, sir.

4                   **MR. PAUL CHAMP:** You'd never heard of him  
5 threatening or intimidating any of the other leaders?

6                   **MR. DANIEL BULFORD:** Mr. King came to the Swiss  
7 Hotel one evening angry and he ended up in a verbal altercation  
8 with Mr. -- with Chad Eros, I believe. I didn't learn about  
9 that until the following day. I was not there when that  
10 occurred.

11                   **MR. PAUL CHAMP:** Mr. King had a couple of very  
12 large people with him and was intimidating Mr. Eros?

13                   **MR. DANIEL BULFORD:** I don't know who he had with  
14 him.

15                   **MR. PAUL CHAMP:** Okay.

16                   **MR. DANIEL BULFORD:** But Mr. King is a large man  
17 himself.

18                   **MR. PAUL CHAMP:** No doubt.

19                   Now, what about media? Now, I know, obviously,  
20 you're not very supportive or don't consume what you call legacy  
21 media, but you were aware, had heard of that reporters for some  
22 of those organizations downtown were often being threatened  
23 while they were down trying to cover the convoy demonstrations.

24                   You were aware of that, Mr. Bulford?

25                   **MR. DANIEL BULFORD:** I was not aware of that. I  
26 did -- I did learn that I believe the RCMP may have been  
27 providing security for some of those reporters. I saw one video  
28 just recently, like in the last two weeks, where I think Mr.

1 McGregor -- people were yelling in the background while he was  
2 trying to give a broadcast, but ---

3 **MR. PAUL CHAMP:** Right.

4 **MR. DANIEL BULFORD:** --- that was the first I'd  
5 ever seen of that.

6 **MR. PAUL CHAMP:** Or Mr. Raymond Fillion with TVA  
7 was pushed to the ground?

8 **MR. DANIEL BULFORD:** I did not -- I was not aware  
9 of that until you just said it.

10 **MR. PAUL CHAMP:** Or Mr. Evan Solomon from CTV  
11 News had a beer can thrown at his head?

12 **MR. DANIEL BULFORD:** I did not -- I was not aware  
13 of that either.

14 **MR. PAUL CHAMP:** You hadn't seen any of the other  
15 videos or just on your walkabouts ever seen reporters for CBC or  
16 Global, whatnot, of crowds swarming around them and yelling and  
17 -- yelling at them?

18 **MR. DANIEL BULFORD:** No, not that I recall.

19 **MR. PAUL CHAMP:** Okay.

20 **MR. DANIEL BULFORD:** I remember ---

21 **MR. PAUL CHAMP:** Okay.

22 **MR. DANIEL BULFORD:** --- some ---

23 **MR. PAUL CHAMP:** Okay.

24 **MR. DANIEL BULFORD:** --- mainstream reporters  
25 approaching me the night that Ms. Lich was arrested when we were  
26 standing up by the stage truck and they were trying to ask for  
27 interviews and I just declined. But I don't recall anyone being  
28 threatening towards them at all.

1                   **MR. PAUL CHAMP:** Okay. So you didn't see any of  
2 those things.

3                   **MR. DANIEL BULFORD:** No, sir.

4                   **MR. PAUL CHAMP:** Okay. And then the legacy  
5 media, as you call it, you believe that they were  
6 misrepresenting the convoy. Is that right?

7                   **MR. DANIEL BULFORD:** Yes, I do.

8                   **MR. PAUL CHAMP:** And so when you say legacy  
9 media, you're talking about CTV, CBC, Global News, Post Media,  
10 all of those?

11                   **MR. DANIEL BULFORD:** Well, I would definitely --  
12 I would definitely say CBC, CTV, Global, you're accurate in  
13 that.

14                   **MR. PAUL CHAMP:** Okay.

15                   **MR. DANIEL BULFORD:** Post Media I'm not -- not so  
16 much, but also, I would throw in the Toronto Star is probably  
17 the worst offender, in my opinion.

18                   **MR. PAUL CHAMP:** Okay. And then -- so was it  
19 your understanding or belief that they were all kind of working  
20 together in some way to cover the convoy in a certain way?

21                   **MR. DANIEL BULFORD:** Well, it's been my  
22 experience, Mr. Champ, that they've been reporting very similar  
23 to each other for the last -- at least the last two years.

24                   **MR. PAUL CHAMP:** I thought your earlier testimony  
25 was that you weren't really watching them during convoy.

26                               Were you watching them or you weren't watching  
27 them?

28                   **MR. DANIEL BULFORD:** I didn't really have time to

1 watch them that much, sir. I did review a few articles that  
2 people would send me.

3 Like for instance, the article detailing one of  
4 the local Ottawa residents who had been arrested early on in the  
5 convoy for carrying weapons in a public place.

6 **MR. PAUL CHAMP:** Right.

7 **MR. DANIEL BULFORD:** And they wrote the article.  
8 I believe I saw it in the Toronto Star and CBC.

9 **MR. PAUL CHAMP:** But just the whole phrase  
10 "legacy media", I'm just trying to understand what that means.

11 Legacy media, that means like old media that  
12 can't be trusted?

13 **MR. DANIEL BULFORD:** No, it's the -- it's another  
14 name for the mainstream media.

15 **MR. PAUL CHAMP:** Mainstream.

16 **MR. DANIEL BULFORD:** The big outlets that have a  
17 -- that seem to have -- I don't know if you'd call it a  
18 monopoly, but they dominate the television ---

19 **MR. PAUL CHAMP:** Sure.

20 **MR. DANIEL BULFORD:** --- right.

21 **MR. PAUL CHAMP:** But all journalists, all story,  
22 they all have an agenda that's counter to -- to the people that  
23 you support? Is that what your understanding is?

24 **MR. DANIEL BULFORD:** I did not say all  
25 journalists do.

26 **MR. PAUL CHAMP:** All journalists with legacy  
27 media.

28 **MR. DANIEL BULFORD:** I can't say that. I can't

1 say that all journalists do. But I've seen many concerning  
2 remarks come from the legacy media, yes.

3 **MR. PAUL CHAMP:** Just last point, Mr. Bulford.

4 I heard Mr. Migicovsky from the Ottawa Police  
5 Service -- oh, no, I apologize. Maybe it was the Commission  
6 counsel asking about racist flags that were being carried around  
7 during the protest.

8 And I believe you were implying in your testimony  
9 that you didn't think those were real convoy protestors, that  
10 they were others who might have been infiltrating? Is that ---

11 **MR. DANIEL BULFORD:** Yes, I suspect that's the  
12 case.

13 **MR. PAUL CHAMP:** That's -- but you don't have any  
14 evidence of that.

15 **MR. DANIEL BULFORD:** Well, I did see a photograph  
16 of a gentleman who I know to be a photographer that follows Mr.  
17 Trudeau around on a regular basis taking a close-up shot of a  
18 gentleman carrying a Confederate flag.

19 **MR. PAUL CHAMP:** Confederate flags can be viewed  
20 as a racist flag. Is that right?

21 **MR. DANIEL BULFORD:** That's correct.

22 **MR. PAUL CHAMP:** Right.

23 **MR. DANIEL BULFORD:** It appeared staged to me.

24 **MR. PAUL CHAMP:** Right. And so -- and you didn't  
25 think that there was anyone involved in the convoy who brought  
26 Confederate flags to the protest. Is that right?

27 **MR. DANIEL BULFORD:** Not that I was aware of.

28 The video -- I seen the video of a masked man



1 like wearing a winter Balaklava walking through the crowd with a  
2 Confederate flag and the video that I saw was a number of  
3 protestors telling him to get out of there ---

4 **MR. PAUL CHAMP:** Right.

5 **MR. DANIEL BULFORD:** --- because he wasn't  
6 welcome and they didn't want that type of -- they didn't want  
7 that type of symbol being associated to the convoy.

8 **MR. PAUL CHAMP:** Right. All the convoy people  
9 left their Confederate flags at home like Mr. Barber.

10 **MR. DANIEL BULFORD:** Sir, I don't know what  
11 beliefs all of the people that came to Ottawa hold, and I don't  
12 know what they have in their possession. That would be purely  
13 speculation on my part.

14 **MR. PAUL CHAMP:** All right. Thank you.

15 **COMMISSIONER ROULEAU:** Government of Canada,  
16 please.

17 **--- CROSS-EXAMINATION BY MR. VICTOR RYAN:**

18 **MR. VICTOR RYAN:** Good evening, Mr. Bulford. My  
19 name is Victor Ryan and I'm part of the counsel team with the  
20 Government of Canada.

21 You already testified to your previous history of  
22 service with the RCMP, but I'd just like to go back to it  
23 briefly.

24 You stated you began your RCMP career with a  
25 posting with N Division in the Yukon, correct?

26 **MR. DANIEL BULFORD:** That's correct.

27 **MR. VICTOR RYAN:** And within a few years of  
28 working in the Yukon, you were selected to become a member of

1 the Emergency Response Team, correct?

2 **MR. DANIEL BULFORD:** That's correct.

3 **MR. VICTOR RYAN:** And by virtue of your selection  
4 to join the ERT, you were trained as an assaulter, I believe,  
5 correct?

6 **MR. DANIEL BULFORD:** Initially, yes.

7 **MR. VICTOR RYAN:** And then as a sniper?

8 **MR. DANIEL BULFORD:** That's correct.

9 **MR. VICTOR RYAN:** And would you agree with me  
10 that the selection process for an Emergency Response Team is  
11 highly competitive?

12 **MR. DANIEL BULFORD:** Normally, yes.

13 **MR. VICTOR RYAN:** Okay. Because ERTs are  
14 responsible for resolving incidents beyond the capabilities of  
15 regular police, in part, due to the increased risk of violence  
16 that they can face?

17 **MR. DANIEL BULFORD:** Yes.

18 **MR. VICTOR RYAN:** And you continued to work as  
19 part of the ER Team Yukon, as you stated, in both Whitehorse and  
20 Mayo before you transferred to Ottawa; is that correct?

21 **MR. DANIEL BULFORD:** That's correct.

22 **MR. VICTOR RYAN:** And when you came to Ottawa,  
23 you were working with the National Division Emergency Response  
24 Team?

25 **MR. DANIEL BULFORD:** Yes.

26 **MR. VICTOR RYAN:** You were also often involved in  
27 high-profile protective operations for individuals such as the  
28 prime minister, foreign heads of state when they came to Ottawa,

1 and members of the royal family, correct?

2 **MR. DANIEL BULFORD:** That's correct.

3 **MR. VICTOR RYAN:** And you were often deployed  
4 around the world to protect the prime minister and other high-  
5 profile individuals attending various international summits and  
6 conferences, correct?

7 **MR. DANIEL BULFORD:** Two times.

8 **MR. VICTOR RYAN:** Two times.

9 **MR. DANIEL BULFORD:** Two times.

10 **MR. VICTOR RYAN:** And you eventually rose to the  
11 rank of corporal and second-in-command of the Surveillance and  
12 Reconnaissance Team within National Division ERT; do I have that  
13 right?

14 **MR. DANIEL BULFORD:** That's correct.

15 **MR. VICTOR RYAN:** And so you would agree that  
16 your career with RCMP was a successful one, right? I think your  
17 evidence was -- earlier was that you felt that you were a  
18 dedication professional?

19 **MR. DANIEL BULFORD:** Yes.

20 **MR. VICTOR RYAN:** And so while you were in Ottawa  
21 and while you were working with the Emergency Response Team, I  
22 believe the dates were 2013 to 2021; is that correct?

23 **MR. DANIEL BULFORD:** Yes.

24 **MR. VICTOR RYAN:** You were trained by a variety  
25 of external law enforcement agencies during that time?

26 **MR. DANIEL BULFORD:** Yeah. Well, I wouldn't say  
27 a number, but less than a handful, probably.

28 **MR. VICTOR RYAN:** More than one?

1                   **MR. DANIEL BULFORD:** Yes.

2                   **MR. VICTOR RYAN:** Yeah, including the FBI Hostage  
3 Rescue Team?

4                   **MR. DANIEL BULFORD:** That's correct.

5                   **MR. VICTOR RYAN:** Canadian Special Forces  
6 Operations Command?

7                   **MR. DANIEL BULFORD:** Correct.

8                   **MR. VICTOR RYAN:** And the types of things that  
9 you were trained in, the various tactical aspects of policing  
10 for which you received training, included things like covert  
11 surveillance?

12                   **MR. DANIEL BULFORD:** Yes.

13                   **MR. VICTOR RYAN:** Yeah. Explosive force entry  
14 and breaching?

15                   **MR. DANIEL BULFORD:** Yes.

16                   **MR. VICTOR RYAN:** Mass casualty response?

17                   **MR. DANIEL BULFORD:** Yes.

18                   **MR. VICTOR RYAN:** And so through this training  
19 that you received and through your experience working in the  
20 National Division, you would have come to have an intimate  
21 knowledge of the Parliamentary precinct and downtown Ottawa; is  
22 that correct?

23                   **MR. DANIEL BULFORD:** Yes, that's correct.

24                   **MR. VICTOR RYAN:** And so you knew, for instance,  
25 how police would train for and plan for a large-scale  
26 demonstration like the convoy?

27                   **MR. DANIEL BULFORD:** I was -- I would say that I  
28 am aware of how a typical deployment or a mobilization would

1 look for a large-scale event, but I never worked on a Public  
2 Order Unit.

3 **MR. VICTOR RYAN:** But you would have been  
4 familiar with how the ERT would have interacted with various  
5 other police forces in Ottawa during an event such as this?

6 **MR. DANIEL BULFORD:** Somewhat, yes.

7 **MR. VICTOR RYAN:** And of course, you'd be keenly  
8 familiar with the jurisdictional, I guess, intersections in the  
9 downtown area between RCMP, the PPS, the OPS?

10 **MR. DANIEL BULFORD:** Yes.

11 **MR. VICTOR RYAN:** You knew how police would  
12 gather intelligence on the leadership and the key figures of any  
13 sort of protest movement that would come in?

14 **MR. DANIEL BULFORD:** I -- yeah, I have some  
15 exposure to that.

16 **MR. VICTOR RYAN:** You knew what the police goals  
17 and strategies would be in policing a large-scale demonstration?

18 **MR. DANIEL BULFORD:** Well, I think it's fairly  
19 basic for something such as what happened in Ottawa, but maybe  
20 not basic is the right term, but it's no surprise to me that  
21 people would be surveilled and that they would try and that they  
22 would try and learn who -- who's a person identified as a face  
23 of the convoy. And -- but predominately, most of the events  
24 that take place, you mobilize resources for a worst-case  
25 scenario, but the vast majority of the time, nothing happens.

26 **MR. VICTOR RYAN:** And when you talk about  
27 mobilizing resources, one of the ways that you do so is by  
28 pulling other police officers from other jurisdictions, that's

1 correct?

2 **MR. DANIEL BULFORD:** Yes, that's common.

3 **MR. VICTOR RYAN:** And as an RCMP officer, former  
4 RCMP member, you would have been aware of the different RCMP  
5 detachments and divisions across the country, have a general  
6 understanding of where the RCMP are police of jurisdiction in  
7 other areas of the country?

8 **MR. DANIEL BULFORD:** Yes.

9 **MR. VICTOR RYAN:** And you would have been aware  
10 of the practical difficulties involved in pulling RCMP officers  
11 from provinces far flung and transferring them to Ottawa to  
12 assist the local police here in any enforcement?

13 **MR. DANIEL BULFORD:** Well, yes, sir. I think the  
14 RCMP has been under-resourced for pretty much my entire career  
15 as far as back as I can remember, likely before. And I think  
16 that's almost -- like, we've heard from other police witnesses  
17 that's pretty much a universal in policing.

18 **MR. VICTOR RYAN:** You would have had a knowledge  
19 roughly of how many police officers would be required to manage  
20 a large-scale demonstration?

21 **MR. DANIEL BULFORD:** No, I don't agree with that.  
22 This was -- I don't know. My involvement with these large-scale  
23 events was very compartmentalized to my role on the Emergency  
24 Response Team.

25 **MR. VICTOR RYAN:** And that role, you touted quite  
26 a bit during the occupation publicly, correct?

27 **MR. DANIEL BULFORD:** I don't -- I wouldn't  
28 consider it touting, but I tried to explain who I was, what my7

1 experience was, so that I can try and reduce people's anxiety  
2 about the heavy police presence that they were seeing in Ottawa.

3 **MR. VICTOR RYAN:** And my friend from Commission  
4 counsel showed you a document that contained a quote from you  
5 from a press release, where you said:

6 "I have extensive experience in  
7 protective operations for large-scale  
8 events here in the National Capital  
9 Region. I have been involved in  
10 tactical planning for many of these  
11 large-scale events, so I'm keenly  
12 familiar with what is happening right  
13 now in regards to the police presence  
14 down around Parliament Hill and the  
15 downtown core."

16 Does that sound familiar to you?

17 **MR. DANIEL BULFORD:** Yes, that's correct.

18 **MR. VICTOR RYAN:** Also in that same press  
19 conference, you also stated:

20 "My primary concern is individuals or  
21 groups with the potential to  
22 deliberately instigate conflict with  
23 the Freedom Convoy movement."

24 Correct?

25 **MR. DANIEL BULFORD:** That's correct.

26 **MR. VICTOR RYAN:** And that was to you, your most  
27 important concern, because you knew from your past experience  
28 the potential for individuals or groups, whether associated with

1 you or not, to use the convoy as cover for their own needs,  
2 correct?

3 **MR. DANIEL BULFORD:** Yes, I would agree that any  
4 time you have a large event where there's a large crowd of  
5 people, there's the primary concern from the police standpoint  
6 would be a mass casualty attack.

7 **MR. VICTOR RYAN:** And by February 3rd, you had  
8 already begun to appreciate the number of different factions and  
9 elements that were converging on downtown Ottawa, correct?

10 **MR. DANIEL BULFORD:** Yeah, I would agree with  
11 that.

12 **MR. VICTOR RYAN:** For instance, you were  
13 involved, as I take your evidence with Mounties for Freedom, you  
14 were volunteering with Adopt a Trucker, and you were also  
15 closely associated with the Freedom Convoy, correct?

16 **MR. DANIEL BULFORD:** Well, yeah. I mean, my role  
17 with volunteering with Adopt a Trucker was in direct support of  
18 the Freedom Convoy.

19 **MR. VICTOR RYAN:** But you were not associated  
20 with Canada Unity, correct?

21 **MR. DANIEL BULFORD:** No, sir.

22 **MR. VICTOR RYAN:** But Canada Unity was there at  
23 the convoy?

24 **MR. DANIEL BULFORD:** Yes.

25 **MR. VICTOR RYAN:** Yeah. And you were not  
26 associated with James Bauder, correct?

27 **MR. DANIEL BULFORD:** No, sir.

28 **MR. VICTOR RYAN:** No. And the MOU that he



1 brought with him?

2 **MR. DANIEL BULFORD:** No. Like I said, the first  
3 time I read it was last week.

4 **MR. VICTOR RYAN:** But he was there at the convoy,  
5 correct?

6 **MR. DANIEL BULFORD:** I heard that he was. The  
7 first time I ever seen him was here at this inquiry.

8 **MR. VICTOR RYAN:** M'hm. All right. And you were  
9 not affiliated with the Farfadaas that were at Rideau and  
10 Sussex, correct?

11 **MR. DANIEL BULFORD:** I also had no idea who the  
12 Farfadaas was or what that was until after I read about Mr.  
13 Charland's arrest out at -- near Vankleek Hill after the convoy  
14 had been dismantled.

15 **MR. VICTOR RYAN:** And the individual describing  
16 herself as Queen Ramona and her supporters, you weren't  
17 associated with her or her supporters, correct?

18 **MR. DANIEL BULFORD:** No, sir.

19 **MR. VICTOR RYAN:** And but they were there at the  
20 convoy, correct?

21 **MR. DANIEL BULFORD:** Yes, I did have an  
22 interaction with some of her supporters.

23 **MR. VICTOR RYAN:** And you weren't associated with  
24 any outlaw motorcycle gangs, correct?

25 **MR. DANIEL BULFORD:** No, absolutely not.

26 **MR. VICTOR RYAN:** No, but they were there at the  
27 convoy, correct?

28 **MR. DANIEL BULFORD:** I believe that there was two

1 men identified as potentially belonging to an outlaw motorcycle  
2 gang in the crowd early on. I don't recall ever seeing them or  
3 hearing of them again. And again, I -- that's a bit of an  
4 assumption on my part because I don't specifically have any  
5 knowledge of that particular group.

6 **MR. VICTOR RYAN:** So you heard that they were  
7 there but you didn't actually see them?

8 **MR. DANIEL BULFORD:** I saw a photograph of them.

9 **MR. VICTOR RYAN:** Okay.

10 **MR. DANIEL BULFORD:** Yeah.

11 **MR. VICTOR RYAN:** So you saw a photograph of them  
12 at the convoy but you didn't actually encounter them?

13 **MR. DANIEL BULFORD:** That's correct.

14 **MR. VICTOR RYAN:** Okay. You've already testified  
15 that your main role was to collect intelligence from the convoy,  
16 collect, you know, threats of violence, assess their  
17 credibility, and forward them onto the police. But I also take  
18 your evidence that this was a peaceful protest; correct?

19 **MR. DANIEL BULFORD:** Yes.

20 **MR. VICTOR RYAN:** Okay. And in the chronology  
21 that's set out in your witness statement -- and I won't take you  
22 to it unless you are required but it's again HRF00001553 -- you  
23 state that on January 29<sup>th</sup>, 2022, you sent a photo to OPS and  
24 RCMP of an identified in Ottawa who reportedly wore body armour  
25 and stated, "They don't realize what things will be like when  
26 the hard boys show up with a legitimate beef"; is that correct?

27 **MR. DANIEL BULFORD:** That's correct.

28 **MR. VICTOR RYAN:** And on January 30<sup>th</sup>, the next

1 day, you emailed PLT about a conspiracy to stage a hit and run  
2 with a tractor trailer hitting a horse that contained specific  
3 information regarding a member of the Prime Minister's  
4 Protective Detail; correct?

5 **MR. DANIEL BULFORD:** That's correct.

6 **MR. VICTOR RYAN:** And you relayed information to  
7 PLT regarding fights that you either saw or that were relayed to  
8 you; correct?

9 **MR. DANIEL BULFORD:** Well, there was the  
10 aggressive male up at the stage truck. I don't recall other  
11 fights beyond that ---

12 **MR. VICTOR RYAN:** Okay.

13 **MR. DANIEL BULFORD:** --- other than the one  
14 instance where a male pulled a crowbar out of his car ---

15 **MR. VICTOR RYAN:** I believe you're referring to  
16 the individual referred to as "Black Buffalo"?

17 **MR. DANIEL BULFORD:** That's correct.

18 **MR. VICTOR RYAN:** And so speaking of that, "Black  
19 Buffalo became very angry at what he perceived to be an  
20 encroachment to his territory, began yelling, pulled a crowbar  
21 from his truck, pushed a female, actually, into you ---

22 **MR. DANIEL BULFORD:** That's correct.

23 **MR. VICTOR RYAN:** --- as I understand it  
24 correctly. Would agree that that's a fight?

25 **MR. DANIEL BULFORD:** Yeah. I think it could have  
26 become one but we were able to move people away and de-escalate  
27 the situation.

28 **COMMISSIONER ROULEAU:** You're over your time.

1                   **MR. DANIEL BULFORD:** I would just like to add,  
2 based on my experience in policing, especially my time as a  
3 general duty officer, I suspect that Mr. -- the man who  
4 presented himself as "Black Buffalo" was suffering from some  
5 mental health issues.

6                   **MR. VICTOR RYAN:** Okay. And just one last  
7 question. You also dealt, at the insistence of, I believe,  
8 Keith Wilson, with people at Coventry Road referring to  
9 themselves as "sovereign citizens" who were deputizing  
10 themselves and planning to arrest peace officers; correct?

11                   **MR. DANIEL BULFORD:** I never dealt with those  
12 people. I received word while I was at the Swiss Hotel that  
13 that was occurring and so -- and the information that I received  
14 is that someone was pretending to be me and deputizing people.  
15 And so the people at the Swiss Hotel took photographs, and maybe  
16 even a video of me to have proof that I was currently at the  
17 Swiss and not falsely deputizing people at Coventry Road. And  
18 so I called one of the gentleman who was a point of contact at  
19 Coventry Road and asked him, "Was this taking place?" And he  
20 knew nothing about it but he was in -- I think he was in a tent  
21 or a shelter of some kind so I asked him if he could go outside  
22 and check. He went outside and checked and confirmed that there  
23 was nothing going on there. I did later end up questioned by  
24 the -- I think it was Ottawa Police questioned me about that and  
25 I relayed the same information I just said to you.

26                   **MR. VICTOR RYAN:** Okay. So just one last  
27 question. These examples that you and I have just discussed, in  
28 your view, are they examples of a peaceful protest?

1                   **MR. DANIEL BULFORD:** Well, I don't believe any of  
2 those instances resulted in any real violence.

3                   **MR. VICTOR RYAN:** Thank you. Those are my  
4 questions.

5                   **COMMISSIONER ROULEAU:** Thank you.

6                   Next is counsel for Former Chief Sloly.

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

8                   **MR. TOM CURRY:** Thank you, Commissioner. Retired  
9 Cpl. Bulford, Tom Curry for Former Chief Sloly, a couple -- just  
10 a couple of things. Many of these questions have -- the other  
11 questions I had have been asked by asked by my friends.

12                   Could I just ask you to look at the statement  
13 that you prepared with us, please. It's HRF1553, Mr. Registrar.  
14 Just when this comes up, I just to go, please, if we could, to  
15 paragraph 19. When we get there, I hope we find -- there it is.  
16 Maybe 18, if you don't mind, just a little higher, thank you. I  
17 think you told us that you emailed an introduction to those  
18 representatives of the OPS, RCMP, and PPS early in your tenure  
19 with this -- with the convoy and identified who you were and  
20 what you were going to do; is that right?

21                   **MR. DANIEL BULFORD:** Yes, I did.

22                   **MR. TOM CURRY:** And then just scroll down, if you  
23 don't mind, just -- you see the sentence:

24                   "Please rest assured all organizers of  
25 the convoy group are operating under  
26 strict instructions that every single  
27 person involved must be respectful and  
28 lawful at all times."

1                   And that that was your mandate from those with  
2 whom you had been dealing.

3                   **MR. DANIEL BULFORD:** That's correct. Yes, that  
4 was -- I mean I would not have been involved if I didn't think  
5 that was going to be the case.

6                   **MR. TOM CURRY:** One of the challenges is, as  
7 you've described, that this was a very difficult organization,  
8 that is the convoy in its largest sense, to have any command or  
9 control over.

10                  **MR. DANIEL BULFORD:** Yeah, I don't think we  
11 actually -- without any official authority of any kind -- you  
12 know, you're not operating within a police organization or a  
13 military unit -- you're trying to do the best you can as a bunch  
14 of civilian volunteers ---

15                  **MR. TOM CURRY:** Right.

16                  **MR. DANIEL BULFORD:** --- to make sure that people  
17 are all on board with the messaging, yeah.

18                  **MR. TOM CURRY:** And try as you might, and others  
19 have testified to this -- try as you might to have imposed a  
20 requirement for respect and -- for conduct that is respectful  
21 and lawful, you weren't always able to achieve that goal; fair?

22                  **MR. DANIEL BULFORD:** I think we did a very good  
23 job considering the size of that convoy and the crowds that that  
24 protest generated.

25                  **MR. TOM CURRY:** But you weren't always able to  
26 control the conduct in the way that you might have liked; is  
27 that fair?

28                  **MR. DANIEL BULFORD:** Well, sir, honestly, my

1 intention was never to try and exert control on people because I  
2 was no longer a person of any kind of authority in Canada.

3 **MR. TOM CURRY:** The reason I ask is because as  
4 you watched this, especially with your experience -- as you  
5 watched the convoy -- the events of the convoy unfold ---

6 **MR. DANIEL BULFORD:** M'hm.

7 **MR. TOM CURRY:** --- from the earliest days when  
8 you arrived until the end when you yourself were arrested, you  
9 must have had a sense that the end was coming through this  
10 public order exercise unless there was some other breakthrough;  
11 is that fair?

12 **MR. DANIEL BULFORD:** Well, I don't think any of  
13 us expected this to go on indefinitely, but my understanding was  
14 that we were trying to take pressure off the City of Ottawa and  
15 Chief Sloly ---

16 **MR. TOM CURRY:** Right.

17 **MR. DANIEL BULFORD:** --- you know, with the  
18 negotiated deal that I learned about after the fact, and I was  
19 100 percent on board with whatever negotiations that the truck  
20 captains could accomplish, and the legal team could accomplish  
21 with the police to prevent a massive takedown of the convoy  
22 occurring. I was in support of that.

23 **MR. TOM CURRY:** Right. Because in the absence of  
24 some effort by the convoy -- successful effort by the convoy  
25 organizers to be able to eliminate the consequences for the  
26 residents and the City of Ottawa, the business and the like, you  
27 understood that it was going to come to an end vis a police  
28 enforcement action?

1                   **MR. DANIEL BULFORD:** I knew that that was a  
2 possibility. I didn't know -- I didn't -- like I said before, I  
3 had hoped that it wouldn't come to that ---

4                   **MR. TOM CURRY:** Right.

5                   **MR. DANIEL BULFORD:** --- and that -- honestly,  
6 sir, I was hoping that the police would stand up with us, which  
7 would then, basically, be a symbolic gesture for the federal  
8 government that what they were doing was no longer lawful in  
9 Canada and they weren't going to have the police as their  
10 enforcement arm ---

11                   **MR. TOM CURRY:** Right.

12                   **MR. DANIEL BULFORD:** --- to do anything that was  
13 unconstitutional, and unlawful, and not backed on evidence.

14                   **MR. TOM CURRY:** Which would require police  
15 services, not just Ottawa but OPP, RCMP, PPS, all of the other  
16 services who had come to help to disclaim their duty to uphold  
17 the law. You were asking quite a lot.

18                   **MR. DANIEL BULFORD:** Yeah, I was. But it had  
19 happened in Ontario earlier in the declared pandemic when  
20 Premier Ford tried to exert more power and the police said,  
21 "No."

22                   **MR. TOM CURRY:** Can I ask you a couple of other  
23 things then just in the time remaining?

24                   You told the Commissioner that you -- upon  
25 arrival and getting this underway, you imposed a form of ICS  
26 model or Incident Command structure to the best that you could.

27                   **MR. DANIEL BULFORD:** Yeah. I mean, it was a  
28 joint effort but I mean, myself and a number of others were



1 familiar with that system.

2 **MR. TOM CURRY:** Right.

3 **MR. DANIEL BULFORD:** And so it was brought to our  
4 attention that maybe we should set something like this up  
5 because the first -- that initial few days was absolute chaos.

6 **MR. TOM CURRY:** And to whom then did you bring --  
7 were you at the -- were you the designated incident commander?

8 **MR. DANIEL BULFORD:** No, sir. I was not.

9 **MR. TOM CURRY:** Who was?

10 **MR. DANIEL BULFORD:** Well, Mr. Garrah was in  
11 charge of Adopt-A-Trucker and then my -- the overall -- if you  
12 want to call it Incident Commander volunteer was a former Ottawa  
13 paramedic.

14 **MR. TOM CURRY:** Got it. And then Mr. Garrah,  
15 would he have taken direction strategic direction from the Board  
16 of the convoy corporation once it was incorporated? Or were you  
17 aware?

18 **MR. DANIEL BULFORD:** I would say that's accurate  
19 because our whole purpose of being there was to support the  
20 truckers. I mean, the whole initial mission was to provide food  
21 and shelter and transportation services to the protesters.

22 **MR. TOM CURRY:** Was part of your effort within  
23 that group, the Incident Command group, to keep track of the  
24 number of police personnel who were on the scene?

25 **MR. DANIEL BULFORD:** No, sir.

26 **MR. TOM CURRY:** Okay.

27 **MR. DANIEL BULFORD:** No, that was not something  
28 that we were interested in. I mean, the police were going to do

1 what they were going to do and we were trusting them to do their  
2 job.

3 **MR. TOM CURRY:** And just finally, a couple of  
4 things, if I may.

5 If I could -- Mr. Registrar, I'm sorry to drag  
6 that document back up -- 1553; thanks so much. And if you could  
7 go to paragraph 99. I just want to get your help with one  
8 thing, please.

9 These go to the events of February the 15<sup>th</sup>. And  
10 you had a visit at the Swiss Hotel described here in which OPP  
11 and OPS liaison officers attended to meet with volunteer  
12 coordinators and Ms. Lich.

13 You were one of the volunteer coordinators?

14 **MR. DANIEL BULFORD:** Yeah, I was the volunteer  
15 security coordinator.

16 **MR. TOM CURRY:** And who were the other volunteer  
17 coordinators, if you recall, with whom that meeting -- or who  
18 attended that meeting?

19 **MR. DANIEL BULFORD:** Well, it was myself, Tamara  
20 Lich, and the former Ottawa paramedic.

21 **MR. TOM CURRY:** Okay, got it. So the three of  
22 you and three police personnel?

23 **MR. DANIEL BULFORD:** To the best of my  
24 recollection, yes.

25 **MR. TOM CURRY:** And it was at that meeting that  
26 they -- you've written that they attended to discuss the recent  
27 document provided by police to convoy participants, and that's  
28 the document that laid out, the Emergencies Act having been

1 declared, it was now required that people vacate the protest; is  
2 that fair?

3 **MR. DANIEL BULFORD:** Well, it's more nuanced than  
4 that because when I reviewed that document -- I know which one  
5 you're talking about; it had the red border outside of it. I  
6 read through the criteria and I don't think any of us in that  
7 room with those liaison officers met the criteria laid out in  
8 that document from the OPS of people that were no longer  
9 permitted into the downtown.

10 **MR. TOM CURRY:** Right. And what you engaged with  
11 -- I won't read all of it, but you spoke to those officers to  
12 express your concern that the growing -- that the use of force  
13 by police against the peaceful protests without negotiation was  
14 wrong and they ought not to do that, fair?

15 **MR. DANIEL BULFORD:** Yes. I did.

16 **MR. TOM CURRY:** And then scroll down if you don't  
17 mind, please, just to paragraph 102. And now that we're on the  
18 17<sup>th</sup>. You had an encounter with another officer or Detective  
19 Benson who replied to your query about being -- whether you were  
20 on -- people were on the lookout for you.

21 **MR. DANIEL BULFORD:** No, Mr. Benson contacted me  
22 by text message after Tamara Lich had been arrested.

23 **MR. TOM CURRY:** Okay, thank you.

24 And you had an exchange with him. I'm just  
25 interested in the second last sentence.

26 "He responded by saying that the  
27 occupation was beyond a protest and the  
28 trucks had to go."

1                   And you replied to him that it was not an  
2 occupation.

3                   **MR. DANIEL BULFORD:** Well, my belief that a  
4 definition of an occupation is usually like a foreign military  
5 has taken control of another country.

6                   **MR. TOM CURRY:** Right. Was it -- do you now  
7 accept, thinking back about it, that from the perspective of the  
8 residents of the City of Ottawa, the Ottawa Police Service, that  
9 the protest embedded as it was, was the equivalent of an  
10 occupation?

11                   **MR. DANIEL BULFORD:** No, I don't agree with that.

12                   **MR. TOM CURRY:** Okay. Now, a final thing. My  
13 friends asked you about whether you had information from active  
14 serving officers or service personnel in the Ottawa Police  
15 Service or any other police service. Tell the Commissioner if  
16 you know, in respect of the information that Mr. Wilson had ---

17                   **MR. DANIEL BULFORD:** M'hm.

18                   **MR. TOM CURRY:** --- am I right that so far as you  
19 know, the information Mr. Wilson had was the same as the  
20 information that you had, that is, only from retired, that is  
21 non-active, police personnel?

22                   **MR. DANIEL BULFORD:** I can't say that for certain  
23 because Mr. Wilson spent -- the majority of the time Mr. Wilson  
24 was at the ARC Hotel and the majority of the time I was at the  
25 Swiss Hotel.

26                   **MR. TOM CURRY:** All right. Thank you. I don't  
27 have any other questions.

28                   **COMMISSIONER ROULEAU:** Thank you.

1 Next, if I could call on the Ontario Provincial  
2 Police.

3 **MR. CHRISTPHER DIANA:** Good evening,  
4 Commissioner. I have no questions. Thank you.

5 Commissioner, I have no questions.

6 **COMMISSIONER ROULEAU:** Okay, thank you.

7 For the Democracy Fund, ACCF, and Citizens for  
8 Freedom.

9 **MR. ROB KITTREDGE:** Commissioner, Rob Kittredge  
10 for the Justice Centre. We have no questions for this witness.  
11 And to the extent it may be necessary, we'll cede our time to  
12 Mr. Miller.

13 **COMMISSIONER ROULEAU:** Okay. The Convoy  
14 Organizers.

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

16 **MR. BRENDAN MILLER:** For the record, Brendan  
17 Miller, Mr. Bulford. I'm counsel to the convoy or, sorry,  
18 Freedom Corp. who is the entity representing the protesters that  
19 were in the city in February and January of 2022.

20 **MR. DANIEL BULFORD:** Good evening.

21 **MR. BRENDAN MILLER:** Good evening.

22 Commissioner, just for ease of reference, what  
23 I'm continuing to do now, just to get to the point. Your  
24 counsel have been excellent in adducing evidence in-chief and  
25 I'm just going to deal with examination from the questions that  
26 arose from the other parties. And so I'll try and be quicker  
27 now for you.

28 **COMMISSIONER ROULEAU:** You won't hear many

1 complaints, I think, from the hall on that.

2 **MR. DANIEL BULFORD:** Thank you very much.

3 **COMMISSIONER ROULEAU:** But of course, you're  
4 entitled to your time.

5 **MR. BRENDAN MILLER:** I just think it's helpful.

6 So there's a couple of things and there will be a  
7 couple of documents that arose that are in the system already  
8 from my friends' questioning I want to put to you.

9 But the first thing I'd like to ask you about,  
10 Mr. Bulford, is Parliament Protection Services -- this is of  
11 course to most Canadians a sort of police service that nobody  
12 understands and nobody knows much about. What can you tell me  
13 about it?

14 **MR. DANIEL BULFORD:** Well, after the October 22<sup>nd</sup>,  
15 2014 shooting at the War Memorial and Mr. Bibeau storming the  
16 Centre Block, there was a big review afterwards that took place  
17 because there was three different agencies that were responsible  
18 for security on Parliament Hill, and they were all amalgamated  
19 into the Parliamentary Protective Service so that they would  
20 have one cohesive unit for the precinct.

21 **MR. BRENDAN MILLER:** Right. And can you tell me,  
22 who does the Parliament Protection Services -- who does it  
23 answer to?

24 **MR. DANIEL BULFORD:** Well, when I was working, I  
25 still believe they fell under the RCMP's command but that may  
26 not be the case anymore. They may be completely independent  
27 now.

28 **MR. BRENDAN MILLER:** Right. And the RCMP

1 command, then, that falls under Commissioner Lucki?

2 **MR. DANIEL BULFORD:** That's correct.

3 **MR. BRENDAN MILLER:** And is it fair to say that  
4 from what you've seen from being within an RCMP -- from being  
5 within the RCMP and seeing it on the news that you've witnessed  
6 or heard of Commissioner Lucki relaying public messages on  
7 behalf of the elected executive branch or relaying information  
8 that the political executive branch wants to relay to the  
9 public?

10 **MR. DANIEL BULFORD:** Yes.

11 **MR. BRENDAN MILLER:** Okay. So the next question  
12 I want to bring up -- if I can bring up Document 7722\_REL.0001.

13 **THE REGISTRAR:** Counsel, are you referring to  
14 text messages?

15 **MR. BRENDAN MILLER:** Text messages, yes. So it's  
16 -- and I'll have to get the other one too. So it's 7724 is the  
17 next one, just so you know.

18 Now, I'm not sure if you were present or you had  
19 watched this part of the hearing when I referred to these text  
20 messages. This is a text exchange between one of the staffers  
21 with the Prime Minister's Office, and another one of the  
22 staffers with the Minister of Public Safety's Office; okay? And  
23 this is in this context the staffer with the Prime Minister's  
24 Office states to the staffer with Public Safety Minister's  
25 Office that:

26 "Got a quick [response], people are  
27 into it.

28 [Let me know] if your boss is too."

1 Boss being the Minister of Public Safety:

2 "Happy to help however I can!

3 This is what I sent through [by the  
4 way]:

5 'Hi, I just had a chat with Alex at  
6 PS..."

7 Being Public Safety:

8 "'...who had a bit of an interesting  
9 idea. As you saw in the pod goals  
10 chat, the [trucker] convoy and some of  
11 their more extreme comments...(calling  
12 for Jan 6 style insurrection) are  
13 getting more coverage in the media.  
14 Alex was surveying whether [there  
15 would] be some interest in his boss  
16 doing some media on this eventually.  
17 He was chatting with Mendicino about it  
18 right before he went into [a] cabinet  
19 retreat.'" "

20 And can you agree that cabinet retreat was on  
21 January 24th? Were you aware of that?

22 **MR. DANIEL BULFORD:** That sounds accurate.

23 **MR. BRENDAN MILLER:** Yeah, that's 2002 [sic].

24 And then he goes on:

25 "'I think there could be an opportunity  
26 to get in on this growing narrative,  
27 particularly with the research that LRB  
28 is doing into their backers.'" "



1 Do you know the LRB is?

2 **MR. DANIEL BULFORD:** No.

3 **MR. BRENDAN MILLER:** Have you ever heard of the  
4 Liberal Research Bureau while you were on the Hill?

5 **MR. DANIEL BULFORD:** No.

6 **MR. BRENDAN MILLER:** Okay. And:

7 "My thoughts of framing here would be  
8 similar to what the PM/Blair..."

9 Being Minister Blair and the Prime Minister:

10 "...said last year when Jan. 6th  
11 occurred:"

12 And the first point is:

13 ""Our democracy is something we need  
14 to nurture and protect every day.""

15 And then if we could bring up the second part of  
16 the text message, at 7724.

17 And then it goes on, and this is the points that  
18 are being relayed and -- or that is essentially going to be the  
19 narrative:

20 "We will always support the right to  
21 peaceful protest.

22 [And] some of the calls that organizers  
23 of these events are making are  
24 concerning, and [we'll take] them  
25 seriously (would need something to back  
26 this up).

27 We'll continue to monitor the situation  
28 closely.

1                   The fine line to walk would be to  
2                   ensure we are not looking like we are  
3                   directing the police, which obviously  
4                   is not the goal here.  
5                   Hoping to canvass your thoughts - Alex  
6                   said he'd come back to me with a  
7                   proposal this afternoon when he gets to  
8                   chat with Mendicino again, obviously  
9                   pending his boss's and our interests in  
10                  looking into this further."

11                 So that text is to either the Prime Minister or  
12                 someone within his office and they're explaining what Alex, the  
13                 Chief of Staff for the Public Safety Minister, has come up with.

14                 And he responds:

15                         "Thanks!!

16                         I had an initial chat with my boss and  
17                         he's supportive, but wants to wait a  
18                         day or two.

19                         There's a danger that if we come down  
20                         too hard they might push out the  
21                         crazies."

22                 Being, I think, the far extreme factions online  
23                 they were talking about. "I think that's fair", she responds:

24                         "Apparently [G]lobal & others are  
25                         working on stories. Maybe we see how  
26                         those land."

27                 So you had mentioned that you don't trust legacy  
28                 media and you mentioned Global News ---

1                   **MR. DANIEL BULFORD:** Yeah.

2                   **MR. BRENDAN MILLER:** --- and that's one of them.

3                   **MR. DANIEL BULFORD:** Yes, that's true.

4                   **MR. BRENDAN MILLER:** Okay. Now, I've sent this  
5 around, I'm not going to try and move this article into evidence  
6 at this juncture, but did you know that the following day Global  
7 released a news article titled January 6th Event or there was a  
8 -- going to be a January, a potential January-type 6th event on  
9 the -- during the Ottawa convoy, and they managed to get  
10 Parliament Protective Services to comment, and what was  
11 reiterated was one of the points in that text message.

12                   So again, I'm asking you, if the government was  
13 going to try and relay a narrative ---

14                   **MR. DANIEL BULFORD:** M'hm.

15                   **MR. BRENDAN MILLER:** --- from your experience on  
16 working on the Hill in law enforcement, would they use something  
17 like the Parliamentary Protective Services to relay a narrative?

18                   **MR. DANIEL BULFORD:** I can't say for certain.  
19 I've -- my -- all of my experience with the Parliamentary  
20 Protective Service is I've never seen anything political from  
21 them because they're limited in scope.

22                   **MR. BRENDAN MILLER:** Okay. And so the  
23 Parliamentary Protective Services reiterate, and I'll just read  
24 it in, I'm just trying to pull it up again.

25                   **COMMISSIONER ROULEAU:** I'm not sure you got much  
26 from the witness about the Parliamentary ---

27                   **MR. BRENDAN MILLER:** Right. So in any event,  
28 I'll deal with that ---

1                   **COMMISSIONER ROULEAU:** There is going to be lots  
2 of witnesses that'll come ---

3                   **MR. BRENDAN MILLER:** Understood.

4                   **COMMISSIONER ROULEAU:** --- later. I mean ---

5                   **MR. BRENDAN MILLER:** Understood. So ---

6                   **COMMISSIONER ROULEAU:** --- you can use your time,  
7 but...

8                   **MR. BRENDAN MILLER:** Yeah.

9                   So moving on, essentially the Parliamentary  
10 Protective Services in this article states that they're wary of  
11 the security and they won't talk about further matters in order  
12 to keep people safe. I'm just summarising it, we'll put it into  
13 other evidence through other witnesses.

14                   But is it concerning to you that, you know,  
15 coming from this issue with misinformation that you're concerned  
16 about, you've testified to, that the elected Executive Branch  
17 has identified knowing about news articles ---

18                   **MR. DANIEL BULFORD:** M'hm.

19                   **MR. BRENDAN MILLER:** --- and what they're going  
20 to be about before they come out.

21                   **COMMISSIONER ROULEAU:** Where -- what's the  
22 evidence of that?

23                   **MR. BRENDAN MILLER:** Directly in the text  
24 messages they said that Global is running a piece on it. It was  
25 on January 24th, of which ---

26                   **COMMISSIONER ROULEAU:** Okay.

27                   **MR. BRENDAN MILLER:** --- that was, and the news  
28 article I'm speaking of was on January 25th. And then

1 Parliamentary Security Services says essentially the byline that  
2 is in those text messages, sir. And I'll put that into  
3 evidence, and I'm just asking if it concerns him if that's the  
4 case. That's it.

5 **COMMISSIONER ROULEAU:** I'm just trying to  
6 understand where the evidence is for that.

7 **MR. BRENDAN MILLER:** Yes. It's the text  
8 messages. So you have the text messages between the staffers  
9 with both the Prime Minister's Office as well as with the  
10 Minister of Public Safety.

11 **COMMISSIONER ROULEAU:** Yes.

12 **MR. BRENDAN MILLER:** They then say what the  
13 narrative is going to be. They then say that Global is going  
14 to be running this story, and then when Global runs the story  
15 they quote Parliamentary Protective Services citing basically  
16 one of the lines in the text messages, sir.

17 **COMMISSIONER ROULEAU:** I'm not sure I understand  
18 the link at all in the way you describe it, but the record is  
19 clear.

20 **MR. BRENDAN MILLER:** Yes.

21 **COMMISSIONER ROULEAU:** So we'll leave it.

22 **MR. BRENDAN MILLER:** So with respect to that, if  
23 that is the case, is that something that concerns you?

24 **MR. DANIEL BULFORD:** Yes, absolutely.

25 **MR. BRENDAN MILLER:** Okay. And moving on from  
26 that point, my friend brought up with you the issue with respect  
27 to danger of people staying and the advice you were giving and  
28 everything.

1                   And I'd like to bring up OPS document 14504,  
2 please.

3                   Do you recognise this document?

4                   **MR. DANIEL BULFORD:** Yes, I do.

5                   **MR. BRENDAN MILLER:** And what is it?

6                   **MR. DANIEL BULFORD:** It's the document that the  
7 OPP and two OPS liaisons brought to the Swiss Hotel.

8                   **MR. BRENDAN MILLER:** Right. And in reviewing  
9 that document, does any of it therein say that all the  
10 protesters have to leave?

11                   **MR. DANIEL BULFORD:** No.

12                   **MR. BRENDAN MILLER:** All right. And so was that  
13 one of the documents that formed your understanding of what was  
14 to happen?

15                   **MR. DANIEL BULFORD:** I thought it was just  
16 reinforcing Justice McLean's decision that as long as we abided  
17 by those three conditions of no one coming to Ottawa to commit  
18 violence, do not block critical infrastructure, and do not  
19 disrupt trade we were still considered a lawful protest. And  
20 the people that they were delivering that message to, such as  
21 myself and the others, didn't fit into any of those categories  
22 that I am reading here.

23                   **MR. BRENDAN MILLER:** Right. And with respect to  
24 the position therein that says they need to move their trucks,  
25 you're not contesting that that was going to have to happen?

26                   **MR. DANIEL BULFORD:** No.

27                   **MR. BRENDAN MILLER:** Okay. And so when you talk  
28 about lawful protests you're talking about people, actual

1 physical people, human beings on a street protesting. Is that  
2 fair?

3 **MR. DANIEL BULFORD:** That's correct.

4 **MR. BRENDAN MILLER:** Okay. And so it was your  
5 belief, and you were advising Canadians to come to Ottawa or to  
6 stay in Ottawa in order to carry out that sort of protest.

7 **MR. DAVID MIGICOVSKY:** You know I hate to -- it's  
8 David Migicovsky.

9 I hate to spend more time on Friday evening of  
10 everyone, but we really are getting into cross-examination.

11 **MR. BRENDAN MILLER:** That's fine. I'll move on.

12 **COMMISSIONER ROULEAU:** Yeah, it was more of a  
13 leading question.

14 **MR. BRENDAN MILLER:** Thanks.

15 **COMMISSIONER ROULEAU:** It was pretty leading.

16 **MR. BRENDAN MILLER:** So if we could please bring  
17 up OPP document 4286?

18 (SHORT PAUSE)

19 **MR. BRENDAN MILLER:** Okay. So this is the  
20 document that my friend put to you; it's the Operational Plan.

21 And if Mr. Clerk wouldn't mind scrolling down to  
22 page 31? It's not 31 in the documents -- oh, no, it is. There  
23 we go. Perfect.

24 So if you could just take a moment to look at  
25 that, Mr. Bulford. It's a script for arresting for -- or for  
26 arresting protesters.

27 (SHORT PAUSE)

28 **MR. DANIEL BULFORD:** Okay.

1                   **MR. BRENDAN MILLER:** All right. So you can agree  
2 the plan was, is that the protesters were essentially going to  
3 be released with just a court date and some release conditions  
4 as soon as possible; they weren't being put before the Justice  
5 of the Peace or a bail hearing; that was the plan?

6                   **MR. DANIEL BULFORD:** Yes.

7                   **MR. BRENDAN MILLER:** All right. And so other  
8 than Tamara Lich and Chris Barber, do you know of anyone else  
9 this plan just wasn't applied to, where they just got a Promise  
10 to Appear with conditions, undertakings, and, you know, they all  
11 got -- they didn't get massive bail conditions imposed upon them  
12 by the Crown or on behalf of OPS? Do you know anyone else,  
13 other than those two individuals, who wasn't released under this  
14 sort of release plan?

15                   **MR. DANIEL BULFORD:** Well, I know of at least Pat  
16 King.

17                   **MR. BRENDAN MILLER:** Yeah.

18                   **MR. DANIEL BULFORD:** And his friend, I believe  
19 his name is Tyson Billings, ---

20                   **MR. BRENDAN MILLER:** Yeah.

21                   **MR. DANIEL BULFORD:** --- were both incarcerated  
22 for an extended period of time.

23                   **MR. BRENDAN MILLER:** Was anybody else that you  
24 know of?

25                   **MR. DANIEL BULFORD:** I've heard of other people  
26 that were charged but I don't know the particulars of their  
27 release.

28                   **MR. BRENDAN MILLER:** Okay, thank you. Those are



1 my questions.

2 **MR. DANIEL BULFORD:** Thank you.

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

4 **MR. JEFFREY LEON:** No, thank you, Commissioner.

5 **COMMISSIONER ROULEAU:** Okay.

6 So thank you. You're free to go.

7 **MR. DANIEL BULFORD:** Thank you, sir.

8 **COMMISSIONER ROULEAU:** So we've completed the  
9 list for today, and we will come back on Monday morning at 9:30.

10 **THE REGISTRAR:** The Commission is adjourned. La  
11 Commission est ajournée.

12 --- Upon adjourning at 7:03 p.m.

13

14 **C E R T I F I C A T I O N**

15

16 I, Sandrine Martineau-Lupien, a certified court reporter, hereby  
17 certify the foregoing pages to be an accurate transcription of  
18 my notes/records to the best of my skill and ability, and I so  
19 swear.

20

21 Je, Sandrine Martineau-Lupien, une sténographe officiel,  
22 certifie que les pages ci-hauts sont une transcription conforme  
23 de mes notes/enregistrements au meilleur de mes capacités, et je  
24 le jure.

25

26



27 Sandrine Martineau-Lupien

28