

March 31, 2019

Mr. Anthony Housefather, M.P.
Chair, Standing Committee on Justice and Human Rights
Sixth Floor, 131 Queen Street
House of Commons
Ottawa, ON K1A 0A6

Dear Mr. Housefather and Members of the Committee,

At the Standing Committee on Justice and Human Rights meeting held on March 6, 2019, certain Committee members requested that I voluntarily provide copies of text messages and notes which are relevant to the Committee's examination of these matters. As I said at the time, I do not have control of these documents, though through my lawyers I obtained access to them in order to prepare for the hearing and refresh my memory. The Prime Minister's Office retains custody and control of these documents. Through counsel, I have been advised that there is no objection to me providing the Committee with the supporting documents I referred to or relied upon when preparing my evidence. Any redactions made were made to prevent the release of personal or irrelevant information, or to protect cabinet confidences which fall outside the scope of Order in Council number 2019-0105. The following statement is made in accordance with that Order in Council.

I have read The Honourable Jody Wilson-Raybould's report of her discussions with Ms. Prince concerning the conversation Ms. Prince had with me and Katie Telford on December 18, 2018. I want to reiterate my strong disagreement with the former Attorney General's characterization of events, as reported to her by Ms. Prince.

First, it is important to note that Ms. Prince is a lawyer. I am not. I asked Ms. Prince to explain to me the difference between the events surrounding the Milgaard case and this one, from a legal perspective. I did not cite it as historical precedent. I told her that The Right Honourable Brian Mulroney personally described having met with the then Attorney General Kim Campbell to request she find a solution, following Mr. Mulroney meeting with David Milgaard's mother. I then asked her what was the difference between seeking advice in that case and this one? She did not explain the difference. Parenthetically, the account Mr. Mulroney told me appears in his memoirs around page 899.

Second, The Honourable Jody Wilson-Raybould reported that Ms. Prince implied we could engineer a desired outcome by influencing third party advice. As I said in my testimony, that was not what I meant at all. I said that I didn't see how getting advice from someone like retired Chief Justice Beverley McLachlin constituted political interference. I would add that the suggestion that political staff could influence the opinion of a retired Supreme Court justice on a matter of law is far-fetched. I did not and would not make such a suggestion.

Third, as The Honourable Jody Wilson-Raybould omitted the correspondence between us surrounding our December 5th meeting, I am attaching it here in full. This correspondence corroborates the version of events I described in detail in my testimony on March 6th and elaborates on the collegial tone of the dinner, the discussion and our subsequent interactions. These text messages can be found at Tab 1 (November 23, 2018-November 28, 2018) and Tab 2 (December 5, 2018-December 11, 2018).

I have also attached the extensive correspondence between us covering the week between the 7th of January and the 13th of January, 2019. I believe it tells a different story than the new one described yesterday by The Honourable Jody Wilson-Raybould. These texts can be found at Tab 3.

In addition, I have included my contemporaneous handwritten notes of the call I attended between The Right Honourable Justin Trudeau and The Honourable Jody Wilson-Raybould on January 7, 2019, when the former Attorney General learned she would be moved into a new cabinet role. I have redacted the notes for relevance only, and provided a transcript with this brief. While the former Attorney General takes issue with my evidence about her use of the words “dream job”, my contemporaneous notes indicate those were her words, and I wrote the phrase in quotation marks.

Finally, I want to reiterate that I stand by my statement and evidence of March 6, 2019 in its entirety. I hope the additional information contained in and with this statement aids the Committee in its deliberations.

Sincerely,

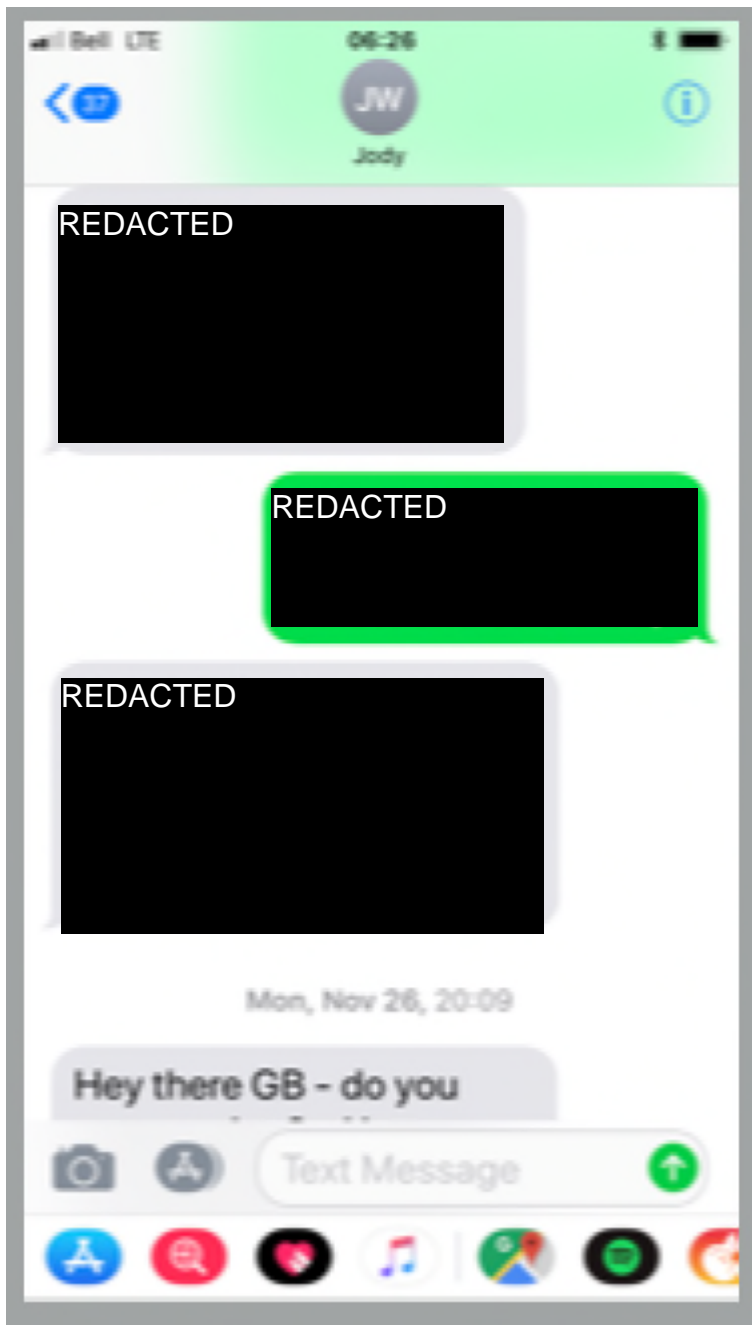
Gerald Butts

**GERALD BUTTS
DOCUMENTS ATTACHED TO MARCH 30, 2019 SUBMISSION**

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1	Text messages between The Honourable Jody Wilson-Raybould and Gerald Butts, between November 23-28, 2018
2	Text messages between The Honourable Jody Wilson-Raybould and Gerald Butts, between December 5-11, 2018
3	Text messages between The Honourable Jody Wilson-Raybould and Gerald Butts, between January 7-14, 2019
4	Contemporaneous handwritten notes and transcript of notes from January 7, 2019 call between The Right Honourable Justin Trudeau and The Honourable Jody Wilson-Raybould

TAB 1



REDACTED

REDACTED

REDACTED

Mon, Nov 26, 20:09

Hey there GB - do you

Text Message



Jody

Hey there GB - do you want to chat? - I have a number of things to bring up...maybe you do as well? Tomorrow after cabinet perhaps..? Thx jod

Sure. I'm heading to Toronto right after, but could delay 10 mins. You're seeing KT too right?

I do not think I am meeting with KT. Will check. Happy to chat another time with you if heading to TO. Think this convo may be a bit longer than 10 mins. I am

📷 🔄 Text Message 📤



Bell LTE

06-27



Jody

I do not think I am meeting with KT. Will check. Happy to chat another time with you if heading to TO. Think this convo may be a bit longer than 10 mins. I am heading to BC tomorrow late afternoon. Back on Sunday.

Let's schedule 🍷 . Going to Argentina for the G20 Wednesday, but around next week

Ok do you want to sched now. I can make work Sunday (Dec 2nd), Monday (3rd), or Tuesday



Text Message





Jody

Ok do you want to sched now. I can make work Sunday (Dec 2nd), Monday (3rd), or Tuesday (4th) night next week...any of those work for you? Thx

Will check tomorrow. I'm off Monday to spend with Ava for her birthday (it's the 1st and I'm away).

Ok let's do Sunday or Tuesday. I will make myself avail beyond that.

Wed, Nov 28, 21:33



Text Message





Jody

Hi Gerry. I am messaging to let you know that I will be releasing my Attorney General Indigenous Litigation directive tomorrow at a big gathering in BC - after all this time - very happy. Even all the DOJ lawyers (incl conservative ones) are good with it. Be assured I have answered and addressed all concerns/questions raised by Ministers etc over last 6-8 mos which are reflected in directive and some concerns raised by peeps at PMO today - I am



Text Message





Jody

some concerns raised by
peeps at PMO today - I am
confident we are in the
right place. This is a good
news story - although
doubt will get any media
attention - going on
website in am. As you may
know, my lawyers have
been under this direction
for some 18 Mos now. Just
makes it transparent
reflecting the principled
approach we take on
indigenous litigation
matters and ticks off yet
another mandate letter
commitment. See you
when you get back from
BA. Safe travels. Jody.



Text Message



TAB 2

Bell LTE

06:28

Bluetooth Battery

< 37

JW

i

Jody

Landed to this during refuel. Elder is speaking for PMO on this in our absence, having gotten advice from PCO and talked to the PM. G

Wed, Dec 5, 17:32

On Wellington down by DOJ - traffic moving very slowly - will be a little late. Sorry.

No worries

Almost there.

Wed, Dec 5, 21:58



Text Message



Bell LTE

06:28



Jody

Nice to see you. REDACTED

REDACTED

Nice to see you as well.
Thx for convo. Please say
alo to PM. Heard him
speaking my language in
his speech. Gilakasla. :-).

REDACTED

REDACTED Good luck in
Montreal - we stick to our
guns/plan we will be good.

Thu, Dec 6, 14:31

Not sure if you have seen
the hubbub about the
female chief that PM
called 'Judy' - would be



Text Message



Not sure if you have seen the hubbub about the female chief that PM called 'Judy' - would be easy for PM to just apologize for the informality and that he meant absolutely no disrespect. The PM'S comments were entirelu legit.

Entirely legitimate I meant - his answer was good.

Tue, Dec 11, 15:42

Hey there - couple things.
1. KSA - LAVs - thought



Text Message



Bell LTE

06:29



JW



Jody

Hey there - couple things.
1. KSA - LAVs - thought about it more - have some thoughts would not mind discussing. 2. Re: Directive - I made most of changes from Elder already prior to cabinet - can this go out? Honestly not clear as to what result was at Cabinet - hear pm wants changes but I am confident have addressed all concerns. This is a big deal to me as you know. Thx.

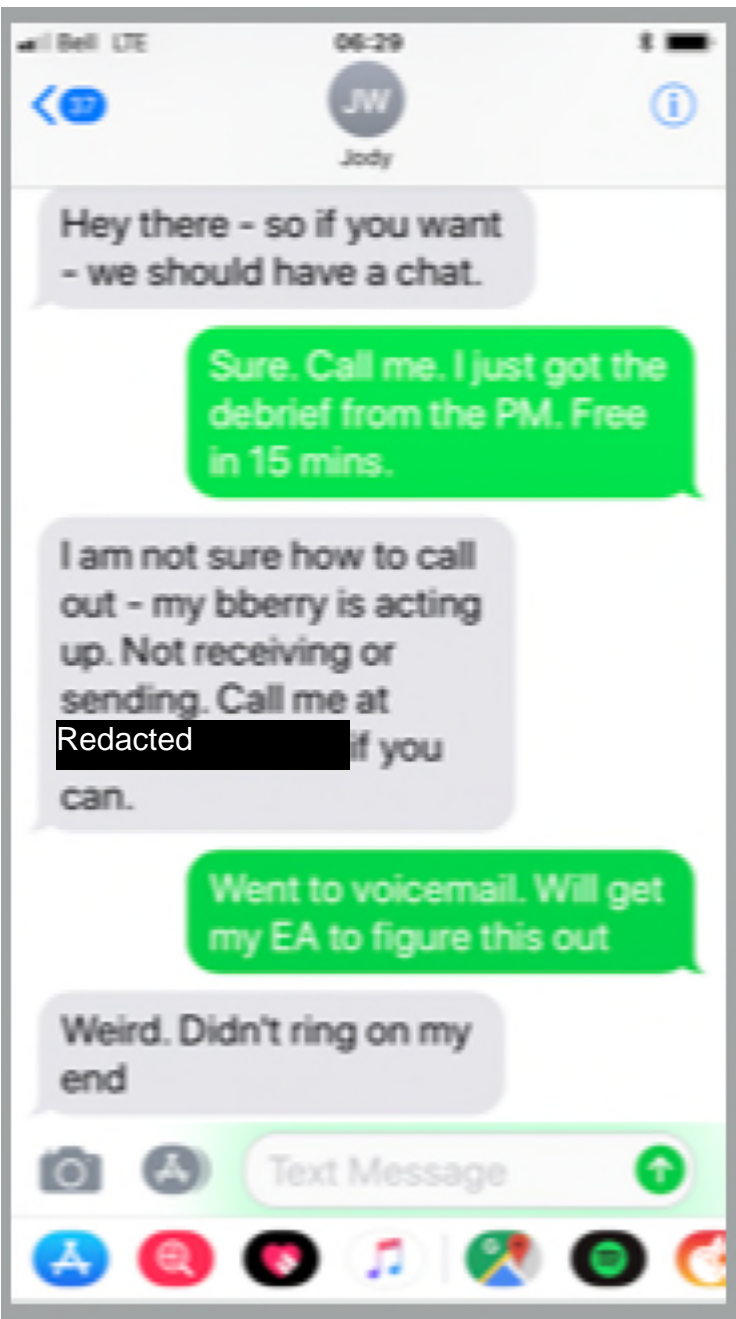
Mon, Jan 7, 10:00



Text Message



TAB 3



Hey there - so if you want - we should have a chat.

Sure. Call me. I just got the debrief from the PM. Free in 15 mins.

I am not sure how to call out - my bberry is acting up. Not receiving or sending. Call me at Redacted if you can.

Went to voicemail. Will get my EA to figure this out

Weird. Didn't ring on my end

Bell LTE

06:29



Jody

Can you try to call me at
[+16137162456](tel:+16137162456)

Mon, Jan 7, 20:22

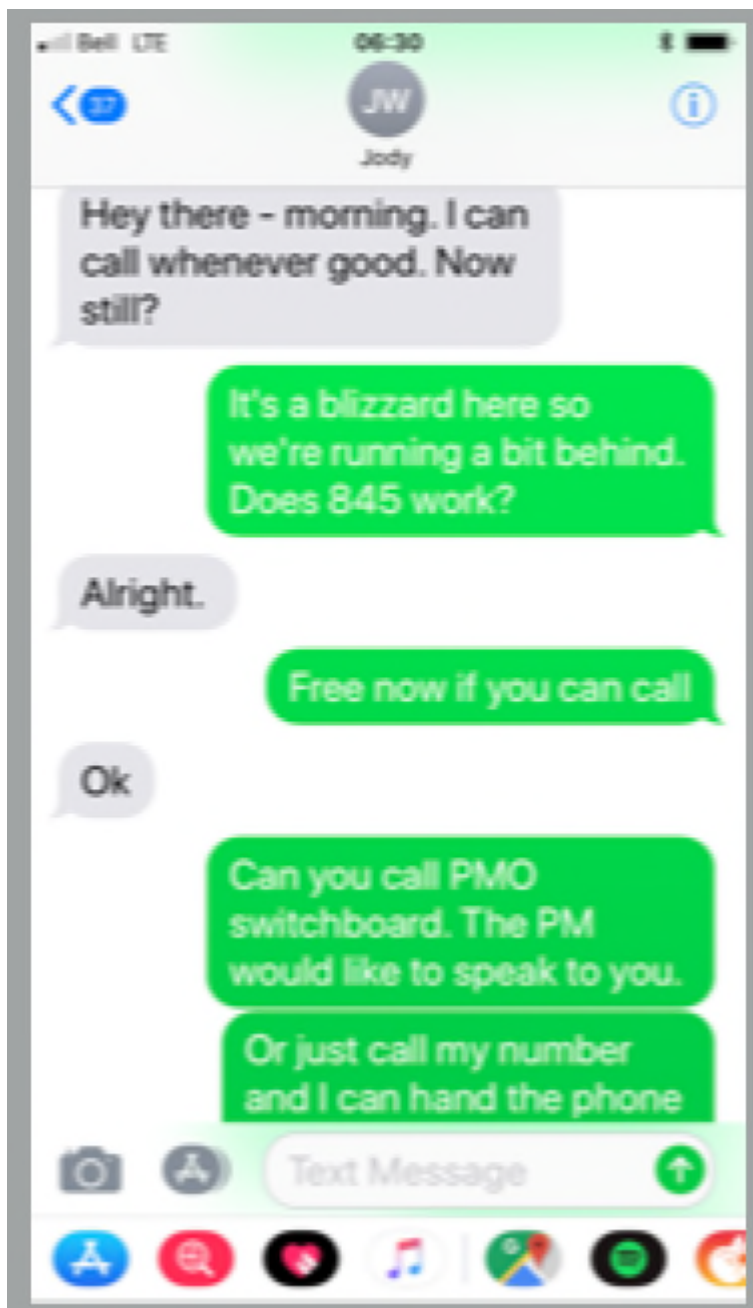
Hey Jody. It's getting toward bedtime here, so why don't you take a few more hours to talk things through with Tim, and call me tomorrow morning Ottawa time. Between 8 and 8:30 am eastern would be ideal. Happy to talk now, but I'm soon going to be reading with the kids. G

Tue, Jan 8, 08:07



Text Message





Hey there - morning. I can call whenever good. Now still?

It's a blizzard here so we're running a bit behind. Does 845 work?

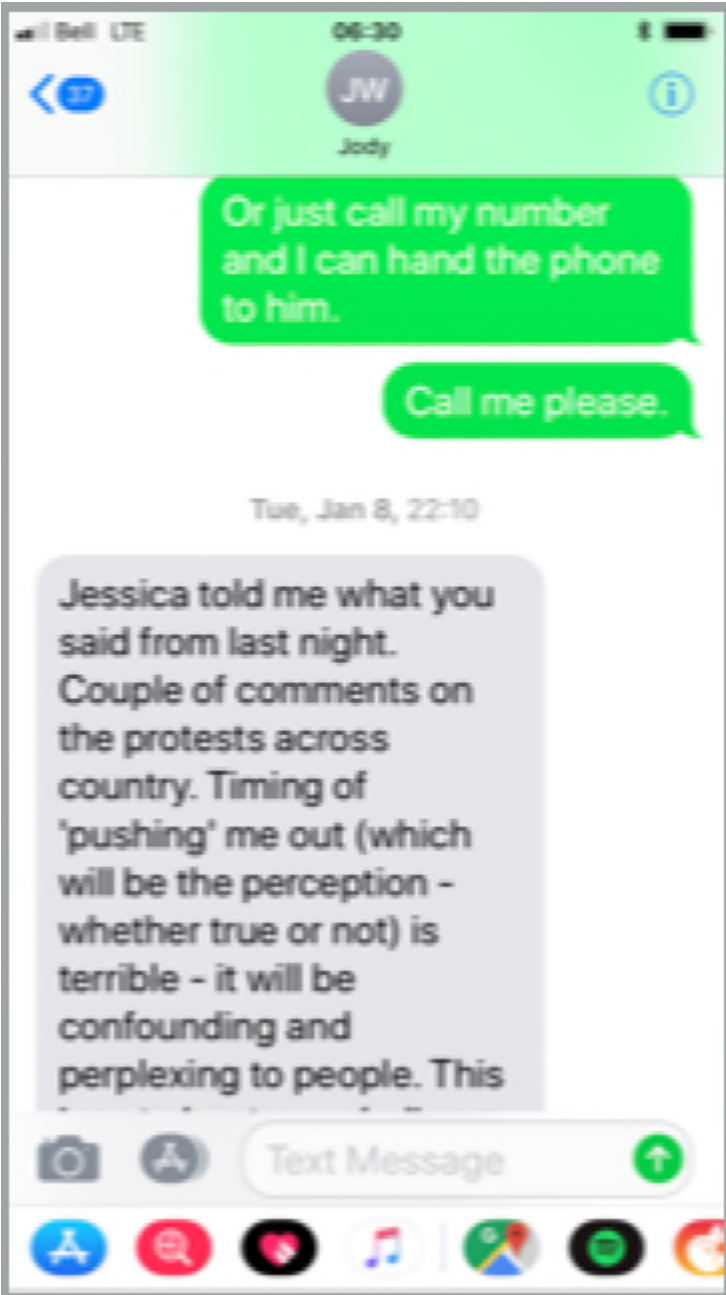
Alright.

Free now if you can call

Ok

Can you call PMO switchboard. The PM would like to speak to you.

Or just call my number and I can hand the phone



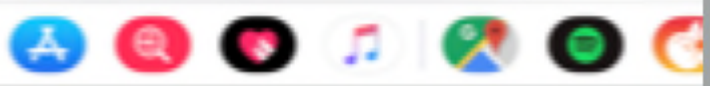
Or just call my number
and I can hand the phone
to him.

Call me please.

Tue, Jan 8, 22:10

Jessica told me what you
said from last night.
Couple of comments on
the protests across
country. Timing of
'pushing' me out (which
will be the perception -
whether true or not) is
terrible - it will be
confounding and
perplexing to people. This

Text Message

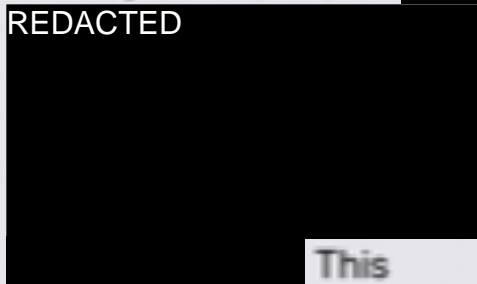




Jody

country. Timing of 'pushing' me out (which will be the perception - whether true or not) is terrible - it will be confounding and perplexing to people. This is not about me - believe me when I say this - but this is about an approach to indigenous peoples

REDACTED



This situation is only going to deepen and I am very



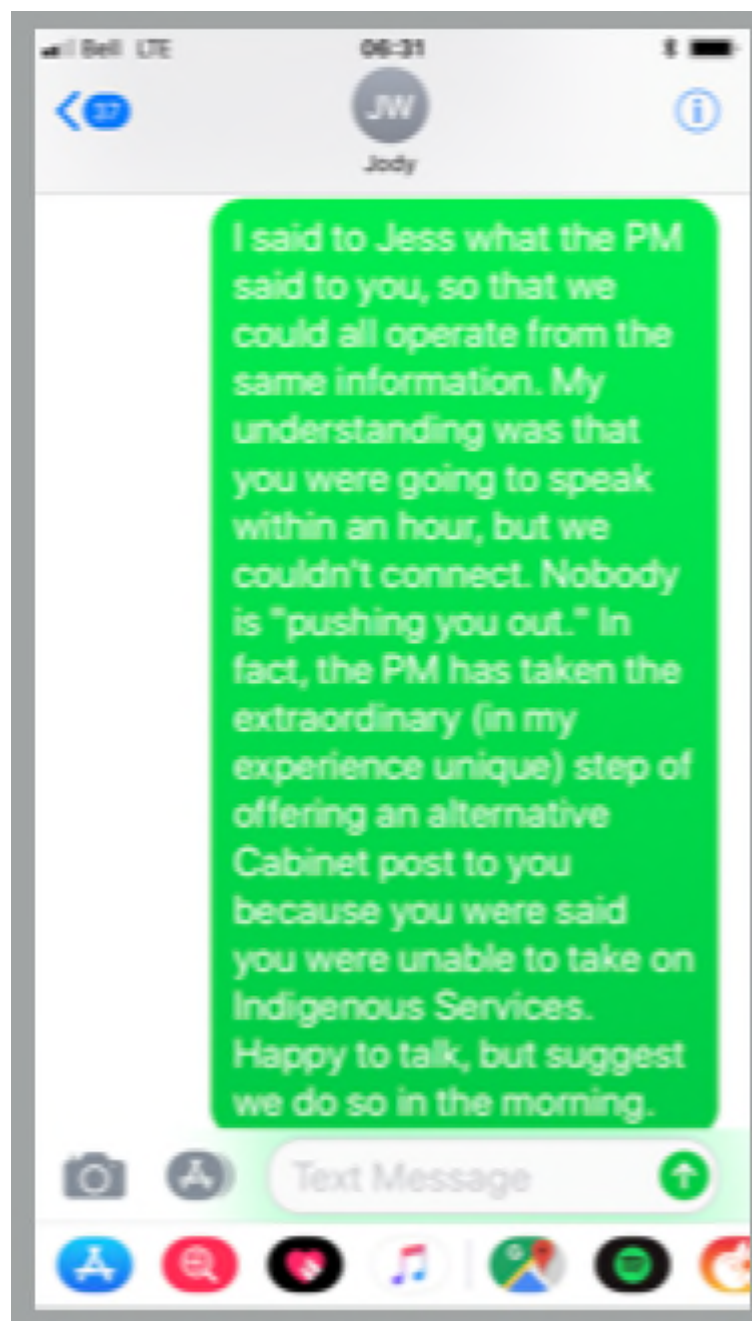
Text Message



Redacted

[Redacted] This situation is only going to deepen and I am very worried about it. I am getting texts/emails from indig leaders and BC etc. Just felt I had to text.

I said to Jess what the PM said to you, so that we could all operate from the same information. My understanding was that you were going to speak within an hour, but we couldn't connect. Nobody is "pushing you out." In fact, the PM has taken the



I said to Jess what the PM said to you, so that we could all operate from the same information. My understanding was that you were going to speak within an hour, but we couldn't connect. Nobody is "pushing you out." In fact, the PM has taken the extraordinary (in my experience unique) step of offering an alternative Cabinet post to you because you were said you were unable to take on Indigenous Services. Happy to talk, but suggest we do so in the morning.

Bell LTE

06:31



JW



Jody

But we really do need to connect, Jody.

Let's aim for 815 am eastern if that works for you.

Wed, Jan 9, 05:50

Alright I can call then

Wed, Jan 9, 08:10

Running late again helping a kid with Math homework

How's 840?

I am crashing fast - let me know when you are free.



Text Message



Bell LTE

06:32



JW



Jody

I am crashing fast - let me know when you are free.

I'm free

K

Wed, Jan 9, 20:13

Morning. Just having breaky. Let me know if you want to talk.

Just on the townhall prep with the PM. Will call when we're done,

Hope you slept ok



Text Message



Bell LTE

06:32



Jody

Just tried you. Couldn't get through. Call if you can

Ok will call. Just heading back to room

K

Do you mind if we talk in the morning? The kids are going to sleep soon.

I guess.

I could also talk in about 40 mins after they're asleep

Sounds fine - I am in your



Text Message



Bell LTE

06:32



Jody

Sounds fine - I am in your hands.

Headn out snorkling- talk tomorrow if you want

Thu, Jan 10, 08:31

Ah. Thought you were going to call me. Must've fallen asleep

Free in 20 mins. 9 my time

Thu, Jan 10, 11:30

You asleep, or want to talk? Call whenever.



Text Message



Thu, Jan 10, 19:28

I was asleep.

Are you wanting to speak to me?

Anytime, but not necessary if you want to tune out and enjoy your last couple of days.

In Bali

Was going to ask if it was your preference to keep Jess as Chief

Ok.

Text Message



Bell LTE

19:03



Jody

Wasn't in the way. It was
your preference to feel
Jesse as Chief

Ok.

Thu, Jan 10, 22:52

And to your question...yes
it is my preference.

Sat, Jan 12, 09:38

Hi GB. I am just about to
depart Asia en route
home... For what it is
worth, I feel compelled to
say - one last time - and it
is my unreserved view -



Send Message



Bell LTE

17:31



Jody

Sat, Jan 12, 09:38

Hi GB. I am just about to depart Asia en route home... For what it is worth, I feel compelled to say - one last time - and it is my unreserved view - that what is being proposed is a mistake - irrespective of where I am going. There is no way to fully explain this...My eyes are wide open on this shift. What I know - as you must - is that there is a robust and proud record of what our govt has done - through my work and that of the DOJ - to advance justice - accomplishing my mandate letter and



Text Message



Bell LTE

17:31



Jody

of the DOJ - to advance justice - accomplishing my mandate letter and more. I stand behind this hard work and all of my decisions and legal advice. See you on Monday. JWR

Sat, Jan 12, 10:44

Safe travels. See you Monday. I know this is tough, but we have very good ideas to make it all work from a comms perspective. There's an opportunity here for you to show people a side of yourself and your talent that you did not get as



Text Message





Jody

Sat, Jan 12, 10:44

Safe travels. See you Monday. I know this is tough, but we have very good ideas to make it all work from a comms perspective. There's an opportunity here for you to show people a side of yourself and your talent that you did not get as MOJAG. I really want to help. Starting with asking Jess to go with you. G

Sat, Jan 12, 22:21

I guess you want me to take jess to make room for new pmo cos (Mathieu or elder) to support incoming



Text Message



Bell LTE

09:33



Jody

I guess you want me to take jess to make room for new pmo cos (Mathieu or elder) to support incoming PS.

Nope. Want to know your preference.

Sun, Jan 13, 09:56

I told you my preference. As to the "very good ideas" - you guys may want to consider sharing them with me. But know I will be prepared for tomorrow. And I know why this is happening.



Text Message



Bell LTE

06:34



37



Jody



I told you my preference. As to the "very good ideas" - you guys may want to consider sharing them with me. But know I will be prepared for tomorrow. And I know why this is happening.

Yes, you do. Because the PM told you why it is happening.

We plan on saying the truth. Scott's departure left a large hole in a major department that could only be filled by a senior person with TB



Text Message





Jody

...is happening.

Yes, you do. Because the PM told you why it is happening.

We plan on saying the truth. Scott's departure left a large hole in a major department that could only be filled by a senior person with TB experience.

JP is the only person who fits that bill. But moving her leaves a large hole in an equally senior role that is core to our mandate and important to the PM.

In the end, Vets and IS are



Text Message





Jody

In the end, Vets and IS are the two biggest spends in the govt after the CCB and Infrastructure, and we need two very senior Ministers in charge of them as we head into the final year of our mandate. Nobody wanted to move, but everyone pitched in for the sake of the team.

There was less left to do at Justice than at GAC, Finance or PS, so of the most senior ministers, it made the most sense to move you.

That is the truth, and it is what we will say.



Text Message





Jody

Also, neither Mathieu, nor Elder, nor anyone else who's at PMO will be the CoS of Justice, whatever you decide.

Tue, Jan 15, 08:39

REDACTED

Tue, Jan 15, 10:25

REDACTED

Tue, Jan 15, 14:50

REDACTED



Text Message



TAB 4

REDACTED

- come to job.
 - Scott put us in a difficult situation.
 - June. IS to TB.
 - ~~Scott~~: IS to execution mode.
 - need our best players to move to pitch us.
 - need Canadians to buy in.
 - justice in defence mode until the election.
 - you are one of top players and this will show Canadians how seriously we take this.
- JOB "I'm a little bit shocked"
- PM: "Dream job" for June in health. Had to switch her from that.
- "There is no way this"
 - "I love being in O&A G. I'm not going to be. IS is not my dream job. I'm not going to lie about that."

PM: "I know it is not your dream job, but it is core to this gov't mission & legacy. And to be crass about it to our political legacy."

JWR: "I feel I'm being shifted out of justice for other reasons."

PM: We would not be doing this if it weren't for Scott's decision.

JWR: I don't agree. That's not how we change people's lives.

PM: "After an election, everything is fresh again."

TRANSCRIPTION OF NOTE

7 Jan. 19

- Convo with Jody
- Scott put us in a difficult situation
- Jane IS to TB
- IS to execution mode. Need our best players to move to pitch in.
- Need Canadians to buy in
- Justice in defence mode until the election
- You are one of top players and this will show Canadians how seriously we take this
- JWR "I'm a little bit shocked."
- PM: "Dream job" for Jane in Health. Had to switch her from that.
- "There is no way this"
- "I love being MOJAG. I'm not going to lie. IS is not my dream job. I'm not going to lie about that."
- PM: "I know it is not your dream job but it is core to this government to maintain a legacy and to be crass about it to our political legacy.
- JWR: "I feel I'm being shifted out of Justice for other reasons."
- PM: "We would not be doing this if it weren't for Scott's decision.
- JWR: I don't agree. That's not how we change people's lives.
- PM: "After an election, everything is fresh again."