

Senior Privy Council analyst's 'life in limbo'

■ Haiyan Zhang says she poses no past, present or future threat to Canada and still loves the country despite everything she's been through.

Kristen Shane

Haiyan Zhang has lived a life of struggle. Born in Lanzhou, China, in 1963, she grew up amid the country's Cultural Revolution in a family without privilege or political connections.

"Hardships, challenges and turbulence were givens in life," she says.

Still, she persevered. Despite never becoming a member of the Communist Party, she was able to learn English, attend university and eventually earn a master's degree in Shakespearean literature. From there, she became a rarity: a single, female foreign correspondent for China's state news agency, Xinhua.

Even then, she faced adversity. Her bosses wanted to limit her to editing jobs in the agency's Cairo bureau to prevent her from leaving with a non-Chinese person. But she fought to report on the Gulf War in 1991, during which time she met her Canadian husband-to-be in Kuwait.

Immigrating to Canada in 1995 where nobody recognized her degree, Ms. Zhang built her own company, earned a master's in business administration and became a certified management consultant. Upon being recruited to the federal public service in 2002, she quickly shot up the ranks, which culminated with a position at the centre of Canadian political power, the Privy Council Office, the administrative arm of the Prime Minister's Office.

Trilingual, confident and smart (she can remember exactly how many people she beat out to land most jobs she's worked since starting university at age 16), Ms. Zhang should be raking in more than \$80,000 a year as a high-level bureaucrat. But she receives no regular pay cheque and spends much of her time volunteering rather than working a nine-to-five job.

Caught in a web of suspicion and alleged to be a Chinese spy, she says she was fired three times from the public service. She is entering her ninth year of bureaucratic and legal limbo, struggling for recognition of what she says was wrongful dismissal.

Despite it all, she's found strength in helping others fight the same kind of injustice she feels she's been dealt.

'The sky's the limit in this job'

Back in China after her positions as both a foreign correspondent in Cairo and journalism instructor ended, she worked for the Grey Group, at the American ad agency's Beijing office, helping companies such as Visa credit card and Swissair break into the Chinese market. At the same time she waited for her application for a Canadian visa to be approved so that she could join her husband in Canada.

The approval came through and within months of moving to Ottawa, she started her own company, Chinabridge Communications, helping government agencies and Canadian businesses understand the Chinese culture and business environment.

In 1995, she got her first invitation to attend China's national day at the country's Ottawa embassy. Helping her clients build connections, she attended events through the Canada China Business Council, often co-hosted with the embassy.

A go-getter not known to be shy, she caught the attention of the *Ottawa Business Journal*, which profiled her in 2001. Ms. Zhang was always the first to the microphone after presentations at regular technology sector breakfast meetings, "peppering technology executives with a barrage of questions," the newspaper



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reported. At the time, Ms. Zhang was working at the Business Development Bank of Canada.

At one such a networking event, she met someone who recruited her to the federal public service.

"She said, 'You'd be perfect to work for the government,'" Ms. Zhang recalls. "You're young, you're a visible minority, you're bilingual."

She started in May 2002 at the Public Service Commission, jumped to Industry Canada, and, within a year, had sent her resume to the PCO, which, she says, quickly came calling. In her application, she says she did not hide her former Xinhua job. After an initial meeting, a PCO director called to offer her a job as a senior communications analyst.

"I said, 'I have to think about it,'" she says. However, he told her that two years of working for the PCO was equal to about 20 years elsewhere in the federal public service. "Essentially, the sky's the limit when you work in this job," she remembers thinking.

But Ms. Zhang's rocket rise to the top of the public service began to fizzle out within a few months of her February 2003 arrival at the PCO. On Aug. 28, 2003, PCO management met with her to tell her that a Canadian Security Intelligence Service security assessment of her had prompted concerns that needed to be further examined. Ms. Zhang was barred from PCO buildings and given leave with pay.

She was told the CSIS security assessment had red-flagged "adverse information" about her loyalty to Canada.

CSIS recommended to the PCO that she not receive top-secret security clearance—and that the secret clearance she'd already been granted, the minimum level required for her job, be revoked.

A letter from the PCO to Ms. Zhang on Sept. 3, 2003, and later referenced in a Public Service Labour Relations Board decision on her case, said that based on the CSIS assessment, the PCO was concerned that as a Xinhua reporter and editor, "you may have engaged in intelligence collection activities on behalf of a foreign state." It also alleged that she appeared "to maintain regular contact with foreign representatives who may be involved in intelligence collection activities," which she took to mean her presence at Chinese embassy events.

Ms. Zhang fought against the security assessment, but was nevertheless told she would be fired later that fall. In response, she took the case to the Security Intelligence Review Committee, a CSIS watchdog. It ruled there were reasonable grounds for the PCO to deny her top-secret security clearance and revoke her lesser clearance, thereby making her unable to do her job.

She also took the issue to the Public

Service Labour Relations Board. The adjudicator of her case, Ian Mackenzie, had the narrow role of determining whether, upon revoking her security clearance, her bosses had met their obligation to search diligently for another public service job for her.

The PCO told Mr. Mackenzie it was wary of looking for other jobs for her because it worried about her reliability, even though it hadn't revoked her basic "enhanced reliability" security clearance. Mr. Mackenzie ruled the PCO didn't do a good enough search for alternate jobs for Ms. Zhang and didn't give enough evidence to prove her case should be exempt from that rule.

Mr. Mackenzie ordered the PCO to reinstate her to paid-leave status retroactive to when it fired her two years before, and continue that until it had finished searching diligently for two months for an equal or lower-level public service job for her.

After two months, while she was being paid to stay home, the government had referred seven potential jobs to her, but she wasn't hired to do those or any other. In effect, she was fired a second time. Labour Relations Board records indicate the government felt it did all it was supposed to do; Ms. Zhang said she thought the search was too narrow and the PCO was putting the onus on her to find a job.

Meanwhile, Ms. Zhang applied separately for a less sensitive job with Service Canada, a government agency that helps connect citizens with federal programs and services. She says she told Service Canada up front about her situation with the PCO. She was hired as a marketing manager in 2006. She says she was on the job at Service Canada for a couple months before again being told to go home and was put on paid leave. *The Globe and Mail* reported that security concerns had re-emerged and she was awaiting a review of her reliability status, a bare-minimum security level. Finally, at the end of that process in August 2008, she was fired from the public service a third time. In response to a request for more information about her Service Canada firing, its parent department Human Resources and Skills Development Canada said it wouldn't discuss "employee-specific information" for privacy reasons.

Almost eight years after CSIS first raised security concerns about Ms. Zhang, she has never been charged or prosecuted for any related wrongdoing.

The journey continues

Ms. Zhang is still fighting today. In October, the Federal Court is set to review a 2010 Labour Relations Board decision that dismissed her complaints related to her second firing.

She calls her story "a journey" because after

eight years of legal and bureaucratic hurdles, her struggle continues. That journey has taken a toll on her personal and professional life.

She shops second-hand whenever she can to save money. She has done some consulting work, but finds she can't promote herself in the growing field of Canada-China business relations.

"I've had to stay back and not get involved in my own community," she says. She doesn't want to be seen to confirm the cloud of suspicion put upon her.

She says her husband, whose name she asked not to be published, feels guilty for bringing her to Canada.

On top of that, she was diagnosed with cancer two years ago, which she attributes to the stresses associated with her journey.

She's doing okay now, she says. "The best treatment has come from helping other people," she told *Embassy* in an interview last week.

Earlier that day, she'd driven an hour from her Ottawa home to Prescott, Ont. to teach a public-speaking workshop for people who have been laid off or are coming out of retirement to train for new jobs. She recalls what she told them: "What you discover in times of change and uncertainty, when you're in search of yourself, is that you may find, obviously, your vulnerabilities. But, ultimately, you'll find your strength if you find a way of making a difference in other people's lives."

While on unpaid leave, Ms. Zhang tripled her volunteer work. With her ability to express herself professionally curtailed, she says, she's found meaning through volunteerism.

"Even though it was traumatic—you know, your life is in limbo; you don't know what's going on in your life—for me, I wanted to make sure I was going to continue to be able to offer public service," she says.

At any given time, Ms. Zhang sits on four or five boards of directors. She is currently the president of the Social Planning Council of Ottawa and chair of the board of the Ottawa-based Cultural Interpretation Services for our Communities.

She is also treasurer of Canadians for Accountability, a whistleblower support group. Although Ms. Zhang is not a whistleblower herself, she feels her experience is similar to theirs. She has received support through them, her union and others such as David Kilgour, a former MP and secretary of state in Jean Chrétien's Liberal government, who met her at a fundraiser and became concerned upon hearing her story.

"I don't know what happened in China," he says, "but everything I've seen of her since she came here is that of an exemplary Canadian. And look what the system has done to her."

Ms. Zhang says there has been a lack of accountability in her case and those of other whistleblowers she's met as well. She relates to their experience of often being demoted or losing their jobs.

"I was saddened and disappointed by how whistleblowers were treated," she says.

She plans to start law school next month at the University of Ottawa in the hopes of defending whistleblowers and better understanding the legal system to benefit her case.

When she first arrived in Canada, Ms. Zhang says democracy was something she enjoyed, not something she felt she needed to help safeguard. Now, she says, she feels a personal responsibility to defend it and make sure Canada sets a good example.

She says she poses no past, present or future threat to Canada and still loves the country despite everything she's been through.

"I realized that Canada and the Canadian government are not necessarily the same thing," she says. "Canada is Canadians. And Canadians, average Canadians, have opened up their arms and says, 'We're behind you. We appreciate everything you do.'"

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