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Chair

The Honourable Paul DeVillers

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• (0905)

[Translation]

The Chair (Hon. Paul DeVillers (Simcoe North, Lib.)): We are going to begin. I would ask representatives from the media to leave the room.

This is the 25th meeting of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness. We are continuing our study on the closing of the RCMP detachments. Our first two witnesses this morning are from the Customs Excise Union: Mr. Ron Moran, National President, and Mr. Jean-Pierre Fortin, National Vice-President for the Region of Quebec. Mr. Gaétan Delisle, President of the Quebec RCMP Officers' Association, is also with us.

You have a maximum of ten minutes to make a presentation, and then we will go to committee members for questions.

Mr. Moran.

Mr. Ron Moran (National President, Customs Excise Union): Thank you very much, Mr. Chairman.

First of all, I would like to thank you as well as committee members for having agreed to hear from us this morning. As you mentioned, we have asked our colleague Gaétan Delisle, from the Quebec RCMP Officers' Association, to join us today. It is a well-known fact that one of the solutions we are going to propose to this committee is the creation of a border patrol, and we are going to discuss that in a little bit more detail. As you proposed, we are going to make a relatively short presentation in order to give members an opportunity to ask questions. We will not dwell on topics that committee members do not necessarily want to discuss; instead, we will focus on the topics of interest to members.

Before beginning, we want to provide some clarification: since the creation of the Customs Agency, some of our representatives in the field have been reprimanded for making comments on several topics—including border security—that are recognized as being the union's position. It is clear that what concerns us the most, as a union, is the lack of security and the lack of back-up for our people who work alone in isolated posts. In Canada, there are 139 offices where some of our members work shifts alone.

Our priority remains the health and safety of these people, but we often go farther, and we share the observations on public safety made by our members in the field.

Mr. Chairman, what immunity do we have when we appear before committees like this one? Six of our members have been reprimanded by people from the Customs Agency for having made comments which, according to them, contradicts some of their policies.

The Chair: I would have preferred your asking this question before requesting to appear. In my opinion, the deliberations of this committee cannot be used directly for other purposes. However, this committee meeting is public, since it is televised. It is a technical matter.

Mr. Ron Moran: That is also what we thought, but we needed some reassurance. We were wondering about that on our way here earlier.

The Chair: There is no doubt that the news will get out.

Mr. Toews.

[English]

Mr. Vic Toews (Provencher, CPC): Yes, on a point of order, I just want to make it clear the witness understands that if any disciplinary action arises as a result of any comments made here, we would like to know about it—certainly my party wants to know about it. So if any disciplinary measures are brought, the committee wants to hear about it, because we want to hear a full report from you. We don't want to hear an edited version and guarded comments because you're worried about some kind of disciplinary process. We expect your comments to be respectful and truthful, but we expect them to be fully answered.

The Chair: Mr. Cullen.

Hon. Roy Cullen (Etobicoke North, Lib.): I'd like to thank you gentlemen for being here.

Mr. Moran, you mentioned there have been six actions of a disciplinary nature against members of your union. I'm not aware of any such disciplinary actions and why they were disciplined. I think you mentioned they were disciplined because of speaking out against policy, or whatever. Do you have any information about that? Could you provide that to the committee?

Mr. Ron Moran: We do, and we can certainly make that available to you. They are obviously going through the grievance process, and are going to be before the Public Service Staff Relations Board. In that context, they're very well contained in a file that we will gladly share with you or any member of this committee.

[Translation]

The Chair: Mr. Fortin, do you have something else to add?

Mr. Jean-Pierre Fortin (National Vice-President, Region of Quebec, Customs Excise Union): Yes, Mr. Chairman. I would just like to add that management could also distribute the information. Mr. Denis Lefebvre is also attending this hearing. He could surely provide committee members with a copy.

The Chair: I would like to clarify that we are here today to hear you on the issue of the closing of detachments, not necessarily on disciplinary action or other matters. So we should try to limit our comments to the issues on the agenda.

Please continue, Mr. Moran.

Mr. Ron Moran: Thank you very much for the clarification, Mr. Chairman.

Since we will be summarizing the presentation that has been distributed, we will ask that the full version be put on the record.

Clearly, one of the things that appears to be behind this follow-up that your committee is doing is the rather impressive number of stakeholders who have raised concerns with regard to the closing of detachments in Quebec. Your committee even went as far as to recommend that this be stopped, at least until you had had the opportunity to examine the matter in greater detail. Despite this action by your committee, the detachments were closed.

That is consistent with what we have seen quite often: the bureaucracy, in many cases, unfortunately, ignores recommendations made by members of Parliament. Despite the context, we remain optimistic that by working together, we will find a solution to these situations.

We are going to make a proposal. As I said earlier, I hope that we will have an opportunity to discuss it in greater detail. We are proposing something that we have been calling for for some time now: the creation of a border patrol.

If members agree, I will switch to English, because I am more familiar with my text in English.

• (0910)

[English]

I just want to reassure everybody that we're not talking about people lined up shoulder to shoulder along an 8,900-kilometre stretch of land, waiting for someone to cross the line. We're talking about our desire to have a presence by proactively patrolling, engaging people, and actually enforcing border security.

Commissioner Zaccardelli told you on December 9 that while the RCMP has the mandate to patrol the border between ports of entry, the RCMP does not have enough resources to keep detachments open and actively patrol the border in Quebec. In Quebec and Ontario, neither the Sûreté du Québec nor the Ontario Provincial Police has the mandate or jurisdiction to enforce border security, and they have in fact pulled resources away from the border. Mayors from Quebec's southern border municipalities testified to this committee about how they are facing serious problems related to border crimes, with no ability or resources to deal with them. We have no doubt other border mayors across Canada will echo that very

same sentiment, and we're in the process of canvassing them all as we speak.

In our view, there's a huge border security crisis in Canada. The closure of the nine RCMP detachments in Quebec has simply brought the issue to the forefront and exacerbated that crisis. Further, grow operations and the cannabis trade are adding an additional layer of challenges to this crisis, in that exporting cannabis across our border should be as much a concern for us as it is for Americans who are dealing with its importation.

We recently read the February 1, 2005, testimony from the Prime Minister, as well as the testimony from the president and vice-president of the CBSA, and although we're not surprised, we're still very disappointed by the lengths to which efforts are deployed to downplay the dangers that are known to exist at the border.

One of the issues that brought light to the situation at the border occurred when, just before the holidays, our members logged no fewer than seventeen vehicles that "blew the port", to use the expression used by the Deputy Prime Minister. The expression we use is "running the port", but what it all equates to is people running the port where there is the biggest staffing in the province of Quebec. There are no fewer than roughly fifty officers working at any given time in Lacolle, but in spite of that there were those situations. The deputy minister said there were eighteen vehicles for the year, when our members logged no fewer than seventeen just during that three-week period.

It's also always implied that it's people who are just confused and people who are not sure what their obligations are when they get to the border, and that the majority of them are brought back to the border when that happens. The reality is that a very quick phone-around to our members who work on the border tells us that if 2% are brought back, it's a good number. The reality is that there is no jurisdiction, as is well known by this committee, for customs to do anything. Our jurisdiction ends where the property line of the port ends, and anything beyond that is left up to police forces.

In the case of the seventeen vehicles in Lacolle, if we want to use that example, although those were all phoned in to police, with licence plate numbers and a definition of the vehicles, none of them were intercepted and/or brought back to the Port of Lacolle to be duly processed. And it should be said that one of them was a coach bus.

In a soon-to-be-published editorial by *Blue Line Magazine*, which is a publication read by law enforcement officers across Canada, editor Morley Lymburner writes about recent research he and a colleague undertook that led them to conclude how common it is for Canadian and American authorities to cross the border to carry out actions. This was prompted by situations that took place in the relatively recent past in Niagara Falls, as well as in Windsor, where police authorities had vehicles in pursuit and chased them right across the border onto Canadian soil. One of the situations was an interception at gunpoint right in the customs compound in Windsor.

• (0915)

The Chair: Could I ask you to conclude now to allow time for questioning?

Mr. Ron Moran: Yes, sir, I will do that.

The only comment I would make in closing is that government officials from the CBSA as well as the RCMP very often will refer to border enforcement teams or IBETs as being the solution to what goes on at the border in terms of addressing these concerns. What should be clear—and you'll see it in quotes taken right from the websites of both the CBSA and of the RCMP that clearly define IBETs as being intelligence-driven and not at all field-driven initiatives—is that they don't have a mandate to patrol. The perception is that because the American border patrol is part of IBETs there is a joint, active patrolling of the border that involves Canadians, when in fact, as you've witnessed right before this committee, the reality is that the few resources still deployed that were dedicated to the border were taken away from the border.

As we stated, one of our concerns is that the response time was already at an unrespectable level and is now at a dangerously low level to back up our members who work alone. And though we're opposed to the policy that allows for working alone and have gone on the record a number of times as being opposed to having our members work alone at ports of entry, we nevertheless feel that the creation of a Canadian border patrol, under the umbrella of the CBSA, would allow the opportunity to have at least a presence. The deterrent effect, of course, as incalculable as it is, would be very much at the heart of why there would be a good value to creating such a patrol.

We will conclude on that and entertain questions.

Actually before we do that, my colleague would like to make a brief presentation.

[*Translation*]

The Chair: Mr. Delisle, go ahead. Before he begins, could you introduce your colleague to us?

S/Sgt Gaétan Delisle (President, Quebec RCMP Officers' Association): My name is Gaétan Delisle, and I am currently a member of the RCMP. I am a staff sergeant. I also carry out official duties within the RCMP as divisional representative, duly elected in accordance with subsection 96(1) of the Royal Canadian Mounted Police Regulations. Mr. André Girard, who is accompanying me, is the other divisional representative of C division. He is also here in his capacity as Secretary-Treasury of the Quebec RCMP Officers' Association, of which I am the president.

I thank the chair for having granted me some immunity. The last time, I introduced myself in the context of my official duties as president of the association, in addition to being a member of the RCMP. I am now in fact facing disciplinary action, and it was initiated by representatives of the RCMP who are present here today: Mr. Latour and Mr. MacDonald. I will see to it that you receive the information if need be.

So I have official duties as a member of the RCMP, in addition to my mandate to represent members of the union. I have received a direct order from my commander who will appear later, Mr. Borduas, stipulating that I cannot leave Quebec. That means that I cannot travel to Ottawa as part of my official duties. I am therefore appearing here as president of the members' association, and I am using my own time to do so. From this perspective, we are very pleased to appear before you to share our members' concerns. Both the RCMP, internally, and the association unanimously agree that

closing the RCMP detachments in Quebec was not the right decision.

As you can see, unfair practices targeting me as president of the association exist within the RCMP. That will continue, and it is unfortunate, because many of our members would be more apt to cooperate as regards statistics or any other available information at the RCMP. Our people in charge are not accountable for any kind of administrative decision taken. That is deplorable, and we deplore it at the association.

I was also present when the mayors of the various municipalities expressed their points of view, which, I believe, reflected those of the people in the municipalities. They informed you of their fears, of what they believed to be their role at the local government level, in relation to the duties carried out by the RCMP in Quebec.

I can state, unequivocally, that as regards the detachments that were closed, we have statistics showing that our colleagues did incredible work for the people of Quebec, in all regions of Quebec. Unfortunately, in the future a single region of Quebec will have the advantage, because it will benefit from this service. We believe that the entire population should benefit from the same services provided by the federal police force, which is specialized in several areas.

I will give you some statistics. Recently, there was talk about the border patrol. You know that several border detachments were closed. That does not say much. Over a period of two weeks alone, we collected more than 350 kilograms of marijuana on the American side that had been left there. That means that the people who took the marijuana to the other side of the border returned to Canada illegally. There was no follow-up, for the simple reason that we no longer have the means to be there. We no longer have the means to respond directly to requests from customs officers or anyone else. We have these specific cases that clearly show that, even if the Quebec police force and the municipal police are meeting the expectations of customs officers at some times, it is clear that they do not have the mandate to do any follow-up.

I am going to conclude by talking about grow-ops. You know that they are a major problem, especially in the area where the detachments were closed.

• (0920)

Let's look at some statistics on the Joliette detachment. That detachment had four investigators, and last year alone, they were in a position to dismantle 35 different organizations involved in growing marijuana. I assure you it had a financial impact on the criminal organizations in the region. Those people were relocated to Saint-Jérôme and to Trois-Rivières. Let's not delude ourselves. Distance has an impact on the effectiveness of the police and on the ability to transmit information on organized crime. Having done that, it is no longer all there, even if the idea was to create specialized areas of activity. When we are not in the field, when we are not conducting searches every day and the information is not received, it is incredible what can happen.

That concludes my remarks, I await your questions. If the federal government were to decide to maintain RCMP services in the province, it seems to me that it would be quite normal for RCMP leaders to comply with that decision. However, if the RCMP leaders have a different opinion, it seems to me that a support committee could analyze the situation and weigh the pros and cons. In our opinion, when the police services map for Quebec was reworked, the various areas were protected by the RCMP, but now, it is no longer there. Thank you.

• (0925)

[English]

The Chair: Merci, Monsieur Delisle.

We'll go now to questions from the members. First we have, from the Conservative Party, Mr. Toews.

I remind all members that we're here to discuss the issue of the closing of the detachments. I think we should, to make the best use of our time, restrict our questions to that.

Mr. Toews, you have five minutes.

Mr. Vic Toews: Thank you, Mr. Chair.

My concern then is.... What I've heard here today is that we have border officers with limited jurisdictional powers in terms of geography, and even limited jurisdiction to effect arrests, because essentially, people are crossing the border without stopping. Once they go beyond the port area, that's essentially outside of their jurisdiction. We now have the RCMP detachments being closed; the detachments that were to fill that hole are simply no longer there.

That's a serious enough concern. My concern is how this is affecting our relationship with American law enforcement officers in terms of joint efforts, our ability to coordinate efforts.

One of the things I've been hearing from my own border officers is that even at the best of times, they are unable to communicate by way of radio because of different frequencies or different systems. I'm wondering what kinds of complications this has now caused with our American colleagues.

[Translation]

Mr. Jean-Pierre Fortin: We feel that our biggest problem is that the Americans no longer take us seriously. At present, Canada appears to be abdicating its responsibility to patrol the Canadian border. It appears to be leaving that task to the Americans. You are absolutely right when you point out that the Americans are very serious at the border. I will give you some figures. Prior to September 11, the U.S. Border Patrol had 500 officers at the border. Now there are more than 1,000, or approximately 1,200. We can see their interest in the matter, given that their presence was strengthened and that the Canadian side has completely abandoned the issue.

[English]

Mr. Vic Toews: Excuse me, just for a minute. The 500 to 1,000.... Are we talking about the Quebec border, or are we talking about right across Canada?

Mr. Jean-Pierre Fortin: Right across Canada.

[Translation]

They more than doubled their staff, since there are now about 1,200 officers. As we speak, at the American border, there are no offices where people work alone. Moreover, they have the support of a border patrol. We can see both sides. In Quebec, for example, there are about 47 border offices. Of the 47 offices, only 3 are staffed by more than 2 officers at all times, 24 hours a day. That indicates how serious we seem to consider the border patrol problem.

[English]

S/Sgt Gaétan Delisle: Can I comment on that specific point? There are numerous reports within the RCMP that really touch on the integrity of the border as such. It was reported on numerous occasions that even with what we had in place—at first we were granted many people to work there, but then eventually an administrative decision was made to remove them gradually—there are some specific reports that allude to the point that even with the lowest of what we have, distance is still a problem with the existing detachments in place, like Coaticook, St-Georges-de-Beauce, and Rock Island. You can't imagine now the complexity of some of the areas, like Rivière-du-Loup is no longer there—I'm talking about Quebec, not other areas of the country—so now you have to answer from Rimouski. I don't know if you know that area. The same thing with Coaticook; it's no longer there. Now it's Sherbrooke. And Granby, which was also close, is no longer there. Now the distance is even further.

• (0930)

Mr. Vic Toews: Very briefly then, we are always told when these reorganizations occur that it means we're going to centralize administration, which leaves more officers out on the street. We were told that in Manitoba when I was the Attorney General there. It never happened. We know that. What I'm concerned about is what specific steps the RCMP has taken to fill the hole that they've now created there.

S/Sgt Gaétan Delisle: I guess the commissioner would be the best person to answer that. All I can tell you—

Mr. Vic Toews: Are you aware of anything? I want to hear from you because I've heard enough from the commissioner.

S/Sgt Gaétan Delisle: I can tell you I've been a division representative probably for the last 27 years, so I've seen many commissioners come and go.

The problem you're alluding to is that we're doing, they say, more administration elsewhere. As a matter of fact—and I would presume you must hear this in your area—there is a regionalization of the service. I don't think it did fulfill its mandate of what it was supposed to do. As a matter of fact, we have more administrative people now than we used to, and it's more expensive, but that's another issue.

Mr. Vic Toews: It's an important issue.

S/Sgt Gaétan Delisle: It was supposed to put more people on the front line, but I doubt those numbers, personally, because we don't have those numbers to show the contrary.

Mr. Vic Toews: What is it that they have done to fill this hole? Your concern is that they've probably put more people into administration. What about putting people on the street? What have the RCMP done to fill that hole?

S/Sgt Gaétan Delisle: Obviously if you remove—and that's why we're here, I guess, regarding the detachment—some of the people that were already doing a terrific job on organized crime in that region.... Because let's face it: grow-ops are organized crime all the way, being *les motards* or being organized crime of a very specific nature. The intent of it is there. Why is it they removed them? I'm not the person to answer that. They will have to answer. All I'm saying to you is that unfortunately we see that

[Translation]

RCMP leaders did not take that into account. That is unfortunate.

[English]

The Chair: They're not accountable.

[Translation]

Mr. Marceau, you have five minutes.

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Thank you very much, Mr. Chairman. Thank you to the witnesses for appearing before the committee this morning.

When the Bloc Québécois raised the closing of RCMP detachments, we had two main reasons in mind: first of all, the fight against organized crime, and secondly, the border problem, which has been clearly illustrated this morning.

We are, of course, aware of the importance the Americans attach to border security issues. We also know just how important it is for us, on this side of the border, to keep traffic flowing as smoothly as possible. Given how much trade we do with the Americans, it is in our best interest to do so.

My first question is for Mr. Moran. You say that the best way of ensuring that border security is adequate involves, first of all, reopening or maintaining the nine RCMP detachments that were closed, despite a firm recommendation by this committee, and second of all, creating a border patrol. The two solutions are complementary, and that is what you came to tell us today. Have I understood you correctly?

Mr. Ron Moran: That is correct. That summarizes our position well. We feel that the border patrol would complement the mandate very well, particularly as by removing this service from the Revenue Agency and including it in the same portfolio as the RCMP and the Canadian Security Intelligence Service, the government has already, quite tangibly, taken a step toward some seriousness or at least more seriousness, in the way it deals with the border issue.

To go back to what was said earlier, I want to clarify that the Americans send statistics to the Canada Border Services Agency. Since they have sensors and cameras in the field, they know how many people are using the roads that are not monitored to travel to the north, towards Canada. At the end of each month, they provide those statistics.

Through access to information, we have tried on many occasions to obtain that information, which is in the hands of Public Security Canada, but each time we hit a dead end. I would suggest that members of this committee try, using their parliamentary powers, to obtain those figures.

We do know, however, and we talked about it earlier, that on 1,600 occasions in 2004, people deliberately did not stop at the customs offices. Those figures are from the agency.

● (0935)

Mr. Richard Marceau: Mr. Fortin.

Mr. Jean-Pierre Fortin: Mr. Marceau is absolutely right.

We want to complement the work of the Royal Canadian Mounted Police officers, but the fact remains that we need these people at the border. Customs remains the first stage of intervention. Then, where the mandate is federal, follow-up is the responsibility of the RCMP. As for provincial mandates, they are the responsibility of the Sûreté du Québec.

As Mr. Thompson was saying earlier about the mandate for customs officers, I would like to clarify that under C-18, we act as police officers and, consequently, we are the first to get involved in any criminal case. We are, rightly so, subject to the Criminal Code, like any federal or provincial police officer. I simply wanted to make that correction.

Mr. Richard Marceau: Thank you.

In the very near future, Prime Minister Martin will meet President Bush. In your opinion, is the Prime Minister in a position to tell President Bush that at present, the Canada-U.S. border is safe for Canadians and Americans, be it in terms of terrorism, drug trafficking or cross-border movement of organized crime?

Mr. Jean-Pierre Fortin: Absolutely not. In fact, given the staff in place, he could not even give the illusion that the Canadian border is secure.

Mr. Richard Marceau: Thank you.

[English]

The Chair: Thank you, Monsieur Marceau.

Mr. Comartin is next, for five minutes.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Thank you, Mr. Chair.

Thank you for being here.

To Monsieur Fortin or Monsieur Moran, there are three incidents I want to pursue in terms of the safety of our borders. I'm looking at them from the vantage point of the incursion by police forces from the American side crossing over, including the incident in the Niagara Falls region that ended in the death of one of our citizens; the incident in Windsor where the police officer shot himself as he was approaching the border; and the incident that you described at the tunnel, where armed police forces, drug enforcement agencies from the Detroit side, took down a group of people with raised guns.

I corresponded along with Brian Masse, the other member from Windsor, with both the Minister of Foreign Affairs and the Solicitor General at the time. We got assurances then—the two Windsor incidents came first—that a protocol had been worked out and that wouldn't happen again, and then Niagara Falls happened.

I guess I'm looking for some assurances or comments from you as to whether the new Border Services Agency is going to be able to do anything better to convince police forces from the American side not to make incursions into Canadian territory.

Mr. Ron Moran: The protocol or the lack of jurisdiction, the jurisdiction that stops where the border starts, was in existence before those incidents and is still in effect now. So to suggest that there is an added layer now of this.... What I was referring to earlier, and this will be published, as I said, in the *Blue Line Magazine*, which is probably the most highly respected law enforcement magazine that circulates in Canada, is that they've concluded that it is very frequent for those types of situations to happen. We only, of course, hear about the situations that end in tragedy or that raise more political interest; however, it's something that, according to their study, is extremely common. It's basically law enforcement individuals being left with no choice but....

Criminals seem to have no borders. They have disrespect for law, they have disrespect for borders, and when you're trying to stop them, you sometimes push the envelope.

However, in the context of all this going on, when Canada is moving away from the border, when Canada is not assuming its role, the importance of its role at the border to at least be there and to at least be trying to make those interventions, what's in play or the bottom line is that it's the sovereignty of Canada. If we're reliant on the American side to look after our safety, our security, then it's our very sovereignty that's in play when we let that happen and when we continue to fade away from the border.

• (0940)

Mr. Joe Comartin: That's all, Mr. Chair. Thank you.

The Chair: Thank you, Mr. Comartin.

Mr. Cullen, for five minutes.

Hon. Roy Cullen: Thank you, Mr. Chair, and thank you, gentlemen.

First of all, I think the Prime Minister, when he meets with President Bush, will speak very confidently about the security at the border. In fact, the Department of Homeland Security has consistently indicated that they're very happy with the level of cooperation on cross-border crime. Can we do better? Of course we can. Can they do better? Of course they can. We have a 3,000-kilometre border.

I just have a question, Mr. Moran, because I met with Mr. Fortin and Mr. Paradis. You raise the issue of this Canadian border patrol. A letter went to Mr. Jolicoeur, and I'm a little confused. Are you here supporting the fact that the detachment shouldn't have been closed? Are you here proposing a Canadian border patrol, which would be staffed, I guess, by members of your union? I'm not sure on that point.

Mr. Ron Moran: I think a similar question was asked, and I regret that I might have not been clear. What we're saying is that the two are not incompatible. The two services now fall under the umbrella, which we think is a very good move—to have removed the custom service and placed it alongside the RCMP.

The appetite of the RCMP, I think, by the commissioner's own testimony, is clearly that they want to focus on international investigations, on intelligence gathering, on going after what they would call "the big fish". That is all fine in the context of having eyes and ears on the ground at the border. What we're saying is that if there's no appetite for the RCMP to do that, then we want to, but we are also saying that you need to have the detachments open that should have stayed open, certainly, and we see absolutely no—

Hon. Roy Cullen: So you'd like to see both, then, would you, the detachments reopened and this border patrol, which—

Mr. Ron Moran: Would complement.

Hon. Roy Cullen: —would be sort of obviously more members for your union, right?

Mr. Ron Moran: That's the struggle we always have as a union, that it's very easy for politicians to try to downplay our attempt and to say that we just want to increase our membership base. Our primary concern, as we've stated, is that there is no respectable level of backup for our people who work alone at 139 locations in this country.

Hon. Roy Cullen: I just have five minutes. Sorry to keep interrupting.

I've heard this story, I understand it, I'm listening, and I've heard it, but when I met with Mr. Fortin, I did some follow-up, and my understanding—correct me if I'm wrong—is that these border patrols were in existence many, many years ago, but the problem is that they had these little units and they were running around, and by the time they got there, it was all over. So they were burning up a lot of gas, but they weren't getting a lot done. I think what the RCMP has found, as well, is that you can't be everywhere.

We have a huge border. You're talking about running these ports, but if you were a serious terrorist or someone with a huge cache of drugs, would you actually run the Lacolle border, or would you try to slip through the forest somewhere else?

We have to understand that when we have a huge border, we have to do the best we can, but I'm not sure that having groups running around and burning up a lot of gas is the way to proceed.

[*Translation*]

Mr. Jean-Pierre Fortin: Thank you, sir.

As for gas, we could have hybrid vehicles, which would help us burn up less gas. But there is always a balance. We listened to the RCMP spokesperson, who told us that it was impossible to be everywhere all at once. We fully agree, but there is a big difference between being everywhere and being nowhere.

At present, in Canada, there are more than 250 unguarded roads. I am talking about roads that are fully rideable, even in the winter. For a country that is claiming to be safe, it makes no sense not to have anyone at the border. Some say customs officers know the land well. Why couldn't they have the same mandate to complement the mandate of the RCMP? In fact, I do not think that the RCMP burned up an undue amount of gas at the border. We are there to do a job, and I think that the Americans are doing it well.

We also want to address the issue of offices where our people are working alone. Mr. Cullen, you even looked at the famous risk assessment, and you know that having our people work alone in their offices is a problem. Your government is preparing to put two people in certain places where a decision was made that it was too dangerous, but not in other places. That is a double standard. Those arguments do not hold water, in our opinion.

● (0945)

[English]

Hon. Roy Cullen: Thank you.

I know that from the last budget, in 2005, the CBSA will receive more than another half-billion dollars. That will be used to strengthen our capacities at borders. I'm not sure they'll want to follow up on this particular proposal, but I hear what you're saying. The government has to make sure it's doing whatever it can in the most cost-effective manner. With this huge border, we have to make some strategic choices.

The other point I want to make is that the Sûreté du Québec is really the on-the-ground force in Quebec. The RCMP is a national force dealing with federal issues and it is focused mostly on intelligence-gathering. The Sûreté du Québec are the people who should be working closely at the borders.

[Translation]

Mr. Jean-Pierre Fortin: I want to tell you that the Sûreté du Québec has no mandate to get directly involved at the border. We have done our own research, Mr. Cullen, and there is currently no memorandum of understanding between the Sûreté du Québec and the federal government, except for turning over to them people who are intoxicated and whom we have stopped, so that they can continue the investigation.

At present, there is no protocol of understanding covering people who go through the points of entry into Canada without stopping. The Sûreté du Québec did not have one, and the Royal Canadian Mounted Police did not have one until recently.

[English]

The Chair: Merci, Mr. Cullen.

Mr. Warawa, you have five minutes.

Mr. Mark Warawa (Langley, CPC): Thank you, Mr. Chairman.

Perhaps, from what we've heard, we're getting a glimpse at the Kyoto environment plan, where we keep everybody in their offices and not being out on the streets patrolling.

I want to thank you for being here and sharing with us a very serious problem in our national security.

I have a question; I'm not sure who can answer this. Does anybody know what percentage of our budget for CBSA stays in Ottawa and what is actually on the front line?

Mr. Ron Moran: We're in the process of going through an access request, because the indications are that they are worse than when we did so about a year and a half ago. About a year and a half ago, we filed through access to information and asked that very question: what is the bottom line? What is the total number of dollars that are

dedicated to the customs service, and what is the breakdown of it? Part of that request was how much of it stays here in Ottawa.

In the context of the customs service still being within the CCRA, the percentage breakdown was that 55% of the money stayed right here; it never left Ottawa. The customs service was therefore delivered in the field with 45% of the dollars only being deployed to the field.

In the indications we're getting from certain individuals at this time, we are told we should ask that question again, which is why we've asked it through the access to information process. We're hitting all kinds of the usual obstacles that are thrown at us, but we will get to the numbers. In the context of the CBSA now being its own agency and therefore having to set up its own HR and structure, those figures are even worse. But even if they're still at 55%, we thought it was a relatively deplorable state of affairs.

Mr. Mark Warawa: Thank you.

I guess one of the strategic choices the government is making is how to best use the money. I would suggest that it would be better spent on the front lines and that things like a border patrol should be considered.

Did the closing of the RCMP detachments in the 1990s in Ontario and in the last year in Quebec make the border more or less secure? Now, from what you've shared, I'm assuming it was less, but I'm very concerned—and I think we all are—about having our borders secure. We're a sovereign country and it's our responsibility as government to provide safety and security for all Canadians. Did those decisions that were made to close those crossings or those detachments make our borders more or less secure?

● (0950)

[Translation]

Mr. Jean-Pierre Fortin: At present, the level of border security is on the decline. Canada seems to have given up, next to the Americans who have strengthened the south side of our border. The problems of our employees who are working alone have not been resolved, and the authorities continually wash their hands of this responsibility. The level of the security at the border continues to decline. Ottawa is investing in all kinds of projects. We were talking about the financial issue: the money is not flowing into the regions. Senior management at the agency that talks to the union in the various regions of Canada has told us that the money is not coming.

[English]

Mr. Mark Warawa: Thank you.

I have a release you provided me with, and the stats are quite shocking. Apparently 1,600 vehicles blew by ports of entry last year and failed to report to customs, and 3,000 entered Canada illegally via just two of the 200 ports. Now, if I multiply that out, that's as if 600,000 people entered Canada illegally. These 1,600 vehicles that blew by the ports and were seen were at actual border crossings; 1,600 vehicles went right through those border crossings and did not report; they kept on going. You said one of them was actually a bus.

What happens to these people? Is it the policy that you would contact the RCMP? Well, they're not there now, so what happens to these people? They've illegally entered our country. If they're illegally entering, they're stepping on the gas pedal instead of the brake and they're charging through. They're putting the public at risk as they go tearing through. What happens to these vehicles? Are they brought back? Are the RCMP contacted and given the licence plate numbers? What happens to all these thousands of vehicles?

[Translation]

Mr. Jean-Pierre Fortin: The directives that Canadian custom officers currently have stated that they must call the Royal Canadian Mounted Police first. When an incident like the one you are describing occurs, we must call the RCMP. The problem is that the RCMP is no longer there. The statistics that you have now and that come from the Canada Customs Agency are very conservative. I have been a customs officer for 22 years, and I am constantly in my offices. My employees tell me that they no longer call the RCMP because it is no longer in the field, and that the Sûreté du Québec is almost never available. There is no one. That is what tells me that the figures that you have in front of you are not accurate, because they are very conservative, and it is very important for committee members to know that.

The Chair: Thank you, Mr. Fortin and Mr. Warawa.

Mr. Paradis.

Hon. Denis Paradis (Brome—Missisquoi, Lib.): Thank you, Mr. Chairman.

Welcome to the people from the agency and from the RCMP. Thank you very much for coming to shed light at what is really happening on the border crossings.

Mr. Fortin mentioned earlier that there were 47 border crossings in Quebec. There are 10 in my riding. That is a good proportion. There are also unguarded roads in my riding. For example, in Noyan, where we share a customs office with the Americans, there is a road about 500 meters away that is completely open, and paved, with a small sign asking travellers to report to the customs office, that is all. The customs officers with whom I have discussed the matter have no way of seeing whether there are people using that road or not. They learned later that an American had asked someone to step out of his car, that the person had crossed the border on foot, had gotten into a Canadian car, gone to Montreal and come back two weeks later. Upon his return, he did the same thing in the opposite direction, but was stopped by the U.S. Border Patrol on the other side. There is a little bit more surveillance on the American side.

That does not make sense. We have already heard the reason why they do not want to close that road. Apparently, firefighters sometimes need to cross the border between Canada and the United States. There is a great deal of cooperation among firefighters. It does not make sense to leave roads open like that between Canada and the U.S. I must tell you that surveillance is much stricter on the American side.

I think that it is very important to keep the RCMP detachments open. We have the customs problem, but we also have the problem with marijuana plantations, which are scattered throughout our ridings. It has become a calamity. People are selling pot in high

schools and even in elementary schools. I reiterate that the Sûreté du Québec has too much on its plate.

The mayors met recently near Hemmingford to exert some pressure on the Sûreté du Québec. They said that since the municipal forces had merged with the Sûreté du Québec, they are no longer able to obtain services from the Sûreté du Québec. The Sûreté du Québec already has trouble fulfilling its own mandate, and I do not think that we should rely on them to fulfil the customs mandate.

I do not dislike the idea of a border patrol. Mr. Fortin or Mr. Moran, has this idea of a border patrol been suggested to the agency's administration? Do you have any figures on that? How much would it cost, and how many people would be required?

• (0955)

Mr. Ron Moran: We have believed for a very long time that we should create a border patrol. The opportunity to do so has now a reason given that we have a bill creating and determining the mandate of a new Canada border services agency. We were asked to appear before the Senate committee that will be considering Bill C-26. We will be asking the senators to amend the bill so that the border agency's mandate will include a border patrol.

According to our very conservative and very preliminary estimates, 250 person-years will be required in order to maintain a visible border presence.

Hon. Denis Paradis: Throughout Canada?

Mr. Ron Moran: Yes. Obviously that will have to be reassessed but we will be starting from zero. Let's be clear. As you mentioned, Mr. Paradis, the RCMP's mandate is highway patrol and responding to calls regarding domestic problems, and so on. They have no resources exclusively dedicated to border patrol. The only remaining resources—and from what we understand these were antismuggling initiatives funds—were in Quebec, where there were nine detachments. Even in New Brunswick, where there is no provincial police force and where the RCMP is the police, the RCMP's mandate is road safety and domestic disputes. It has no resources exclusively dedicated to border patrol.

From what we understand, until we are proved wrong, there is no police force with resources exclusively for border patrol. We are already on the ground and we see them go through customs ports showing us the finger. We would like to be able to do something because this is becoming extremely frustrating, as you might well imagine. We are supposed to be there to enforce the law and we are powerless in situations such as these.

The Chair: Mr. Ménard

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Thank you.

First, let's clarify the issue of protocol regarding the Sûreté du Québec: there isn't any. This was stated by the commissioner the first time he appeared before us. The second time, he did not speak about it because I had checked this and I knew there wasn't any. I knew that there wasn't any when I was there and I learned that there hasn't been any since. The third time he came, we were told about occasional agreements with local police forces. I think this only happens in cases of impaired driving, that they would like to see handed over to local authorities. At least that is what you've seen on the ground.

I would like you to tell me about what used to exist and what seems to have been abolished; I am talking about the flexible response teams in 1993. Could you tell us what was happening then, who those teams were made up of, and what happened to them?

• (1000)

Mr. Jean-Pierre Fortin: Yes. These flexible response teams were established under a program called the antismuggling initiative, or ASI, in our jargon. They were for supporting law enforcement in our various offices. This was a good thing. They were filling a vacuum in our organization and were providing reinforcement in offices where people were working alone. They would arrive on an impromptu basis and support customs operations in various areas.

Once again, Mr. Ménard, it's difficult to explain, especially in Quebec, why these flexible response teams ended their border activities entirely. I am sure Mr. Cullen will be happy because these vehicles are now parked at customs offices and are no longer being used. Perhaps they should be recycled. These are vehicles that were allocated to our people in order to support their operations.

We would like to see flexible response teams like those that we had, whose mandate would be expanded in order to allow them to cover those roads that aren't guarded when they travelling from one place to another. As Mr. Moran told this committee several times, we are already on the ground. This shouldn't be looked at on a national or international scale, but rather sector by sector. We simply want teams that can support our offices and that also have a mandate to patrol unguarded roads.

Mr. Serge Ménard: Those teams were dismantled approximately one year and two months ago, were they not?

Mr. Jean-Pierre Fortin: Yes.

Mr. Serge Ménard: Did those teams include members of the RCMP? Who was on the teams?

Mr. Jean-Pierre Fortin: Mr. Delisle can speak for the RCMP even though we often had joint patrols. We used to patrol Champlain Lake and Richelieu, for example. We worked very closely with the Royal Canadian Mounted Police and they were often joint teams.

Mr. Serge Ménard: Who made up joint teams? People from customs and from the RCMP?

Mr. Jean-Pierre Fortin: And from the RCMP. We worked together.

Mr. Serge Ménard: Were the detachments that were closed involved? Did they play any role within those flexible response teams?

Mr. Jean-Pierre Fortin: Yes. They were directly involved.

Mr. Serge Ménard: That was stopped and you do not know why?

S/Sgt Gaétan Delisle: The RCMP has special teams that carry this out in some areas but they have been greatly reduced. They do their investigations, especially at the Lacolle Port. However, the type of border patrol that we had at one time no longer exists.

Mr. Serge Ménard: Can you give us an idea of the outcome of their activities? For example, did these teams ever make any arrests or dismantle any networks? Did they arrest any people trying to cross the border?

Mr. Jean-Pierre Fortin: It is a fact that enforcement activities at the border have been reduced due to a reduction in staff and surveillance. The two go hand in hand. I do not have any numbers with me, Mr. Ménard, but if you invite me back to your committee I would be happy to obtain them and share them with you.

Mr. Serge Ménard: If you can obtain them, we still have a little time to consider them.

The Chair: Do you have this data?

Mr. Ron Moran: With your permission, I would just like to add—I think I've already stated this—that the effect of deterrence cannot be overstated. There's nothing to lose in attempting to cross the border when one knows that there's no one watching. The situation is quite different when one runs the risk of running into a patrol. So the effect of deterrence cannot be overstated and it is always on the minds of those who work in the sphere of organized crime.

[English]

The Chair: Merci.

Mr. Breitkreuz, you have one minute, and then we'll have to suspend.

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Thank you very much.

I just have a very brief question. I'm really concerned about the government's priorities and the way it spends money on law enforcement and improving public safety. The gun registry was to be an effective tool in combatting gun smuggling at our borders. Do you find this to be true? Is the gun registry an effective tool? Or in your opinion would we be better off putting more resources into front-line policing priorities such as securing our borders? How do you feel about the money being spent on the gun registry in comparison with other priorities?

Mr. Ron Moran: The people who smuggle weapons never intended to register them in the first place. It's inconsequential to them whether or not there is a book somewhere with all the serial numbers of weapons.

The reality is that the cannabis-for-weapons exchange that goes on in organized crime is becoming a predominant problem in this country. There are a number of predominant law enforcement police forces in this country that have dedicated resources working only on those cases. It's a big problem in Toronto with the gang-related crime going on there. It's a known fact that they're coming in illegally. One has to assume they're coming through the border at some of the places where there's nobody to follow up on that.

• (1005)

The Chair: Mr. Cullen has one last brief point, then we need to suspend.

Hon. Roy Cullen: Mr. Chair, very briefly, I just wanted to correct something I think Mr. Fortin said—or Mr. Moran, I'm not sure who. We do have MOUs between the Canada Border Services Agency and the Sûreté du Québec. If someone ran a border crossing, it would be very appropriate for the person there to call the Sûreté du Québec, and in fact this happens all the time.

[Translation]

The Chair: Mr. Fortin, you had something to say.

Mr. Jean-Pierre Fortin: Canada Customs has seized approximately 10,000 firearms at the border to date. These are figures that we can provide to the committee chairman in order that they be circulated to you. They were made public at Mr. Colin Kenny's senate committee.

[English]

Mr. Garry Breitkreuz: I think, Mr. Chair, we'll have to allow them to just submit something written, as we don't have time right now.

Thank you. I appreciate that.

[Translation]

The Chair: Thank you very much. We will adjourn for five minutes. Thank you to our witnesses.

•(1010)

[English]

The Chair: I would ask the cameras to please leave the room.

[Translation]

We will now continue our meeting.

It is our pleasure to have with us Mr. Zaccardelli, Commissioner of the RCMP; Mr. Pierre-Yves Bourduas, Assistant Commissioner and Commanding Officer of the RCMP, "C" Division; and Mr. Peter Martin, Deputy Commissioner, National Police Services of the RCMP.

We were originally going to sit until 11:00 a.m. but the commissioner has told me that he can stay for an extra 15 minutes given that we started a little late.

We will now continue our study on the closing of RCMP detachments. The commissioner has already appeared before this committee. We adopted a motion to the effect that:

That the Commissioner of the RCMP, the Commander, Division "C", and the Customs Excise Union be invited to appear before the committee on March 10, 2005 regarding the closing of RCMP detachments.

The purpose of today's meeting is to ask the commissioner to explain why the recommendation was ignored.

We received a letter from Minister McLellan in which she states that she is unable to attend and that she supports the RCMP's decision.

I will now give the floor to the commissioner who has a prepared statement to read, after which committee members may ask questions. We will reserve 15 minutes at the end of our meeting to discuss Mr. Breitkreuz's motion.

[English]

where we will be asking for an explanation of the statements made by the commissioner that there's no backlog in the DNA. I understand, Commissioner Zaccardelli, that Mr. Martin is here to help with that explanation. But we will do that at the end.

Please go ahead with your prepared statement.

•(1015)

Commissioner Giuliano Zaccardelli (Royal Canadian Mounted Police): Good morning, Mr. Chairman and members of the committee.

[Translation]

Good morning Mr. Chair and committee members.

[English]

I would like to thank you for making available this opportunity to discuss matters relating to the oversight and management of the work of the Royal Canadian Mounted Police in the province of Quebec.

As you said, Mr. Chair, I'm joined here by Deputy Commissioner Peter Martin, who is responsible for national policing services, which includes the DNA issue, so he will be able to help me on that. Of course, you know Pierre-Yves Bourduas, the assistant commissioner responsible for the province of Quebec for the RCMP.

After a brief statement I will be very happy to answer your questions and have a dialogue with you on these issues.

[Translation]

As you can imagine, the past few weeks have been difficult ones, in the force and for the law enforcement community as a whole. In addition to the shock and grief that we had to deal with, a whole host of internal, investigative and societal issues have been put under the microscope triggered by events at Mayerthorpe, Alberta.

As I was preparing for our conversation this morning I was struck by the sense of history and purpose that pervades our work always, of course, but in particular at times like these.

The Royal Canadian Mounted Police has, for more than 130 years, operated in local communities, as the national police force, in an international context, with the support of and on behalf of, the people of Canada.

[English]

We are driven by the simple, singular, and compelling vision to do whatever is necessary in the best way possible to keep Canada and Canadians as safe as possible.

As you know, the environment for policing has changed dramatically over the past few years. The effects of globalization, technology, and science on the nature of crime, the capacities of criminals, especially in organized crime and on the pace and risk levels that we face, are unparalleled.

These same effects have also fundamentally changed the face of how we do our work. We are doing more policing in laboratories, behind computers, in partnerships with other forces in Canada and around the world, even with agencies external to law enforcement. The emergence of inter-jurisdictional phenomena like terrorism, cybercrime, financial crime, and within the organized crime sphere have challenged law enforcement to change our ways of doing business in accordance.

I am opening my remarks with this very quick contextual analysis for reasons that will be very obvious to you. The changes that have been taking place in Quebec and countless others that we have pursued throughout our organization and in other parts of the country reflect our ongoing responsibility to ensure that the Royal Canadian Mounted Police is able to respond to what we face now.

We have been deeply conscious of the issues raised by this committee and indeed by many we spoke to as our decision-making process for Quebec unfolded. We have shared your regret and even concerns about the larger changes in the environment and in the nature of community life that these operational decisions have heralded.

As you know, the establishment over many years of a network of small RCMP detachments throughout Quebec was a reflection of the trust that existed between the people of the province, the Sûreté du Québec, and the national police force.

• (1020)

[Translation]

The importance of the role of the RCMP to local community life in Quebec cannot be overstated and it has been an equally important part of our evolution as a police force.

While that trust remains intact, and our commitment to citizens has not changed, there is no avoiding the fact that we need to change the way we do things in order to continue to meet this imperative. It is not easy to do, but absolutely necessary.

[English]

After a thorough analysis of both the demands facing us and the capacities of our human, structural, and operational resources in Quebec, we have made a series of decisions that we believe reflect the best way for the Royal Canadian Mounted Police to continue to fulfill its mission—to keep the people and communities of Canada safe. In Quebec this mission is one that we share with the Sûreté du Québec and municipal policing services.

There is something I would like to clarify, however. Even though I understand and am even sympathetic to the resistance that we have encountered, I feel compelled to note that I'm actually quite excited about the potential to do a better and more effective job that implementing these changes now makes possible in Quebec.

The redeployment of resources in Quebec will allow us to better work with our partners in law enforcement, social development, and the criminal justice system to extend our collective ability to respond to needs. By concentrating our resources in the areas where they are most appropriate and helpful, I believe that we can make real gains in reaching our goals in Quebec and the rest of Canada.

As you well know, my responsibility as commissioner and the federal act that determines the scope and limitation of my role and that of the force require me to oversee and manage the Royal Canadian Mounted Police in an independent manner and as effectively as possible, to the best of my ability. I do that in concert with senior management in the force and in consultation with partners, my minister I am accountable to, and indeed with the people of Canada through both the parliamentary system and others.

[Translation]

These are challenging times. The events of March 3rd only highlighted the level of risks, and the complexity of external influences that we face.

I have an able and committed group of colleagues at the senior levels of the RCMP. I can rely on the complement of committed and capable men and women across the country, and the ongoing support and interest of our law enforcement, bureaucratic and political partners.

I am confident in our shared ability to meet the challenges of these times head on, to be unafraid of changing in the face of them, and to working in ever more innovative and effective ways to achieve our shared vision for a safe and secure Canada. Thank you.

[English]

Thank you. I will now take your questions.

The Chair: Thank you, Mr. Commissioner.

We'll go to Mr. Thompson for five minutes.

Mr. Myron Thompson (Wild Rose, CPC): Thank you.

Thank you, gentlemen, for being here.

Mr. Zaccardelli, I'm a little confused. We're talking about enhancing the safety of our country, Canadians, and citizens in one breath, and in the other breath we're talking about laying off hundreds of people in the police force, closing detachments, shutting down a valuable crime lab in Edmonton—all these moves, while we continue to spend millions and millions of dollars on gun registries that don't do a damn thing. Surely we recognize that by now.

You come here today indicating that all of these things you're going to do will make a better job possible. I really have a tough time understanding that. We just finished with the border guards, talking about the need for the presence of the RCMP—at least some exposure to help with the various situations. They're not there any longer. They're not available, and it's not just in Quebec; that's the way it is in other places.

I see from the December 9 meeting—there's a little quote in here—that Mr. Zaccardelli admitted it was important to have a presence at the border. On two occasions he said “You have to have a presence”. Today that's disappearing. Where's the presence? Where are we going with all of this? You seem to be saying one thing, but all the other things are happening. Now, I'm getting old, and I'm fairly well educated, but by golly you're going to have to explain that to me.

• (1025)

Commr Giuliano Zaccardelli: Thank you very much for that question.

I'm getting old too, but I would like to pick up on a number of your points, and please correct me if I haven't caught all of them.

We talk about resources. It took the RCMP years to go from a zero budget to a \$2 billion budget, but in the last six years our budget has gone from \$2 billion to over \$3 billion. I think that speaks to how much the government and society have supported our endeavours. We have received a lot of money.

You mentioned, sir, that hundreds of positions are being cut. I'm sorry, there is absolutely no truth whatsoever to that. There are no positions that have been cut. Again, I go back to the fact that \$2 billion has gone to \$3 billion over the last six years.

You raised the question of the lab in Edmonton. Sir, after I became commissioner, I made a fundamental decision about the labs. Over a number of years the auditors general in a number of reviews looked at the labs, and they said there was a need to look at the labs and make them more efficient and more effective. We used to talk about six labs. What we did was say there is one laboratory service we provide for Canada and it just happens to have offices strategically located in six places. The way we look at those labs, the difference between saying six labs and saying one lab with six offices strategically located makes all the difference in the world. The changes we've brought about in the labs today are fundamental to the improvement that's been brought about. Our service in the labs is second to none in the world. We are very proud of what we do, whether it's with DNA or anything else.

We do have to make some hard decisions. Part of what we've done in Edmonton is part of the restructuring, but there is absolutely no loss or diminution of service. The timelines we are committed to with DNA and other tests stay the same. What we did in Edmonton is part of the reorganization of the labs; we are always looking to make things a lot better.

I want to touch on the closures of detachments; it's a very good point. As I said in my statement, we have thought about this, we've discussed this, and we've consulted over a number of years. We've taken very seriously the recommendations and the input from this committee, from our policing partners, and from society in general in Quebec, and we've consulted. We believe the restructuring that is taking place in Quebec, which is part of the restructuring that's going on throughout the country, will improve the service. The people who are moving from those detachments are not leaving Quebec; they are simply being redeployed and used more strategically in Quebec in alignment with the rest of the country and also in alignment with our partners in the United States, because we have a 5,000-mile or 8,000-kilometre border.

We have strategically created a number of units throughout the country that are intelligence-led and that are proactive instead of being reactive. It is exactly the same system the Americans have put on their side of the border. I don't mind saying, boasting a little bit, that the philosophy they adopted was the philosophy we'd put into place. We modelled and instituted the IBET system, the integrated border enforcement team system, in British Columbia: flexible, mobile teams that are able to respond not just at the border but inside the country. That's the philosophy, and it's working extremely well.

The Americans are very pleased. We've integrated our radio systems. We're working together. We are more effective today than we've ever been; anybody you talk to on the American side will tell you that. The ambassador who just left here and our colleagues in the United States talk about this as the best practice.

I have people from all over the world. I have two delegations here right now, a delegation from Switzerland and one from Germany, who have come here to examine this new philosophical approach to proactive policing.

• (1030)

Policing today is not about being stationary. You can be more effective by being proactive and by strategically deploying your resources based on intelligence. That is what we have done, and we're very proud of that. We have not closed detachments; we've redeployed people so Canada can be as safe as possible. We are safer today in Quebec and in Canada because of the decisions that we made relative to these detachments.

The Chair: Commissioner, we have to move on.

Monsieur Marceau.

[*Translation*]

Mr. Richard Marceau: Thank you very much, Mr. Chairman. Thank you for coming Commissioner, gentlemen.

I must admit that I am disappointed that the minister did not see fit to appear before this committee. If I spoke English well,

[*English*]

I'd say that she chickened out.

[*Translation*]

On the one hand, this evening we are voting on a Bloc Québécois motion. I had the honour of moving this motion that would, if passed, reverse the burden of proof in the cases of people found guilty of serious crimes, for example, leaders of organized crime. On the other hand, however, RCMP detachments are being closed throughout Quebec. One might well wonder how much will there really be on the part of the government to fight organized crime and to take the necessary measures to do so.

On the 7th of December last, a motion was tabled before this committee and it was passed on December 9th. I will read it because it is important:

That the committee recommend to the government that the RCMP immediately stop reassigning personnel in Quebec in order to keep the nine detachments in Quebec open and that it maintain a critical mass of eight officers per detachment.

Is there anything that is not clear in this recommendation?

Commr Giuliano Zaccardelli: No, it is very clear. I fully understand it.

Mr. Richard Marceau: Then why did you not heed this recommendation, that was made by people elected by the public? Is the RCMP above the law? Does it have no regard for the wishes of members of Parliament?

Commr Giuliano Zaccardelli: Not at all. We always comply with the law. However, as I tried to explain the last time I was here, that decision had largely been made prior to the recommendation being approved by this committee, in other words, before December 9. A decision had been made to close detachments, move offices and transfer members.

Mr. Richard Marceau: First, is it not possible to reverse the decision? Second, the motion was passed on December 9. I know that the RCMP keeps a close eye on committees discussing issues that involve them. So you were fully aware that the issue had been raised. Letters had been written and questions had been asked. You knew that a majority of members had said they did not want these detachments closed.

Commr Giuliano Zaccardelli: I fully understand. As I have already stated, the decision had already been put into effect to a large degree. I would also like to point out that under the Royal Canadian Mounted Police Act, a federal statute, I have the responsibility to manage the organization as efficiently as possible. I must comply with this act. Of course I am accountable to my minister, but under this act, I am responsible for the efficient deployment of our resources.

Mr. Richard Marceau: This morning, one of our witnesses stated that 1,600 cars had gone through customs unchecked. The RCMP couldn't do anything because they were no longer there. One can only wonder about how efficient this redeployment really is. Is it truly that efficient to let so many people cross the border?

• (1035)

Commr Giuliano Zaccardelli: I cannot comment on what the witnesses said because I didn't hear them myself. The fact remains though, Mr. Marceau, that I am the commissioner and by virtue of the law I am responsible for managing the organization along with my senior management colleagues. I don't know who appeared before you this morning but I am sure that they do not belong to the organization's senior management and that they are not responsible for ensuring the efficiency of the organization.

Mr. Richard Marceau: So if I understand you correctly, you are the one who made the decision, which was then approved by the minister. Am I right?

Comm. Giuliano Zaccardelli: No, that is not what I said. I approved the decision to close the detachments, and the division commander, in cooperation with his superior officers, after several public consultations in Quebec...

Mr. Richard Marceau: Let me rephrase my question. Was this decision made by the RCMP or by the minister?

Commr Giuliano Zaccardelli: By myself.

Mr. Richard Marceau: So the minister approved it. This morning we received a letter from the minister in which she says: "[...] I fully support this plan [...]". I understand that.

However, I would like you to explain the following to me because I do not understand. The fact that parliamentarians want to provide some direction could "[...] compromise investigative independence." Could you tell us how the desire on the part of parliamentarians, expressed through this committee, to keep open nine RCMP detachments could compromise ongoing investigations?

Commr Giuliano Zaccardelli: If I do not have the necessary flexibility to deploy resources according to the information I have, then that can have consequences for the operations I may undertake and for the efficiency of my organization when dealing with organized crime.

There must be a balance. I am responsible for the organization. Under the act, I must decide which investigations we will carry out

and what our priorities will be, based on the information I have at my disposal.

The Chair: Thank you, Mr. Marceau. Mr. Comartin has indicated that he will be giving his time to Mr. Vincent, however I will give the floor to Mr. Cullen before Mr. Vincent.

[English]

Mr. Cullen, for five minutes.

Hon. Roy Cullen: Thank you, Mr. Chairman, and thank you, Commissioner and Mr. Bourduas and Mr. Martin.

I think it's quite unfortunate that this issue of the closure of detachments in Quebec has become politicized by the Bloc Québécois. Unfortunately, that has to be the case, because you have said, Commissioner, on numerous occasions that the realignment of resources in the province of Quebec actually enhances the security and the safety of the people of Quebec and the people of Canada.

Clearly, it seems to me that if there's any wisdom around this table, which I think there is, this is the gentleman who is in the front line and dealing with crime on a day-to-day basis. If the Commissioner of the RCMP doesn't know how to redeploy resources, then I'm not sure who does. For this committee to get involved in this kind of decision-making, as I said at our last meeting, then if this committee decides what detachments of the RCMP remain open or closed and how the RCMP is structured, then this committee has to take the accountability for crime in Quebec or any other province. That is not the way it works, as the commissioner has pointed out. There is an RCMP Act, which the commissioner is obliged to follow.

No one likes to have a detachment in their area shut down. I'm sure there's a lot of noise politically. The same process of realigning the RCMP was done in other provinces, and yes, there were some little tweaks, some political issues, but surely when the Commissioner of the RCMP is saying, as he has on many occasions at this committee....

And I thank you, Commissioner, for coming back again. The minister has declined. She has been at this committee, at main estimates, with the commissioner to speak on this. There has been an enormous amount of dialogue back and forth. I think we've exhausted this particular topic. The commissioner has said, as I said many times, that this enhances the security and safety of Quebecers and Canadians. So I'm flabbergasted that the members keep this issue on the table of this committee.

Commissioner, I had a question. We know there's a lot of cooperation back and forth with the United States, with the integrated border enforcement teams. Also, at the crime forum that I attended not too long ago there were some huge drug busts undertaken in cooperation with law enforcement in Canada and the United States. We never like to see any breach of the law or people coming through the borders illegally, but in terms of the priorities you would set to that, versus dealing with severe terrorist threats and major drug issues and the grow operations, how do you see these border crossings in the sense of people coming across illegally in your overall framework of risk management?

•(1040)

Commr Giuliano Zaccardelli: First of all, Mr. Cullen, I'd like to say that in the last number of years we've developed a world-class risk assessment model called the Sleipnir model, and it has been adopted by many countries throughout the world. It enables us proactively, based on intelligence, to identify the most serious threats. So that's what we do, in partnership. That's why we talk about integration; we leverage our collective resources. We don't get into questions of either/or, but our priority clearly today.... When you look at the threat of terrorism, it has to be number one. Serious organized crime issues are number two, very clearly, close behind.

The border is an important issue, but the key with the border is not to stop and check every person. You have to do a risk assessment. When you have good intelligence that enables you to identify people who are a threat, or organizations that are a threat, you target them. You don't stop everybody. The fact is, we don't have the resources to stop and check everybody at the border, so we do a risk assessment, which happens everywhere. Every boat that comes into the harbour is not necessarily checked, but we do threat assessments, we do a risk assessment. That's what we do at the border. We're only interested in those who pose a real threat. And by being proactive, by strategically locating our resources and being able to quickly respond, we're being effective. We're not just wasting resources. It's about being proactive.

A lot of times there is no threat at the border or there isn't necessarily an issue. But if there is information that comes to our attention, or intelligence that says tomorrow or next week there is a potential risk, then we redeploy resources to tackle that issue, whether it's a terrorist threat, whether it's an organized crime threat, or whether it's a major counterfeiting threat. The key is to go to the border when it is required, when there is a serious threat, based on a threat assessment model. That's being intelligent, not just being mindlessly reactive.

The Chair: That you, Mr. Commissioner.

Thank you, Mr. Cullen.

[*Translation*]

Mr. Vincent, you will be taking Mr. Comartin's turn.

Mr. Robert Vincent (Shefford, BQ): Mr. Zaccardelli, in response to my colleague's question regarding the December 9th motion, you said that you couldn't have decided otherwise because the decision had already been made. At the time however, we had already met with you on two occasions. Before it was even suggested that detachments be closed, we had already had exchanges with you.

You replied to my colleague that on December 9th you could not change course, but we are talking about a situation that easily predates December 9th. We're talking about the month of September, August even. Had you already decided to close RCMP detachments in August?

Commr Giuliano Zaccardelli: I don't know exactly when the decision was made. I can ask Mr. Borduas. However, if my memory serves me well, the first resolution took place on December 9th. Prior to that, there were discussions, we had meetings, and there were consultations. That was the distinction I wanted to make.

Mr. Robert Vincent: You already knew that we were opposed to closing detachments.

Commr Giuliano Zaccardelli: Yes, absolutely. We took that into consideration, as well as the mayors' position and those of all our partners. After all those consultations, which lasted a long time, I had to make a decision.

Mr. Robert Vincent: I'm trying to understand. The decision had already been made and you knew we were opposed to closing detachments. Then why did you persist in closing detachments without waiting for the outcome of the committee's deliberations? Why did you persist when you knew that we were going to see this through to the end?

•(1045)

Commr Giuliano Zaccardelli: That is a good point. As I've already stated, the consultations and considerations lasted more than two years, I believe. After a period of time, I had to make a decision by virtue of the act, which I did.

Mr. Robert Vincent: I understand you perfectly but my question is this: you knew you had to make a decision and you also knew that the members of Parliament were going to take the opposite position. Why did you not postpone the closing of RCMP detachments until we had seen the process through to the end?

Commr Giuliano Zaccardelli: It was my feeling that we had consulted everyone and that under the act I had to make a decision. Given the priorities, I could no longer delay in doing that and that is why we decided accordingly.

Mr. Robert Vincent: You say that the priorities are the borders, those crossing them, crime and regional restructuring, but everything crosses the border, everything travels over borders. Is that not a priority for you? All transportation between Canada and United States crosses over the border. Do you not think it is important to know what is crossing the border, whether there are weapons or drugs involved? Everything moves through the Canada—United States border. You disregard that, it is no longer important. You close detachments.

In your capacity as RCMP commissioner, were you not aware that customs officers would be appearing before us today?

Commr Giuliano Zaccardelli: I knew they would be appearing before the committee. What I told Mr. Marceau is that I did not know what they had said. I will repeat what I said to Mr. Cullen. I did not say that the border was not important, considering that such a large part of our market involves the border. A large part of what crosses the border is in no way connected to crime.

Mr. Robert Vincent: You were saying that there is no connection with crime?

Commr Giuliano Zaccardelli: Mr. Vincent, allow me to explain.

Generally speaking, what happens at the border has nothing to do with the RCMP or the police. What is important for me is that I have information in the event that there are criminal groups attempting to cross the border. I am very interested in knowing about terrorists or people involved in crime. I want to be present in order to be in a position to take action. Information is very valuable to us and that allows us to determine when these people will attempt to cross the border. It is precisely in order to deal with these criminals that we have established integrated teams throughout the country. We want to be efficient and flexible enough to combat these crimes. I do not want to leave you with the impression that we do not think the border is important.

The Chair: Thank you, Commissioner.

Thank you, Mr. Vincent.

[English]

Mr. MacKay, for five minutes.

Mr. Peter MacKay (Central Nova, CPC): Thank you, Mr. Chairman, Commissioner, and witnesses.

I am stunned by some of what I've just heard. Rather than being mindlessly reactive as a committee, we've heard evidence today that is alarming: 1,600 vehicles blowing by ports. You've just told us that not every vehicle or boat is stopped coming into Canada, that we are targeting certain elements in our attempts to step up security at the border.

We heard from the president of the Canadian Customs Excise Union, as well as from a senior RCMP officer who is a Quebec division representative and the president of the RCMP officers' association, Mr. Delisle—who we hope isn't going to be disciplined as a result of his testimony—that the Americans are the ones who are in fact doing the heavy lifting now. They've more than doubled their presence at the border. In fact, we are abdicating—I think that's the word that was used—our responsibility at the border. The customs union's officers tell us that their ability to rely on the RCMP if and when a crisis arises has been severely diminished by these closures of RCMP detachments.

So all of this talk about redeployment, strategic relocation, reorganization, and regionalization means closures. It means fewer officers at the disposal of Canadians living in those regions in close physical proximity to the border, and fewer officers on call if and when these crises arise. All of this amounts to less ability for front-line officers to do their jobs to protect Canadian citizens, to do their jobs to enforce Canadian sovereignty.

I'm just astounded how you can justify this in saying that security has actually improved. How can you sit there and tell us that fewer officers, fewer resources, less ability to protect sovereignty at the border, less ability to carry out law enforcement despite mounting evidence of more grow operations and more activity with people coming across the border for whatever illicit purpose carrying whatever contraband they might have in their possession can amount to more efficient law enforcement? And there's closing the DNA data bank in Edmonton, which my colleague Mr. Breitzkreuz will ask questions about in a moment.

At the same time, we hear there are more administrators with less accountability. I disagree with my friend Mr. Cullen when he says

you're in the best position to do that. If your position is becoming more and more like that of a deputy minister, I'd take the word of those officers who are on the street, on the front lines answering the calls of citizens, with no ability to control the resources. You at least have interaction with the minister, who, as was pointed out, wasn't here today to answer questions.

How can you tell us that fewer officers, fewer resources, and less presence at the border are tantamount to better security and better policing? How can you sit here and tell us that, Mr. Commissioner?

• (1050)

The Chair: Commissioner Zaccardelli.

Commr Giuliano Zaccardelli: Mr. Chair, Mr. MacKay has raised a number of points. If I don't respond to all of them, I'd be glad to be reminded of them.

First of all, there is no DNA data bank in Edmonton. There never was one. There is only one DNA data bank, in Ottawa.

Mr. Peter MacKay: The forensic laboratory—I stand corrected. It's closed, so you're right.

Commr Giuliano Zaccardelli: On the question of fewer resources, I don't know if you were here when I spoke before, but I did say that we went from \$2 billion to over \$3 billion as our budget here in the last five or six years. It took us 125 years to get to \$2 billion. So we have received more resources.

We do have a lot more people who are concentrated, who look at the borders and are able to respond to the borders. The IBET teams we've created throughout the country in an integrated way, with our key partners in Canada and in the United States, in my view make the border a lot safer and a lot more secure.

My comment about—

Mr. Peter MacKay: Could I just stop you there? Just square that circle. How does a decreased capacity and presence at the border amount to more security? How can you say that withdrawing from an actual physical presence in guarding the border is better to protect Canadians—how?

Commr Giuliano Zaccardelli: I'll explain that particular point. The work of the detachments we're talking about was not 100% at the border. They did a whole lot of work not necessarily at the border. What we have now.... And we're only talking about one portion of the country. You know, the border is 8,000 kilometres.

• (1055)

Mr. Peter MacKay: I fully understand that.

Commr Giuliano Zaccardelli: If you have a few at one point, it doesn't take a genius to say, well, if there are a few there, I'll just go a few kilometres down the road and enter there.

So you have to look at the whole border. That is why we believe that to be effective, we had to group them throughout the country. We didn't have people strategically located throughout the country, sir, to respond to that; we now have that—

Mr. Peter MacKay: But you're moving them away, Mr. Commissioner, from the areas where problems existed—

Commr Giuliano Zaccardelli: No, I'm not.

Mr. Peter MacKay: —like the grow operations.

Commr Giuliano Zaccardelli: If I can respond, what I did was I redeployed those positions in Quebec in more strategic locations. I put them in bigger groups. I gave them more equipment. And they're better able to respond in Quebec. As well, in the rest of the country we created a national system, and then we hooked up with our American partners so that we really work in a seamless way along the whole border. We've increased our presence and increased our capability, and are doing a much better job.

We didn't take anybody away. Just because you've moved somebody from one spot to another it doesn't mean you've taken them away. You've made effective redeployment of the resources. That's what we've done.

Mr. Peter MacKay: It is taking them away.

The Chair: Thank you, Mr. MacKay.

Mr. Macklin now, for five minutes.

Hon. Paul Harold Macklin (Northumberland—Quinte West, Lib.): Thank you very much, Chair, and thank you, Commissioner, for being with us today.

I would like to refer back to today's earlier testimony from the Customs Excise Union, because a number of comments have gone back there. Specifically, I'd like to read a section of the brief they presented and then have you comment on it, because I think we are talking about concepts in policing and the way one goes about this process. Here's the quote from their brief:

This is not about having people lined up shoulder-to-shoulder along an 8,900 km stretch of land and waiting for someone to cross the line; it's about having a presence, proactively patrolling, engaging people, and actually enforcing border security.

I wonder if you could comment on that, on how you see the way in which the RCMP would function as part of our border security.

Commr Giuliano Zaccardelli: Thank you for that question.

I think the redeployment and the restructuring that we did addresses exactly that point. As part of our extensive consultation, we talked to some of our members that were close to the border or were on the border at the time, and the members themselves said "Look, we're not being used effectively. We're burning up gas between point A and point B. We would like to be intelligence-led. We want to be proactive in attacking people who are actually using the border, not just stopping anybody, because the vast majority of people are very honest and law-abiding citizens." So they actually themselves saw the inefficiencies that were there.

As I said, we then regrouped those people with the border people. You know, the management of the CBSA has agreed to this. There is a limitation of resources. We don't have resources to do everything; therefore, we've tried to regroup and be effective and efficient. Those people are still there. They're being used in a much more effective and strategic way.

We are a lot safer today because of this redeployment in Quebec and also throughout the country. I'm absolutely convinced of that. So

this actually deals with that. We've taken people and made them more effective, more efficient. They're being driven by intelligence so they actually can identify and tackle the problem, where it is, when it happens.

You know, to do good policing you don't have to be static at the border. When you have good intelligence you can be somewhere else and be flexible and responsive and tackle the problem, and that's what we're doing. I'm very proud of that. And we are a model for a lot of countries that are coming to examine what we have done here.

Hon. Paul Harold Macklin: When we talk about the border agency itself and we talk about the various components of law enforcement, and particularly in Quebec, where we have RCMP, Sûreté, and I guess the border agency itself, do you see that there is any conflict that needs to be resolved among the various police agencies and how they interact and how the border security is ultimately integrated in a meaningful way? Because from what we're hearing in testimony, there are comments about "Well there isn't a MOU between the Sûreté and so forth, and therefore we're not having the cooperation". Is that cooperation there? Is it in fact working in an integrated fashion?

Commr Giuliano Zaccardelli: When I travel throughout the country, I often get asked, because of my position as commissioner, where is the best example of integration and collaboration? Without hesitation, I tell them in Quebec.

Our relationship with the SQ, with the municipal police forces, and the other agencies is next to none. We work things out. There is a willingness and a desire to cooperate, and we do cooperate. Does it mean we're able to respond to every single issue? No. There are limitations and there are capacity issues, but in terms of collaboration and cooperation and willingness to help each other, it speaks for itself. Look at the integrated teams that we have. There is nothing we do today, in Quebec, where we don't have our key partners there, both policing and non-policing. They all have bought into the concept of integration, of intelligence-led, because we've all realized that by ourselves we can't do anywhere near as much as when we leverage our collective resources for the greater good.

Hon. Paul Harold Macklin: When you talk about the integrated border enforcement teams, the comment has been raised that it is basically an intelligence-gathering institution that has been set up. Is this an accurate reflection, or in fact is it broader than that in terms of the integration of Canadian and U.S. interdiction?

•(1100)

Commr Giuliano Zaccardelli: Absolutely. It's much more than intelligence, and I think the commanding officer can testify to that, because we've really had some great successes here in the last while. They're intelligence-led, but they respond and take down criminal organizations, attack crime. They are proactive investigators who tackle the most serious issues based on a priority-setting system we all agreed to. That's the beauty of this. It's not one organization that works on one priority list, and one who works on another. We all agreed to that and then pool our collective resources in an effective and efficient way.

That's why I'm excited about this. After 34 and a half years in policing, I don't want to leave policing because we are living in the most exciting times we've ever seen. So I'm going to continue this.

I know there are people who question this, and I welcome their input and their questioning, but at the end of the day, as I said, I have to make the final decision on how to deploy those resources because the law obliges me to do that.

The Chair: Thank you, Mr. Commissioner and Mr. Macklin.

Monsieur Ménard.

[*Translation*]

Mr. Serge Ménard: Thank you, Mr. Chairman.

Mr. Zaccardelli, I greatly appreciate the work you have done and I understand your problems with regard to organization. However, I am nevertheless very concerned with the security on our land borders, and that is why I'm asking you these questions.

You've paid me many compliments, perhaps in the hope that I would forget to mention the reorganization of Quebec's police services. You know very well that one of the keys to reorganization is the creation of new levels of services. I don't recall that any of those service levels in Quebec involved border surveillance.

I also realize that the principles guiding a municipal or a regional police force can differ from those which govern the RCMP. I understand that there are differences. One of the principles of the reorganization was that the local police should have the means to deal with most criminal offences occurring on its territory. As for crimes which occurred infrequently, or more rarely, higher police levels were called in. These would include, for instance, murders, which were dealt with by police forces which were higher up.

The reason why we preferred that approach was because we were convinced that the close relationship between on-site patrols and investigators increased the forces' efficiency. But I understand that you are not facing quite the same problem.

I am also concerned about a subject which has already been discussed. If people realize that there is no mobile squad, the chances are greater that they will try to cross over a land border. We are facing a paradoxical situation, namely that it is seemingly easier to cross the border with a mini-van filled with drugs than to smuggle an envelope through at the airport.

Also—we already talked about this subject and you quite rightly corrected me—there was a police force patrolling our ports which was not the RCMP. However, this force was removed and security

agents were brought in instead, and you were ultimately forced to clean up the mess.

I reorganized police forces in Quebec. We had mobile squads. Has the RCMP completely abandoned the idea of having local patrols so that people feel it may actually be risky to cross the border with a minivan filled with drugs?

Don't you think it might be a good idea to create a specific customs police force, like the one which exists in the United States—I think that the Americans have greatly increased the number of their border personnel—so that you can concentrate on dismantling large criminal organizations?

Commr Giuliano Zaccardelli: Thank you, Mr. Ménard.

Everyday, I have to try to get the job done with the resources which are available to me. Under the law, I also have to maximize the use of these resources, I have to use them as efficiently as possible. Of course, I could decide tomorrow morning to put half my resources in Quebec, along the border, or I can decide to do something else.

In my opinion, the decision we took after intense consultations with all our partners over two years will make our organization more efficient and will make Quebec a safer place. The structure we implemented will minimize the impact of organized crime and reduce the chances of a terrorist attack in Quebec. These are decisions I had to take.

•(1105)

Mr. Serge Ménard: Mr. Zaccardelli, you let other people interrupt you. I understand perfectly your position and your reasoning. Do you believe that the mobile squads which we had were useless, or do you think that they would serve a purpose if they were led by another force?

Commr Giuliano Zaccardelli: To begin with, the decision that I made was the right one. These people will be more effective. I did not withdraw them from Quebec and the region. They are there and they will respond when called upon. If another organization or system is created, it is not up to me to define it. I can only manage the RCMP and I will do so as effectively as possible. If other options have to be proposed, I am not the person to decide what they should be.

Mr. Serge Ménard: You have seen what happened with our national ports. Does removing the mobile response units not create a risk of problems in the future, like the ones that you have had to deal with at a very high cost in the national ports?

Commr Giuliano Zaccardelli: The work being done in the ports is very effective. We have improved things over what was done in the past. We have reorganized our units and concentrated our work on the ports because there was intelligence to justify that. Things are working very well, better than before.

Mr. Serge Ménard: There are police officers there as well.

The Chair: Mr. Paradis.

Hon. Denis Paradis: Thank you, Mr. Chairman. I would like to welcome the commissioner and the other witnesses.

First of all, I would like to tell you a little about Brome—Missisquoi. Of the 47 border points located in Quebec, ten are in my riding. There are unguarded roads like there are in other ridings, I expect, such as at Noyan, where the crossing is 500 metres from the customs office. There's no one there on either the Canadian or the American side. There are also two international lakes, Lake Champlain and Lake Memphrémagog, which need to be patrolled, in my humble opinion. So the access on the Canadian side is huge. I feel very comfortable, because there is no RCMP detachment in my riding. The nearest one is in Granby and you intend to close it, but that detachment is very helpful for my ten border points, my two international lakes and these unguarded roads.

The customs officials told us this morning that when they call the RCMP—if someone refuses to stop or for some other reason—no one answers. They also told us that the Sûreté du Québec was very busy. There have been mergers with other police forces, among other things. Local mayors are even complaining that the Sûreté du Québec is reducing its services. That police force is therefore unable to take on extra duties. The customs people have difficulty contacting the Sûreté du Québec as well. Local police officers can handle impaired driving cases and similar problems. That is what they can bring to the border system.

I find it hard to understand that, as you put it, the best way for the RCMP to continue to carry out its mission is to ensure the safety of the public and communities. That statement does not seem to me to jive with what I have just described to you. I often used to talk to the RCMP officers when Granby still had them. I often talked to the customs people as well. On the weekend, in fact, I met with people at customs. They cannot understand this either. The customs people do not understand and the public does not either. There are not many people who do understand what you are doing right now.

You say that you consulted key partners at some point. I attended a meeting in Granby where all the police forces were present. The Sûreté du Québec and the municipal police forces were asking the RCMP not to leave. The right chemistry has to be there when police forces work together on cases. It is difficult to create that with people in Montreal, since they rarely meet.

Police visibility is important, as you have often been told. If police officers are not on the ground and are never seen, are you not giving the green light to anyone who wants to commit a crime? If the police were never out on the highway, I think that everyone would drive a little faster. People never see the police. A police presence acts as a deterrent. That is important. Your redeployment results in the police being less visible, at least in my riding. We see police officers far less often.

I would strongly urge you to go visit those border points yourself. Come out to the front line; come and see the pot growers. Talk to the customs officers and I think that you will learn a lot. I can understand that you need to consult your senior officers, but what is happening in the regions is so important. The public wants you to be present. Some people do not want any police presence, but the general public does. That is important.

Like Mr. Ménard before me, I would like to have your opinion. The customs officials suggested that a border patrol should be established, a little bit like the US border patrol. What is your

opinion? If you do not have the necessary resources, would you encourage the customs people or the Customs Agency to create a border patrol? Borders are important.

• (1110)

Commr Giuliano Zaccardelli: Thank you for your questions, Mr. Paradis.

I would like to comment on your suggestion that I visit customs offices. I have worked in Quebec and I have visited all the RCMP detachments in Quebec and many other detachments. In fact, I have visited nearly all the detachments in the country. I understand your concern, but our country is very large and we face a huge challenge. When we know that we cannot be everywhere, we have to be more effective.

Hon. Denis Paradis: We are not asking you to be everywhere. We are asking you to stay where you are. That is what we had asked for. Our country is not any larger or smaller today than it will be tomorrow.

Commr Giuliano Zaccardelli: I understand. I would also want to point out that our main mandate in Quebec is not to be a visible police force. It is not that we do not wish to be visible, but there are other police forces that have that mandate. It is by working with them that we can be most effective.

You mentioned that the Sûreté du Québec was finding it hard to be present everywhere. It is because they understand their limitations that they want to work with us, with other police forces and with the other agencies in integrated teams. By creating integrated units, we can be more effective. So we are trying to do that. When I meet with Mr. Proulx, who is in charge of the Sûreté du Québec, it is frustrating because we are trying to find ways to improve our effectiveness.

You mentioned the agency. It is not up to me to decide on that or to comment on its structure or what might happen in the future.

The Chair: Thank you, Mr. Paradis.

Mr. Marceau, you have 10 seconds to ask one last question.

Mr. Richard Marceau: Commissioner, you often refer to the Royal Canadian Mounted Police Act. I have it here and I want to read three clauses from it. Tell me where it says that there is no role for the minister who is accountable to Parliament. I first want to read section 4.

4. The force may be employed in such places within or outside Canada as the Governor in Council prescribes.

Then there is subsection 5(1)

5.(1) The Governor in Council may appoint an officer, to be known as the Commissioner of the Royal Canadian Mounted Police, who under the direction of the Minister, has the control and management of the Force and all matters connected therewith.

I will now read subsection 21(1).

21.(1) The Governor in Council may make regulations

[...]

(b) for the organization, training, conduct, performance of duties, discipline, efficiency, administration or good government of the Force;

It is not true that you are the only one. There is a role for the politician, for the minister, who is accountable to the House.

Commr Giuliano Zaccardelli: You are right. As I said in my remarks at the beginning, I am accountable to the minister in question.

• (1115)

Mr. Richard Marceau: And she is accountable to Parliament.

Commr Giuliano Zaccardelli: Yes, absolutely, but under the act, I am responsible for managing the organization. You are correct.

The Chair: We have finished dealing with this point.

[English]

We'll now go to Mr. Breitzkreuz's question of DNA and the backlog. Deputy Commissioner Martin is here to give us the response, and then we'll have Mr. Breitzkreuz speak to it.

We'll hear first from Deputy Commissioner Martin.

Commr Giuliano Zaccardelli: Mr. Chair, if I may, I'll listen to the question, and if we need some help, Deputy Martin is here to help.

The Chair: Okay.

Mr. Breitzkreuz.

Mr. Garry Breitzkreuz: Thank you very much, sir, for coming back to the committee. I appreciate it.

It's our job as elected representatives of the people to ensure that we have the best public safety measures possible. On November 24, 2004, you said, "There is no backlog, in terms of DNA analysis".

The Auditor General in the year 2000 defined a "backlog" as the number of cases received that have not been fully completed. In 2002 the Auditor General reported that the number of cases in backlog varied from year to year. She also reported in one place, "There were individual scientists with backlogs exceeding 50 cases, representing a year's work." That's according to the Auditor General. Some of the other statistics you're quite familiar with.

I have an in-house memo here that I'm going to read. There's an obvious disconnect between what you've told the committee and this in-house memo, and I'm quoting now:

While recognizing the efforts of the members of the FLS Evidence Recovery and Biology Program, it is time to renew our efforts to provide a more timely service to our clients.

Effective this date, normal business in Evidence Recovery/Biology will be suspended in order to improve upon the present situation. What does this mean?

This means that I am sponsoring a new project, known as Project "On Time", to address the issue of response times within the ER/Biology Program. Frederick Fromm will be the project manager and the PM ERU/Biology will be providing logistical support. I will also provide technical advice on scientific issues.

The focus will be on casework output and the completion of the re-engineering project. The first steps will be to determine the status of all members and former members of the program, determine the best use of resources and to maximize the use of alternate service delivery in order to reduce the workload to more manageable levels. The strategic planning will be completed by February 21, 2005, with the initial project to run for a period of six months.

All programs will be reviewed on the basis of priorities of our clients and decisions on resources will be made accordingly. All potential solutions will be explored. Please ensure that your staff are aware that this project is the highest priority within operations. The full support and co-operation of the management team is necessary for the success of this project.

There obviously is a backlog. So my question is, when \$1.92 million was requested by the evidence recovery and biology services of the RCMP to clear up the DNA case backlog, \$1.13 million for the hiring of additional full-time employees, and another \$787,000 for operation and maintenance, why was it denied, sir? I think we as the elected representatives of the public deserve an answer.

Commr Giuliano Zaccardelli: Thank you very much. I'll ask Peter to comment further, after I comment.

You raise the issue of work in progress or backlog. We could talk semantics, but as I've said here a number of times before—I think I'm being consistent—of course there are a whole series of files that are in the process. If you want to call them backlog, obviously you call them backlog. I say they're work in progress.

More importantly for me, regardless of what we call them, is this. After the reorganization, after being audited, with the Auditor General's and a whole bunch of reviews being done, we spent a lot of time and effort, and that memo—I don't know who wrote it, or the date—speaks to the desire to make things more effective and more efficient. We today on major crimes guarantee and have produced a 15-day turnaround, which is as good as if not better than anywhere else in the world.

Beyond those major cases, sir, we have a negotiated agreement with the police forces on how much time they need: when does their case have to go to court? We negotiate to their satisfaction, each one. Then we have a complaint process in place. If they're not happy, or if they're dissatisfied with the service, they can come in, and we look at it again, because we want to do that.

You mentioned September 2005. With the changes we've made, and the processes we've changed, and some of the new technology, by 2005 we will have substantially improved our ability to provide world-class service. We've had several people from around the world come here to say "we wish we were where you're at".

I'm not satisfied that we're where we need to be. I want to get better and I want to do better. I want us to be the very best. We are working on that very hard through the reorganization process, and it hasn't been easy; it's disruptive to people. I'm very pleased with the progress, but I'm not satisfied we've made all the progress we've wanted to make.

I would ask Deputy Martin to comment or add to that, if he has something that might help you better understand where we are.

• (1120)

Deputy Commissioner Peter Martin (National Police Services of the Royal Canadian Mounted Police): Thank you for the question.

Originally biologists were taking cases from cradle to grave. In other words, they would take on a case and complete the entire testing process. I don't know if this was the timeframe in which the report you spoke of was written. We do not have a biologist sitting with 50 cases on his or her desk. We have a process now where there are three steps to the entire DNA activity. One is evidence recovery. The next moves from that to an analytical pool, and then there's the writing of the report and the preparation of the documents for court or whatever.

When we began this, and when biologists were taking cases from cradle to grave, we could manage about 300 cases at any one point in time. We have a new evidence recovery process that has actually been patented. We shared it with other law enforcement agencies not only in Canada but around the world. The number of cases that we can manage as a result of the new processes we've put in place has increased from 300 to 900 at any one point in time. Our capacity is around 25,000 cases a year.

We also hired additional staff. In the year 2000 we were sitting at around 80 biologists. That's grown to about 118 right now, and we continue to add staff to our lab facilities across the country.

In terms of what we are doing now to prepare ourselves to even improve on our service levels, we're introducing robotics, new levels of automation that we actually used at the Picton serial murder site, and we were able to really enhance our productivity. This technology is now being installed at the locations across the country that are actually doing DNA analysis. This will be in place, and will start to improve on our already fairly good service levels, around September 2005.

The Chair: Thank you.

I'll go to Mr. Cullen, but before that, Mr. Breitzkreuz, do you have a date or an author for the document from which you quoted?

Mr. Garry Breitzkreuz: The date on this document is February 8, 2005.

The Chair: And who is the author?

Mr. Garry Breitzkreuz: I did not check to see whether he would allow me to.... He's not the one who revealed it to me, anyway. He's the chief scientific officer of forensic laboratory services. That's all I can tell you at this point.

The Chair: Thank you.

Commr Giuliano Zaccardelli: I have a comment on your last point, if you would permit me. Any indication of someone being sanctioned for testifying is so absurd—and I know it was mentioned before here. There is no such thing going on. So I have no problem.... I understand your position, sir, but—

Mr. Garry Breitzkreuz: I want to let you know that there are people within the ranks of the RCMP who don't seem to have an avenue to complain. They are coming to me saying they have concerns that these DNA analyses are not being done on time, so they want me to try to raise it with everyone in government and to try to do something about it, and that's why I'm doing this.

Commr Giuliano Zaccardelli: And I totally understand that and support you in doing it. But I just wanted people to know that somebody coming here or going anywhere else does not get sanctioned in the RCMP.

The Chair: Mr. Cullen.

Hon. Roy Cullen: Thank you, Mr. Chair.

Thank you, Commissioner and Mr. Martin.

I'll be very brief, because we're over our time, but I think one of the problems here is a problem of definition. If you went into an automotive plant and there were 300 cars in production, you could either say it was a backlog of 300 cars, or you could say there were 300 cars as a work in progress.

I commend you, Commissioner and Mr. Martin, for pushing the envelope to try to increase the turnaround times, but I'm happy that you reported that the urgent cases are turned around in 15 days.

I have two quick questions. First, how does the turnaround time in the RCMP compare with the FBI?

Second, one of the more serious issues, with respect, that I've been working on is the fact that a lot of the DNA for primary offences, murder and rape, while it's required under the Criminal Code for judges to order the DNA to be sent to the RCMP, is not coming in at the rate that I and others would like to see. I wonder if you could comment on where we're at with that, and how we can improve the samples coming in from the courts.

• (1125)

Commr Giuliano Zaccardelli: I'll take your last question and ask Peter to comment on a comparison with the FBI.

I think this is a very important point. Up until now, the judges and the judicial system unfortunately have not been ordering the taking of samples in cases where clearly the law allows it. It's a serious matter, and we've taken steps with the Department of Justice. There's a strategy to educate judges and other people in the judicial system to make sure that all the samples that can be taken under the law are taken; otherwise, we don't have the pool or the data bank. There's a very important strategy, and we at the RCMP, the police, the department, Minister McLellan's office, and Minister Cotler's people are working very hard on it. We are educating the judges; as you know, they have a certain amount of independence, but we're making progress there.

On the issue of a comparison with the FBI, I made the general statement that we compare very favourably with other organizations around the world.

Can you comment a little more specifically on this, Peter?

D/Commr Peter Martin: The FBI service standard is a 60-day turnaround time period. One of the critical differences between the United States and Canada on this one is that the FBI does not prioritize urgent or priority cases. In the case of the RCMP scientific labs, we negotiate or we discuss the cases with the submitting police department or investigator to determine whether or not the case is a priority and the tests are required back in an expedient manner.

When we determine that we have a priority, it's a 15-day turnaround time. For the rest of the cases that we manage, the normal identification cases, our turnaround time varies between 108 and 120 days. That fluctuates because of the number of cases that we would receive in any particular month. When we get a priority case, we are meeting the 15-day turnaround 100% of the time.

You may have noticed in the paper last week there was an article suggesting that a case that was being submitted to the lab, a murder case, had been outstanding for two years. When we investigated, we found out the samples that had been taken by the investigating agency had been held in the evidence room and had not been submitted to the lab. They were submitted to the lab on January 5. Unfortunately, it was not identified as a priority and it went into the 108-day or 120-day queue.

The Chair: Thank you, Mr. Cullen.

Monsieur Marceau.

[*Translation*]

Mr. Richard Marceau: Thank you very much for being here.

One of the questions that was raised is about the bank's capacity to do all the work that would come to it as a result of Bill C-13. As you know, the idea was raised in the committee of increasing the number of offences that would result in DNA testing.

To your knowledge, would the bank be in a position today to carry out all the DNA testing within a reasonable time that it would be called upon to do under the provisions of Bill C-13, and even if the range of offences in C-13 were to be broadened?

Commr Giuliano Zaccardelli: Mr. Marceau, you raise an excellent point.

The data bank now has the capacity to accept many more samples. The problem is that we have to wait until the legislation is amended. Everything will depend on the changes that are made to the legislation. Will the bank's current capacity be adequate once the act has been amended? We have to wait until Parliament makes its decision. When that happens, we will be able to determine whether we have adequate capacity.

• (1130)

Mr. Richard Marceau: I will ask my question a different way. I am sorry if I was not clear.

As things stand, you would be able to do the work called for in Bill C-13 if it was passed. Do your current resources enable you to do more than what is called for in Bill C-13?

Commr Giuliano Zaccardelli: Yes.

Mr. Richard Marceau: Thank you.

[*English*]

The Chair: Thank you, Mr. Marceau.

Mr. Comartin.

Mr. Joe Comartin: I'm not sure, Commissioner, whether it's you or Mr. Martin who should answer this. As I understand it, there are labs in both Ontario and Quebec that do testing as well. What is the comparison for their timelines, without going into the semantics, from the time that they receive a sample until they get it back to the investigating force?

Commr Giuliano Zaccardelli: Sir, I don't personally have that information. I don't know if Mr. Martin has that.

D/Commr Peter Martin: The workload across the receiving units in Canada is balanced. Not every lab does DNA testing. In the case of biological DNA testing, that's done in Vancouver and Ottawa. Not every lab in the country will do a DNA test. Other labs would specialize in paint sample analysis, hair and fibre, that kind of thing. We've specialized in the lab facilities in order to be more efficient across the entire service level. It has allowed us to improve our service standards for everything that we do.

Mr. Joe Comartin: Mr. Martin, I'm not talking about the federal labs. I understood there were two provincial labs. Ontario and Quebec each have a provincial lab that does DNA assessment. They're the ones I'm asking about. Do we know what their ratio is in terms of responding?

Commr Giuliano Zaccardelli: How do we compare?

If we don't have that, we'll get you that information.

D/Commr Peter Martin: We've asked for that, and they were unwilling to share their stats with us.

Mr. Joe Comartin: Oh. Okay.

Commr Giuliano Zaccardelli: That probably indicates something. I don't know.

Mr. Joe Comartin: I would draw one or two conclusions from that.

For my second question, I'm not quite clear about your point on negotiating when the results are to come back. Who determines whether it's an urgent case or an emergency, or not? Who makes the final decision on that?

D/Commr Peter Martin: It's the police service and the investigator who's submitting the case to the lab facility.

Now, you've got to inject some common sense in this. If somebody submitted a case for priority assessment, and it was a simple break-and-enter, obviously we would challenge that. But clearly, murder cases, cases with violence, violent assault cases, those kinds of things would definitely go right into the priority queue and be handled right away.

The Chair: Thank you.

Seeing there are no more questions, thank you very much, Commissioner, Monsieur Bourduas, and Mr. Martin, for being with us. We appreciate the extra time provided to the committee. Thank you very much.

Commr Giuliano Zaccardelli: Thank you, Mr. Chair. Merci.

The Chair: Thank you, everyone.

We'll now adjourn.

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