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STANDING ON PRINCIPLE: THE RESIGNATION OF JANE PhilpoTT[[1]](#endnote-1)

Professor Gerard Seijts and Thomas Watson wrote this case solely to provide material for class discussion. The authors do not intend to illustrate either effective or ineffective handling of a managerial situation. The authors may have disguised certain names and other identifying information to protect confidentiality.

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As a physician, Jane Philpott passionately worked to improve life for others. But some health care issues could not be addressed by doctors, so she often considered public office. The idea seemed crazy until a 2010 encounter with former Canadian prime minister Paul Martin; he convinced Philpott that idealism had a place in politics if someone was lucky enough to pick the right party, obtain a riding nomination, win an election, and garner influence in a ruling government.[[2]](#endnote-2)

Five years later, after joining the Liberal party and being elected as the federal member of parliament (MP) for the Markham–Stouffville riding in Ontario, Philpott was sworn in as Prime Minister Justin Trudeau’s minister of health, making history as a member of Canada’s first gender-equal cabinet. As one of Trudeau’s most trusted ministers, Philpott was able to influence public policy to a degree beyond what she might have imagined when entering politics—which is why, when she tendered her resignation in March 2019, she openly acknowledged that it was a difficult decision to quit her latest prestigious post supervising the nation’s fiscal operations as President of the Treasury Board and Minister of Digital Government: “[It] grieves me to resign from a portfolio where I was at work to deliver an important mandate.”[[3]](#endnote-3)

For almost four years, Philpott and her female cabinet colleagues had personified Trudeau’s self-proclaimed feminist values. But on February 12, 2019, Jody Wilson-Raybould, a fellow cabinet minister, resigned as Minister of Veterans Affairs and a member of cabinet after Trudeau used Wilson-Raybould’s continued presence on his team to deflate an explosive allegation published in the media.[[4]](#endnote-4) According to a *Globe and Mail* report, Trudeau’s office had pressured Wilson-Raybould, when she was Minister of Justice and Attorney General of Canada, to help SNC-Lavalin Group Inc. (SNC-Lavalin), a Montreal-based engineering and construction firm, avoid a criminal trial related to alleged corrupt business dealings in Libya.[[5]](#endnote-5)

After she resigned from cabinet, Wilson-Raybould told a parliamentary committee that she had been moved from the prestigious position of justice minister to her position as Minister of Veterans Affairs after she fought what she called a “consistent and sustained effort” to influence the SNC-Lavalin file. According to Wilson-Raybould, she had been pressed by “many people within the government to seek to politically interfere in the exercise of prosecutorial discretion in [her] role as the attorney general of Canada, in an inappropriate effort to secure a deferred prosecution agreement with SNC-Lavalin.” Those pressing Wilson-Raybould were worried, they said, about how a criminal conviction in the SNC-Lavalin case could impact jobs and the government’s chances of re-election in 2019.[[6]](#endnote-6)

Philpott considered it an “enormous privilege” to serve Canadians as a member of cabinet. But like Wilson-Raybould, she saw “solemn principles at stake . . . the independence and integrity of our justice system.” And as her resignation letter to Trudeau stated, “I must abide by my core values, my ethical responsibilities and constitutional obligations. There can be a cost to acting on one’s principles, but there is a bigger cost to abandoning them.”[[7]](#endnote-7)

Submitting her resignation letter had to have been difficult for Philpott. Prudence alone dictated remaining in cabinet and using her influence to effect positive change from within. When campaigning for office, Philpott had told voters, “For me, a seat in the House of Commons is not a target, it’s a tool. It’s the tool that you and I will use to make this community better—to make this country better.”[[8]](#endnote-8) As a cabinet minister, she could use that tool with surgical precision. Her influence would be significantly less outside cabinet. Did she make the right decision to resign over principles?

THE RISE OF INFLUENCE

A person of faith and conviction, Philpott was born on November 23, 1960. The oldest of four sisters with religious parents—Audrey Little, an elementary schoolteacher, and Wallace Little, a Presbyterian minister—she was taught selflessness as a virtue. Her formal education started in her picturesque hometown of Cambridge, Ontario, where she attended Hillcrest Public School and Galt Collegiate Institute. After graduating high school as a provincial scholar in 1979, Philpott studied medicine at Western University (formerly known as the University of Western Ontario). She then completed a residency in family medicine at the University of Ottawa and a fellowship in tropical medicine in Toronto.[[9]](#endnote-9)

In 1986, Philpott married Paul Eric Philpott, whose father became a Presbyterian minister after retiring from a career as an accountant. Together, Philpott and her husband made a commitment to missionary work by joining an interdenominational evangelical Christian group. In 1989, they travelled to the Republic of the Niger, where Philpott practised medicine and developed a training program for village health workers.[[10]](#endnote-10)

While the young couple worked in the West African countryside in 1991, Emily Katherine Philpott, their two-year-old daughter, and her baby sister, Bethany Jane, contracted serious bacterial infections. The family raced to the nearest hospital, two hours away, which proved to be too late for Emily. But the death of their daughter did not weaken the couple’s passion for helping others. Following Bethany Jane’s full recovery, they continued their missionary work. “Even though it was obviously very difficult for me at the time,” Philpott later explained, “what came out of that was an understanding that African mothers lose their babies by the thousands every day. And so, as hard as it was for me, why should an African mother expect that 25 per cent of her children won’t live to the age of five?”[[11]](#endnote-11)

After almost a decade working abroad, Philpott and her family returned to Canada, where she joined the Markham Stouffville Hospital and, after completing a master’s degree in health, became an associate professor at the University of Toronto. In 2004, Philpott challenged her hospital colleagues to contribute a day’s pay to help fight the AIDS pandemic, raising CA$33,000.[[12]](#endnote-12) The following year, when Philpott temporarily returned to Africa to help during a food crisis, the Give a Day initiative to recognize World AIDS Day raised almost $100,000 from across eight hospitals.[[13]](#endnote-13) By 2006, after the campaign was expanded to teachers, lawyers, flight attendants, unions, and businesses, it was raising more than half a million dollars annually.[[14]](#endnote-14)

Despite serving the community as a doctor and educator, the busy mother, now of four, could not help wondering if she should try to gain influence over how Canada addressed the big-picture systemic issues that affected health and wellness.[[15]](#endnote-15) In 2010, Philpott met with Paul Martin over coffee, then in 2011, when the Conservative government secured a majority government, Philpott decided to join the Liberal Party of Canada. In September 2013, she announced her plans to step down as the chief of family medicine at the Markham Stouffville Hospital to enter federal politics. On April 9, 2014, she became the Liberal candidate for the Ontario riding of Markham–Stouffville. On October 19, 2015, she was elected as a federal member of a new Parliament with a Liberal majority. Shortly after, Philpott was sworn in as Canada’s first health minister in 80 years to have a medical background.[[16]](#endnote-16)

As a member of cabinet, Philpott played a leading role in several of the Liberal Party’s initiatives. Some of the initiatives were direct extensions of Philpott’s role as a physician and Minister of Health: for example, legislating a balanced approach to medical assistance in dying and negotiating an accord with new resources for mental health and home care. Other initiatives, such as reforming child welfare to reduce the over-apprehension of Indigenous children and improving infrastructure for First Nations to provide clean water on reserves, reflected Philpott’s commitments to social health. Philpott was also actively involved in the Liberal Party’s efforts to bring Syrian refugees to Canada.[[17]](#endnote-17)

The political party Philpott joined was supposed to be above self-serving power plays. As *Vanity Fair* noted in 2017, Trudeau was elected because he was widely seen as a champion of good governance and gender equality, one capable of “providing hope and delight” in dark times.[[18]](#endnote-18) But the attempt to influence Wilson-Raybould’s decision making as attorney general called into question this commitment.

THE SNC-LAVALIN AFFAIR

The SNC-Lavalin affair was widely seen as the straw that broke the back of Trudeau’s much-hyped brand. As Don Martin, host of CTV’s daily political program *Power Play*, put it, “The unicorn-mounted prince lies bleeding on the rainbow, surrounded by dark and stormy clouds.”[[19]](#endnote-19)

The crisis was triggered in September 2018 when Kathleen Roussel, Canada’s director of public prosecutions, informed the Attorney General that SNC-Lavalin would not be invited to negotiate an out-of-court settlement. Instead, Roussel would be proceeding to trial, charging SNC-Lavalin with the criminal offences of corruption and fraud in relation to business dealings in Libya.[[20]](#endnote-20) At the time, SNC-Lavalin was Canada’s largest engineering and construction firm by revenue, with over 50,000 employees operating in more than 150 countries worldwide. But the company had faced an uncertain future since 2015, when the Royal Canadian Mounted Police, the Canadian national police service and an agency of the Ministry of Public Safety Canada, filed criminal charges alleging SNC-Lavalin had paid about $50 million in bribes to influence government decisions in Libya between 2001 and 2011. SNC-Lavalin and two of its subsidiaries were also charged with defrauding Libyan organizations of about $130 million.[[21]](#endnote-21)

If convicted in a criminal trial, the company could lose the ability to bid on federal government business for 10 years, potentially costing the company billions in forgone revenue. The loss could weaken SNC-Lavalin’s case for remaining a Canadian company along with its global competitiveness. To mitigate this risk, SNC-Lavalin had cleaned house—senior executives had departed and an aggressive campaign to improve ethics and compliance at all levels of the company had been initiated—and it lobbied Ottawa to introduce out-of-court settlements known as deferred prosecution agreements (DPAs) into the Canadian legal system.[[22]](#endnote-22)

Critics of DPAs insisted they were akin to “get out of jail free cards.”[[23]](#endnote-23) Proponents, like former Canadian finance minister John Manley, saw DPAs as an alternative means of “punishing the guilty without hurting others who have done nothing wrong.”[[24]](#endnote-24) A remediated settlement would not release the accused company from penalty: if the company qualified for and was granted a DPA, the company would have to accept responsibility for the wrong, demonstrate that it had taken efforts to ensure the same offences would not be committed again, relinquish any benefit gained from the wrong, pay a significant financial penalty, and, if appropriate and possible, make reparation to the initial victims of the bribery or fraud.[[25]](#endnote-25)

In SNC-Lavalin’s case, the company’s new management team positioned an out-of-court settlement to be in the public interest because it would allow the company to survive and continue to contribute to the Canadian economy while making amends for the misdeeds of former executives, without further victimizing innocent employees and other stakeholders, including suppliers and pensioners. In its brief to federal officials, the company argued, “It is unfair that the actions of one or more rogue employees should tarnish a company’s reputation, as well as jeopardize its future success and its employees’ livelihoods.”[[26]](#endnote-26)

Fair or not, according to the Organisation for Economic Co-operation and Development (OECD), almost 80 per cent of corruption cases concluded under its anti-bribery convention[[27]](#endnote-27) worldwide had been settled out of court. DPAs were widely considered “a pragmatic and efficient way to resolve cases that would otherwise require tremendous time and resources to investigate and prosecute before reaching a court.”[[28]](#endnote-28)

Following public consultations with many stakeholders (e.g., industry associations, current and potential suppliers to the Government of Canada, professional organizations, civil society organizations, non-governmental organizations, justice sector stakeholders, and provinces and territories),[[29]](#endnote-29) the federal government introduced DPAs to Canada as a small part of the government’s larger 2018 budget legislation.[[30]](#endnote-30) The DPA was to be used at the discretion of prosecutors, who would consider a number of factors to determine whether a company was eligible for a DPA, such as whether the company impeded or attempted to avoid an investigation or self-disclosed the offence; the nature and gravity of the offence and its impact on the victim (bodily harm or a threat to national security automatically disqualified a company); and how involved senior officers had been and whether the company had taken disciplinary action and attempted remediation.[[31]](#endnote-31)

After overhauling its management, board, and compliance procedures, SNC-Lavalin was widely expected to become the first Canadian company to negotiate a settlement under the new legal regime.[[32]](#endnote-32) However, Roussel had determined that SNC-Lavalin did not meet the requirements for an out-of-court settlement and, instead, would remain where it started with the charges in 2015—on the path to a criminal trial. The Prime Minister’s Office (PMO) was concerned that SNC-Lavalin was being forced to face a trial that could, according to the Prime Minister, put the jobs of 9,000 Canadian employees at risk. They wanted to know why the DPA was not being used, and they wanted to be sure that all relevant information had been considered in making that decision.[[33]](#endnote-33) Wilson-Raybould, as attorney general, was the only person in the Trudeau administration with the authority to question prosecutorial decisions.

PMO staff, other ministers and their staff, and senior public servants started pressing Wilson-Raybould to use expert external council to review the SNC-Lavalin case and determine whether a negotiated settlement would be lawful and in the public interest. Wilson-Raybould declined to do this, making it clear that she had decided not to interfere with Roussel’s office and that requests that she do so because elections were approaching amounted to inappropriate political interference. She explained that the legal service of the Public Prosecution Service of Canada was supposed to be above politics and economics.[[34]](#endnote-34)

Wilson-Raybould’s position eventually led Michael Wernick, Clerk of the Privy Council, the most senior civil servant, to warn Wilson-Raybould that she was on a collision course with Trudeau:

So the [prime minister] wants to be able to say that he has tried everything he can within [a] legitimate toolbox to try to head [SNC leaving Canada] off. So he is quite determined, quite firm but he wants to know why the DPA route which Parliament provided for isn’t being used. And I think he is gonna find a way to get it done one way or another. So, he is in that kinda mood, and I wanted you to be aware of that.[[35]](#endnote-35)

According to members of the opposition—who called for Trudeau’s resignation—the government clearly committed a criminal act by trying to obstruct justice.[[36]](#endnote-36) But according to Wilson-Raybould’s testimony, she was not asked to abandon the prosecution, just to review the matter and determine whether a negotiated settlement could be pursued. These requests, in her expert legal opinion, were not criminal, but were inappropriate due to the political motivations behind them.[[37]](#endnote-37)

The generally accepted relationship between an attorney general and other cabinet members was described by Sir Hartley Shawcross in 1951, when the former attorney general of England stated,

I think the true doctrine is that it is the duty of an Attorney-General, in deciding whether or not to authorize the prosecution, to acquaint himself with all the relevant facts, including, for instance, the effect which the prosecution, successful or unsuccessful as the case may be, would have upon public morale and order, and with any other considerations affecting public policy.

In order so to inform himself, he may, although I do not think he is obliged to, consult with any of his colleagues in the Government; and indeed, as Lord Simon once said, he would in some cases be a fool if he did not. On the other hand, the assistance of his colleagues is confined to informing him of particular considerations, which might affect his own decision, and does not consist, and must not consist in telling him what that decision ought to be. The responsibility for the eventual decision rests with the Attorney-General, and he is not to be put, and is not put, under pressure by his colleagues in the matter.[[38]](#endnote-38)

Known as the Shawcross principle, this doctrine was used by observers both to support Wilson-Raybould’s position and to attack her for refusing to be open to accepting external advice. Wilson-Raybould did “the standard practice of undertaking further internal work and due diligence in relation to the [prosecutor’s] decision,” a practice she had employed for other similar situations.[[39]](#endnote-39) She had also spoken with a former justice minister, Kim Campbell, who had faced a similar situation during her tenure as attorney general.[[40]](#endnote-40) Nevertheless, government officials came to her on several occasions and expressed concern over the economic impact of a criminal trial and a possible conviction. But as far as Wilson-Raybould was concerned, the issue was simple: as justice minister and attorney general, she had decided to respect the independence of Roussel’s office and concluded that a review of the file was not warranted.[[41]](#endnote-41)

Wilson-Raybould alleged that she was removed from her position as justice minister and placed in the portfolio of veterans affairs after resisting political attempts to change her mind—attempts that she felt threatened the independence and integrity of the justice system because they were being made by people within the government seeking “to politically interfere in the exercise of prosecutorial discretion in my role as the attorney general of Canada, in an inappropriate effort to secure a deferred prosecution agreement with SNC-Lavalin.”[[42]](#endnote-42)

DECISION TIME

Philpott was not directly involved in the SNC-Lavalin affair, but she was a member of cabinet and, therefore, considered a member of Trudeau’s team. Still, few people would attack Philpott if she had decided to remain in cabinet. After all, in the United States at the time, the Trump administration was full of honourable individuals who were biting their tongues in public in order to serve the public good as insiders with influence, countering their leader’s questionable decisions.

Outside Canada, the SNC-Lavalin scandal was labelled as almost trivial, especially when compared to allegations faced at the time by US president Donald Trump. “There’s no money, no sex and nothing illegal happened. This is what passes for a scandal in Canada,” pointed out an Associated Press report.[[43]](#endnote-43) Even within Canada, many people had a hard time seeing a major scandal because, as lawyer Brian Greenspan put it, “the prosecutorial function does not operate in a vacuum, in isolation and immune from debate, discussion and, indeed, persuasion.”[[44]](#endnote-44)

“Maybe I am just jaded,” said Scott Reid. That was the disclaimer the former senior advisor to Paul Martin offered after he noted that the SNC-Lavalin affair was just “a political controversy, as opposed to a criminal/legal matter.” In Reid’s view, the issue was less serious in terms of alleged transgressions than the scandal endured by the previous Conservative government, when Senator Mike Duffy was charged with fraud, breach of trust, and bribery following a scandal over his expense claims. And the SNC-Lavalin affair was “not even close to the sponsorship scandal” that had helped end the Liberal Party’s previous hold on power.[[45]](#endnote-45)

But Philpott was not a veteran of old-school politics, so her litmus test for wrongdoing did not require a criminal act. And she had not given up her medical career to help Trudeau sell a false promise to be different. “Unfortunately, the evidence of efforts by politicians and/or officials to pressure the former attorney general to intervene in the criminal case involving SNC-Lavalin, and the evidence as to the content of those efforts have raised serious concerns for me,” Philpott wrote in her resignation letter.[[46]](#endnote-46)

The solemn principles at stake are the independence and integrity of our justice system. It is a fundamental doctrine of the rule of law that our Attorney General should not be subjected to political pressure or interference regarding the exercise of her prosecutorial discretion in criminal cases. Sadly, I have lost confidence in how the government has dealt with this matter and in how it has responded to the issues raised.[[47]](#endnote-47)

Philpott was not raised to be a quitter. A profile following her induction into her high school’s roll of distinguished alumni noted that Philpott did not avoid a challenge just because it appeared too big to defeat. When fighting the seeming intractability of Africa’s problems as a missionary, Philpott urged others not to give up by quoting a West African proverb: “The river may be wide, but it can be crossed.”[[48]](#endnote-48) However, remaining on Trudeau’s team would signal to Canadians that she supported the government’s actions. In fact, the constitutional convention of cabinet solidarity would have her duty bound to speak in support of the government’s handling of the SNC-Lavalin affair even if she disagreed with the government’s statements or thought they were false.[[49]](#endnote-49)

When all was said and done, Philpott concluded it was “untenable” for her to continue to serve as a cabinet minister after having “lost confidence” in how the government dealt with the SNC-Lavalin affair.[[50]](#endnote-50) But the price of standing on principle would be high. Resigning would not just cost her the very influence over public policy that Paul Martin had convinced her was worth pursuing. While she would remain a member of parliament, her declaration would threaten her position in the Liberal government, not to mention her chances of being re-elected. Her resignation would also add fuel to a scandal being exploited by the Conservative Party. In other words, if Philpott decided to resign on principle, the decision could help put in place a new government that didn’t share her Liberal values, threatening the future of everyone remaining in the Liberal caucus, including more than a dozen other female politicians who had made history, along with Philpott and Wilson-Raybould, when Trudeau appointed them to Canada’s first gender-equal cabinet.

Was Philpott’s decision to resign over principles the right decision?

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Endnotes

1. This case has been written on the basis of published sources only. Consequently, the interpretation and perspectives presented in this case are not necessarily those of any member of the Canadian House of Commons or their staff. [↑](#endnote-ref-1)
2. Roger Collier, “Profile: Dr. Jane Philpott,” *Canadian Medical Association. Journal* 188, no. 2 (2016), 100. [↑](#endnote-ref-2)
3. “Read Jane Philpott’s Resignation Letter to Justin Trudeau,” *Globe and Mail*, March 4, 2019, accessed June 18, 2019, www.theglobeandmail.com/politics/article-read-jane-philpotts-resignation-letter-to-justin-trudeau. [↑](#endnote-ref-3)
4. Canadian Press, “Timeline: SNC-Lavalin and Jody Wilson-Raybould,” CBC News, February 20, 2019, accessed June 18, 2019, www.cbc.ca/news/politics/timeline-snc-wilson-raybould-1.5027249. [↑](#endnote-ref-4)
5. Robert Fife, Steven Chase, and Sean Fine, “PMO Pressed Wilson-Raybould to Abandon Prosecution of SNC-Lavalin; Trudeau Denies His Office ‘Directed’ Her,” *Globe and Mail*, February 7, 2019, accessed June 18, 2019, www.theglobeandmail.com/politics/article-pmo-pressed-justice-minister-to-abandon-prosecution-of-snc-lavalin. [↑](#endnote-ref-5)
6. “Jody Wilson-Raybould’s Testimony—Read the Full Transcript of Her Opening Remarks,” Global News, February 27, 2019, accessed June 18, 2019, https://globalnews.ca/news/5006450/jody-wilson-raybould-testimony-transcript. A report released by the parliamentary ethics commissioner several months after Wilson-Raybould’s testimony and Philpott’s resignation concluded that “the evidence showed there were many ways in which Mr. Trudeau, either directly or through the actions of those under his direction, sought to influence the Attorney General.” Further, “the evidence showed that SNC-Lavalin had significant financial interests in deferring prosecution. These interests would likely have been furthered had Mr. Trudeau successfully influenced the Attorney General to intervene in the Director of Public Prosecutions’ decision. The actions that sought to further these interests were improper since they were contrary to the Shawcross doctrine and the principles of prosecutorial independence and the rule of law.” Mario Dion, *Trudeau II Report 2019* (Ottawa, ON: Office of the Conflict of Interest and Ethics Commissioner, 2019), 1–2, accessed September 3, 2019, http://ciec-ccie.parl.gc.ca/EN/ReportsAndPublications/Pages/TrudeauIIReport.aspx. [↑](#endnote-ref-6)
7. “Read Jane Philpott’s Resignation Letter to Justin Trudeau,” op. cit. [↑](#endnote-ref-7)
8. Collier, op. cit. [↑](#endnote-ref-8)
9. Tom Hawthorn, “Jane Philpott,” *Canadian Encyclopedia*, May 27, 2019, accessed June 18, 2019, www.thecanadianencyclopedia.ca/en/article/jane-philpott. [↑](#endnote-ref-9)
10. Ibid. [↑](#endnote-ref-10)
11. Galt Collegiate Institute, “Jane Philpott: Medicine” (Stairway of Excellence 2008 Inductees poster, Waterloo Region District School Board, 2008), accessed June 18, 2019, http://schools.wrdsb.ca/gci/files/2015/11/Jane-Philpott2.pdf. [↑](#endnote-ref-11)
12. All dollar amounts are in CAD unless otherwise specified. [↑](#endnote-ref-12)
13. MaRS, “Stephen Lewis, Dr. James Orbinski and Dr. Jane Philpott Launch Give a Day at the MaRS Centre,” press release, MaRS Discovery District, October 11, 2006, accessed June 18, 2019, www.marsdd.com/media-centre/giveaday-10112006. [↑](#endnote-ref-13)
14. Dignitas International, “Canadian MD Jane Philpott Leads Efforts to Raise Funds for AIDS Treatment in Africa,” press release, Dignitas, November 28, 2007, accessed June 18, 2019, https://dignitasinternational.org/2007/11/28/canadian-md-jane-philpott-leads-efforts-to-raise-funds-for-aids-treatment-in-africa. [↑](#endnote-ref-14)
15. Collier, op. cit. [↑](#endnote-ref-15)
16. Ibid. Murray MacLaren, who served as Minister of Pensions and National Health from 1930–1934, was a physician; after him, Donald Matheson Sutherland, also a physician, assumed the post from 1934–1935. Both physicians served under Prime Minister Richard Bedford Bennett’s conservative government. The Ministry of Pensions and National Health was divided in 1944 to create the Ministry of National Health and Welfare and the Ministry of Veterans Affairs. Jasmin H. Cheung-Gertler, “Health Canada,” Canadian Encyclopedia, August 5, 2014; and “Guide to Canadian Ministries since Confederation,” Government of Canada, accessed September 3, 2019, https://guide-ministries.canada.ca. [↑](#endnote-ref-16)
17. “Read Jane Philpott’s Resignation Letter to Justin Trudeau,” op. cit. [↑](#endnote-ref-17)
18. Neha Prakash, “Let Justin Trudeau in His Pajamas Brighten Your Monday,” *Vanities* (blog), *Vanity Fair*, April 3, 2017, accessed June 18, 2019, www.vanityfair.com/style/2017/04/justin-trudeau-in-pajamas. [↑](#endnote-ref-18)
19. Don Martin, “Here’s an Inconvenient Truth, Trudeau’s Brand is Broken,” CTV News, February 28, 2019, accessed June 18, 2019, www.ctvnews.ca/politics/don-martin-here-s-an-inconvenient-truth-trudeau-s-brand-is-broken-1.4317297. [↑](#endnote-ref-19)
20. Kady O’Malley, “Updated: The SNC-Lavalin/PMO Controversy: A Timeline,” iPolitics, February 20, 2019, accessed June 18, 2019, https://ipolitics.ca/2019/02/20/the-snc-lavalin-pmo-controversy-a-timeline; and Dion, op. cit., 1. [↑](#endnote-ref-20)
21. Rebecca Joseph, “Charges Against SNC-Lavalin Explained—and How the PMO Allegedly Got Involved,” Global News, February 12, 2019, accessed June 18, 2019, https://globalnews.ca/news/4953015/snc-lavalin-explained. [↑](#endnote-ref-21)
22. Jesse Snyder, “SNC-Lavalin’s Failure to Secure Deferred Prosecution Comes after Years of Legal Fights, Lobbying Blitz,” *National Post*, February 8, 2019, accessed June 18, 2019, https://nationalpost.com/news/politics/snc-failure-to-secure-deferred-prosecution-comes-after-years-of-legal-fights-lobbying-blitz. [↑](#endnote-ref-22)
23. Canadian Press, “SNC-Lavalin: Deferred prosecution deals aren't get-out-of-jail free cards,” National Post, March 18, 2019, accessed June 19, 2019, https://nationalpost.com/pmn/news-pmn/snc-lavalin-deferred-prosecution-deals-arent-get-out-of-jail-free-cards. [↑](#endnote-ref-23)
24. John Manley, “Canada Needs New Tools to Fight Corporate Wrongdoing,” *Globe and Mail*, May 29, 2015, accessed June 18, 2019, www.theglobeandmail.com/report-on-business/rob-commentary/canada-needs-new-tools-to-fight-corporate-wrongdoing/article24675411. [↑](#endnote-ref-24)
25. Lawrence E. Ritchie and Malcolm Aboud, “Deferred Prosecution Agreements (DPAs) Come into Force in Canada,” *Risk Management and Crisis Response Blog*, Osler, Hoskin & Harcourt LLP, September 19, 2018, accessed June 18, 2019, www.osler.com/en/blogs/risk/september-2018/deferred-prosecution-agreements-dpas-come-into-force-in-canada. [↑](#endnote-ref-25)
26. Fife, Chase, and Fine, op. cit. [↑](#endnote-ref-26)
27. Formally known as the *Convention on Combating Bribery of Foreign Public Officials in International Business Transactions*. [↑](#endnote-ref-27)
28. OECD, “Resolving Foreign Bribery Cases with Non-Trial Resolutions*,*” OECD, 2019, accessed June 18, 2019, www.oecd.org/corruption/resolving-foreign-bribery-cases-with-non-trial-resolutions.htm. [↑](#endnote-ref-28)
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