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—
Chair

Mr. Art Hanger

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• (1140)

[English]

The Chair (Mr. Art Hanger (Calgary Northeast, CPC)): I'd like to call the Standing Committee on Justice and Human Rights to order.

Would members take their seats, please.

This is Tuesday, December 11, 2007. Our orders of this day are an examination and debate on Bill C-428, An Act to amend the Controlled Drugs and Substances Act (methamphetamine).

Our private member's bill presenter will be Chris Warkentin.

Mr. Warkentin, you have the floor.

Mr. Chris Warkentin (Peace River, CPC): Thank you very much, Mr. Chair.

I thank you for the opportunity to come to this committee to speak about my private member's bill, Bill C-428, An Act to amend the Controlled Drugs and Substances Act (methamphetamine), as you said.

I believe that by working together we can make a difference in combatting the production and the trafficking of methamphetamine and the pain it inflicts on families and communities across our nation.

Unlike other drugs, meth does not need to be imported or grown, but it can be synthesized using components that are readily available. These two points I think are the most important. The drug can be synthesized from legal products that are readily available, and the drug can be synthesized and available for distribution in a shockingly short period of time.

Colleagues, although it is manufactured from legal substances, crystal meth is one of the most addictive and damaging of all the street drugs, and the tragic consequences and the lives it affects are unacceptable. Mr. Chair, too many of our healthy citizens are losing years of their lives to its devastation, and some are dying in the grip of the horror of this drug.

In order to frame the discussion today, I will spend a little bit of time explaining what methamphetamine is, how it impacts people in our society in a practical way, and the scope of the problem we're facing.

Methamphetamine is a stimulant. It is a derivative of a synthetic stimulant first produced in 1919. It is sold on the street under the street names of jib, crack, meth, speed, glass, fire, ice, and other

names. Meth is available as a powder and it can be taken orally, snorted, or injected.

Typically, the drug is heated or vaporized and the fumes are inhaled, allowing the drug to enter the bloodstream very rapidly. It takes only about eight seconds for the drug to get to a person's brain.

Crystal meth is smokable, and this makes the most potent form of the drug, and for this reason many young people tend to gravitate toward it.

Meth is relatively easy and inexpensive to make, using commonly available ingredients called precursor chemicals. The recipe for meth includes products such as over-the-counter cold medications, paint thinner, household products like drain cleaner, and agricultural chemicals such as anhydrous ammonia.

The ability to purchase these commonly available products at any Wal-Mart or Superstore, coupled with the ability to produce crystal meth virtually anywhere, makes it a dangerous combination.

These two facts speak to the limited opportunity for enforcement authorities to intervene. And while I know this bill in itself will not totally stop the production of meth, I hope that offering the authorities these additional tools can assist them in putting a stop to the production and subsequent distribution of meth.

Although meth can be produced almost anywhere, undercover super labs produce the majority of crystal meth that is sold on the streets today. These makeshift laboratories present a grave danger as extremely flammable liquids and corrosive chemicals are being used and mixed by people with no experience or expertise in handling such dangerous products. The hazards of these undercover labs are numerous. There are the problems of exposure to harsh chemicals and the potential of exposure to toxic fumes and poisonous gases during production. There have been cases of fires and explosions caused by poor equipment. There have been situations of severe burns or death from fires or explosions.

There is also danger to the first responders, such as the police, the firefighters, and the social workers who show up at the scene. And of course there is the harm to the environment from leftover precursors and used lab equipment that leave behind toxic byproducts that pollute the land, the air, and the water in places where they are spilled or where they are dumped.

These super labs require huge amounts of precursor material to produce the quantity of meth they do. By giving the authorities the tools that are outlined in my bill, there will be an additional opportunity to stop the production here in Canada.

The dangers of crystal meth go far beyond the production at the core. Let's not forget the core of this issue is people. This bill proposes a vital change to the current legislation, and it is my prayer that we will turn the tide in combatting this drug. The addictive qualities of methamphetamine make it a dangerous drug for any person to experiment with.

To quote a participant from my home province, who was involved in the consultation on this drug, "No human being should be putting fertilizer, iodine, Drano, and battery acid all mixed together with a little ephedrine into their system." But that is what people are doing.

We need to defend our youth and our families from this harmful, life-destroying drug.

In order to put this into perspective, I think it's important that committee members understand that users of meth tend to be between the ages of 10 and 25 years old. Many users start living at home, attending school or holding down a job, but they end up living on the streets as the addiction progresses.

One frightening fact is that some children, youth, or young adults who are exposed to meth don't even know that they've been exposed to crystal meth or meth. More and more drug traffickers are mixing meth with other drugs because it is so inexpensive and it gives other drugs greater addictive qualities. In fact, I recently saw a statistic that predicted that between 70% and 75% of the drug ecstasy sold on the streets of my home province contains meth because it increases the user's demand for more.

Crystal meth is a highly addictive drug with a long-lasting high that produces an overwhelming euphoria. Those who use it are quickly addicted and experience more intense effects from prolonged use compared with other drugs. The use and abuse of meth is on the rise throughout Canada. Its prevalence is growing as dealers find new ways to target potential users and find new ways to sell their drug.

As part of my goal of reducing the harm that meth can inflict on my community, I've done a number of things, including visiting local area schools in my riding to talk about the horrors of meth. While visiting a grade 6 class I was shocked to hear students tell me of their personal awareness of this drug, as someone in their community had been trafficking meth in the form of candy "pop rocks".

Mr. Chair, the madness has to stop.

Access to the precursors and equipment used to make this deadly drug is a significant problem. The police need legislation in order to combat the spread and the abuse of this deadly drug. The accessibility to precursors and the low cost of producing this drug impact all economic and social groups. Any person who knowingly exploits young people for financial gain needs to be pursued and dealt with aggressively. I have no tolerance for people who willingly contribute to the destructive pattern of drug abuse.

Meth users tend to be between the ages of 10 and 25. We are speaking of some of the most vulnerable in our society. These kids, these young people, are the ones who have the most to lose, the ones who are most impacted by crystal meth. It is incumbent, I believe, upon us as legislators to enact legislation that holds to account those

who willingly produce, or support those who produce, this harmful substance.

I thank you, Mr. Chair, and I'd be happy to answer any questions to the best of my ability at this time.

• (1145)

The Chair: Thank you, Mr. Warkentin. It's a very interesting topic. I know there is a lot of interest in this committee to question you further.

Mr. Bagnell.

Hon. Larry Bagnell (Yukon, Lib.): Thank you very much.

Thank you for your presentation. I'm very supportive of this. I do have a few questions, though.

Methamphetamine is listed in the Controlled Drugs and Substances Act in schedule I, and the precursor chemicals that are used to manufacture it are also controlled by the Controlled Drugs and Substances Act through the precursor control regulations. I'm just wondering what your legislation will do to add to the legal regime.

Mr. Chris Warkentin: Basically, the precursors are in there. The issue is that in the legislation currently there's no penalty for those people who would knowingly support or assist people who would manufacture this drug. We're going to add another component so that those people who would willingly support those people who are involved in production would be included. But also, the equipment that's necessary for this procedure would also be included in that effort.

Hon. Larry Bagnell: As you said, these things can be made by a number of products off the shelf. And of course those products have all sorts of uses other than to make meth. That's why they're sold. Does this prohibit the production and sale of those products completely for their legitimate use?

Mr. Chris Warkentin: No, not at all, actually. That's one thing that I've been careful of in crafting the legislation. I think maybe the committee will want to consider it and ensure that it's enforced. I think there may be an opportunity for amendment to ensure that we're talking only about those people who would sell it knowingly to somebody who is intending to produce crystal meth or methamphetamine.

It's not my intent, and I think it's important that the committee ensure there would be no chance, that local pharmacists or grocery stores would be targeted for selling legitimate and legal products. We don't want to go after that.

There have been other jurisdictions where they've limited certain products in terms of the amount that is sold in different jurisdictions. This legislation doesn't seek to do that. This may be something we'd want to look at doing at some later date.

Right now it's basically just the enabling factor—someone knowingly enabling someone who's producing this—that we want to ensure is taken care of.

Hon. Larry Bagnell: Are there legitimate uses for methamphetamine, such as the treatment of extreme obesity? Would that still be allowed?

Mr. Chris Warkentin: I don't know the specifics on that, and I should be honest. That's something the committee should look at. I'm not aware of that, but that may be the case. I did ask the Library of Parliament to look into that. At the time I was putting forth the legislation, they hadn't come up with any type of product that would be limited as a result of this particular legislation.

Hon. Larry Bagnell: What have other countries done?

Mr. Chris Warkentin: There are a number of different things that a number of countries have done. I'm most familiar with the United States. Actually, we in Canada are behind the game on this one in terms of a continental perspective.

In the United States...and I'm not sure if every state has limits, but I know that many states have limited the amount of certain products, specifically cold medications, that can be sold in a particular jurisdiction. They basically figure out what would be the legitimate consumption rate for a particular area, and then they only allow that amount to be distributed in that particular area. So there wouldn't be an opportunity for additional product to be sent out and then brought into the black market for the production of crystal meth. They also have legislation in many states that is very similar to what I'm proposing today.

• (1150)

Hon. Larry Bagnell: How much time do I have?

The Chair: You can have another question.

Hon. Larry Bagnell: We all want to get rid of this. Do you have any other suggestions, on top of the legislation activities to date? Prohibition on alcohol, and these things, in itself didn't work. I was wondering if you have suggestions for other things we could do.

Mr. Chris Warkentin: I thank you for that, because it's something I've given a great deal of thought to. Obviously, we're never going to be rid of this problem completely, even if we take care of the super labs, which is where most of the stuff being sold on the street comes from. There's always the opportunity for somebody to make it in the basement or kitchen.

I think what we have to do is make people aware of the devastation this drug inflicts and make them aware of how highly addictive it is. This isn't child's play. I guess it's getting the information out there. That's one thing I've done in my own community.

I didn't bring it forward in my presentation today, but my community is located very close to Rob Merrifield's riding. In his riding, in a certain number of towns, crystal meth has become a huge problem. It seems to be taken up by people who are using it recreationally. If these people were informed of the long-term negative impacts this will have, I think that would be helpful in reducing the consumption rate. That would be one point.

Also, I think we have to look down the road at eliminating some of the products if in fact we can see from other jurisdictions that this helps to reduce the amount of crystal meth that's produced.

I think there are other things, but if ever there would be a perfect way to deal with this, I'd get on that bandwagon right away.

The Chair: Thank you, Mr. Bagnell.

We'll go to Ms. Freeman.

[*Translation*]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Good morning, Mr. Warkentin. I would like to thank you for being here to present this bill that is of concern to all of us.

Mr. Bagnell's first question was asking what the bill would provide that does not already exist in the law. In fact, we currently have the Controlled Drugs and Substances Act that includes both A and B precursors. We also have the Precursor Control Regulations. By the way, the Precursor Control Regulations are intended to control and monitor the use of precursors while avoiding the imposition of restrictions on legitimate use.

From what I can see, the measures you are asking for already exist. In answer to that question, you said that the differences were in the area of production. To go into this a little further, we can see that there was a significant amendment to the laws and regulations for methamphetamine, on August 10, 2005. The maximum penalties for possession, trafficking and production of methamphetamine were indeed increased. This is therefore already in the law, and there is even the possibility of life in prison for production.

I feel skeptical about your bill because we already have all that. The only additional provision you are proposing is to make the possession and sale of any substance criminal.

In the Precursor Control Regulations, it is clearly set out that the goal is to control and monitor the use of precursors while avoiding the imposition of restrictions on legitimate trade.

I have some at home, and they are very harmless products. In all homes, we would find batteries, boxes of matches, paint thinner, aluminum foil and objects made of glass. Your bill would make it a criminal offence to be in possession of these or to sell them.

The point of this exercise seems very commendable to me, but I believe the recommended means to fight against this scourge must be improved.

What do you think?

• (1155)

[*English*]

Mr. Chris Warkentin: I do appreciate that very much, and I think it's important that I clarify.

Number one, it's very important that we look at the issue of intent. If you're going to be charged for what I'm hoping you.... For somebody who was intending to create crystal meth, there would be an intent involved. That's why I'm very specifically including—

[*Translation*]

Mrs. Carole Freeman: I have no problem as far as the equipment is concerned.

What bothers me is the “any substance”.

7.1 No person shall produce, possess or sell:

(a) any substance or any equipment or other material that is intended for use in the production of methamphetamine;

Under “any substance”, you would find household products that would be found in any normal house and that every hardware store would sell. That is where the difficulty lies.

[English]

Mr. Chris Warkentin: Okay. I fully understand what you're saying, and I certainly—

[Translation]

Mrs. Carole Freeman: As far as the equipment is concerned, that is all right. There are two parts to this section: the substance and the equipment. The equipment is fine. It is the “any substance” that causes the problem.

[English]

Mr. Chris Warkentin: Yes, I can understand what you're saying.

I think it's important that we clarify, if necessary, in this legislation to ensure that it would be somebody who knowingly was in possession of these precursors for the intent of production. So it would be clearly outlined.

If you're not comfortable with how it's written, I think it is important that you as a committee ensure—and I would ask you as a committee to ensure—that it would be somebody who would knowingly possess these drugs or who would enable somebody else to have these precursors with the intent to produce.

[Translation]

Mrs. Carole Freeman: The Controlled Drugs and Substances Act already deals with the B precursors—these are products that can be found at home—that are used in the illegal production of drugs.

[English]

Mr. Chris Warkentin: What's in there is illegal products, but these are legal—

[Translation]

Mrs. Carole Freeman: The Controlled Drugs and Substances Act refers to solvents, legal products and B precursors.

There are two kinds of precursors. The A precursors are products like LSD, cocaine and ecstasy. In the B precursors, there are solvents and all kinds of ordinary products and substances used in illegal production.

As far as I am concerned, this already exists in the law.

[English]

Mr. Chris Warkentin: That may be. To my mind, the legislation does not ensure that people who would knowingly sell these legal products to somebody who would have an intention to produce.... There's no criminal ramification for a person who would knowingly sell these or assist in getting these precursors for somebody who was going to produce.... The legislation is not clear.

[Translation]

Mrs. Carole Freeman: What I am trying to say is...

[English]

The Chair: Thank you, Madame Freeman. Your time is up.

Ms. Davies.

Ms. Libby Davies (Vancouver East, NDP): Thank you very much, Mr. Chairman. Thank you very much for coming to the committee today.

I do think this is an important issue, because I think a lot of people are very worried about substance use and the drug issue in local communities. I think equally as important is how we respond to that issue. I have to say that actually my first question was going to be exactly the same as the one Mr. Bagnell asked and exactly the same as the one Madame Freeman asked, because when you read the Controlled Drugs and Substances Act, section 7, it appears already that it's quite clear that the materials and the precursor materials and so on are already illegal, and there are very stiff sanctions, including imprisonment for up to life.

When you say that your bill will target people who knowingly use these substances, I actually don't see that in the bill. The only thing I can see that's different in your bill is that it talks about equipment. Maybe I'll just make a couple of comments. That's one thing. I think you do need to clarify that.

I don't know if you're aware, but Health Canada in 2002 actually did change the regulations to ensure that all of the precursor materials were included. In fact, I know there was a summit of western premiers in 2004.

I'm curious, because you're saying that the use of crystal meth has actually been increasing, and I'd like you to provide evidence of that. There have been some reports out recently that since 2004—because we only have figures up till 2004—there's been a lot more attention on the impact of crystal meth, and there is a sense that the use has actually been going down, because there's been a really strong response from the police and local communities, parent groups, school groups, and so on, advocacy groups, groups working with young people, which focuses much more on education.

I was actually thinking that the approach here is to really strengthen the prevention and education approach we have. I don't know if you're familiar with the very good report that came out of the City of Vancouver in November 2005. You can go on the website and get it. It's called, *Preventing Harm from Psychoactive Substance Use*, and it does focus some of its attention on crystal meth.

They, again, really reinforce the idea that because this stuff is so easily available, the real solution is to focus on education and prevention with young people. In my own community in Vancouver, we do know, for example, that often street kids who are homeless are actually using crystal meth to stay awake, because they're on the street, and they have to be alert. They're very vulnerable. They're at risk. So there's an association at least in that aspect between the drug use and another issue, which is people being homeless. We've got to tackle that in order to deal with the drug use.

So my questions would be, one, I'm not clear on how your bill would be different from what we already have. Two, I think you need to provide some information backing up what you say, that the use is increasing. And three, what should we be doing in terms of prevention? To me, the evidence is showing that that's really where the change is taking place, where we're actually getting through to people.

• (1200)

Mr. Chris Warkentin: I think I can address some of the concerns you had.

The important thing for all members to recognize here is that in the legislation there's a specific reference to "sell". Someone who would sell knowingly to somebody who was going to produce crystal meth is not considered in the legislation as it currently sits.

Your colleague Mr. Comartin and I actually had this discussion. I think it was his suggestion that it would be important to put the word "knowing" in there, but he felt that it was important for us to address the whole issue of sales. He and I had a discussion specifically about the United States and the active work they've been doing in terms of controlling the amount of certain products that enter certain jurisdictions so that they can ensure the sale issue is dealt with.

What I'm hearing from people combatting this particular issue in communities is that they feel this piece of legislation would assist them in dealing with the whole issue of not being able to go after people who knowingly contribute to and assist in the production of crystal meth.

I can't speak specifically about Vancouver—that's not my area—but I can tell you specifically that the premier's task force on crystal meth in Alberta recently unveiled some pretty scary statistics with regard to the increase in crystal meth. I know anecdotally that we've seen an increase specifically in eastern Canada as well.

As you say, we don't have stats that are current, but I think it's incumbent upon us to act when we see a problem or a situation and make minor changes to the legislation to ensure that the police have all the tools necessary to combat this issue, so that when we get the results four years from now on what's going on right now, we won't see a continued increase; we'll see a continued decrease.

I do absolutely believe that we have to couple this with other initiatives. I don't know if you were here during the part of the presentations when I spoke specifically about that. This is not the be-all and end-all, but it is a contributor. It's something we can contribute to, allowing enforcement authorities to try to stem the production.

You're absolutely correct that we have to couple this with an education policy; that's why I'm very pleased with our government's announcement of \$60 million that will be oriented in part specifically towards an education on these matters. It's something I've been working on very diligently since I was elected.

• (1205)

The Chair: Thank you, Mr. Warkentin and Ms. Davies.

Mr. Petit is next.

[*Translation*]

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Thank you very much, Mr. Chairman. Thank you, Mr. Parliamentary Secretary.

First of all, I want to congratulate you, Mr. Warkentin, for having managed to get your private member's bill this far. God knows how hard that is. As Mr. Ménard has often said, it is an honour to have you before us here today.

I read the bill, that is the amendment that you are proposing to the Controlled Drugs and Substances Act. In order to really grasp what

you have tabled, I am going to make a comparison with what I know of criminal law, being a lawyer who has worked in that area.

You used the term "precursors". We know that is in the legislation. According to various categories, these are products that you might have at home, that can be mixed, and at some point in time could become what we call crystal meth, that is to say the product that we do indeed wish to criminalize.

I have the following question: Do you make a connection with section 351 of the Criminal Code, which deals with the possession of break-in instruments? For example, if I own a jimmy, a hammer, a crowbar or other kinds of tools, taken separately there is no problem, all woodworkers would have those in their garage, but if I have all those tools together in my car, that could indicate the intention to steal or to commit an offence under the Criminal Code.

Is the meaning that you have given to the word "precursors"—and this is in the same vein as Mrs. Freeman's question—indeed intended to criminalize the fact that one might have several household products or things that could be combined, as is the case in the Criminal Code? That would mean that if these items are separate, you could not be charged, but if they are together, you could be. Is that what you are trying to do? All of these products, in certain cases, are allowed to be on the marketplace.

I would like to know if that is what you are trying to do with Bill C-428, that is to say the equivalent of what you find in the Criminal Code on the subject of the possession of break-in instruments. Those are tools that, taken separately, are not banned, but put together they become so. Is that the case?

[*English*]

Mr. Chris Warkentin: I think absolutely that there would have to be pretty solid evidence that there was an intent to produce, and that's why the word "intended" is included in the proposed amendment. Without intent and without being able to prove the intent, I don't think anybody should have any fear of either owning or selling individual items through the grocery store. As all of us know around this table, we wouldn't want to be unable to access the ingredients in crystal meth, because they all serve their useful purpose other than the production of crystal meth. We want to ensure that people, if they're going to be charged with this, have a clear intent to produce or traffic or sell this product.

The whole notion is that you'd have a combined number of things that would be included. I imagine you would have to have equipment and the different precursors in order to prove intent, or some type of past history of producing it.

[*Translation*]

Mr. Daniel Petit: Thank you, Mr. Chairman.

[*English*]

The Chair: Monsieur Petit, thank you.

Mr. Lee.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Thank you.

Mr. Warkentin, I'm not so sure I'm going to support this bill, but I want to congratulate you for doing your work as an MP. You found a subject on which you can possibly legislate, and the folks back home will be pleased that you're not asleep at the switch and that you've recognized a real problem for them. I congratulate you for that and for bringing the bill forward.

I'm going to be a little hard on you on the technical side and on the public policy side.

Can you tell us on a relative scale, relative to other drugs, just how addictive methamphetamine is?

•(1210)

Mr. Chris Warkentin: I am by no means a scientist, but I can tell you from what I've read that it's one of the more addictive drugs available on the street.

Mr. Derek Lee: I'm just wondering, relative to the other drugs that most people are aware of, such as heroin, nicotine—

Mr. Chris Warkentin: It would be more addictive than crack cocaine.

Mr. Derek Lee: And heroin?

Mr. Chris Warkentin: I don't know specifically with regard to heroin. Maybe you can make a reference between heroin—

Mr. Derek Lee: Or cocaine, or marijuana?

Mr. Chris Warkentin: It would be more addictive than crack cocaine, in my estimation.

Mr. Derek Lee: More than crack cocaine, yes.

All right. There may be some investigation still that we could do there. The drug is already illegal. I was just seeking clarification about just how addictive it is relative to the other drugs that are a scourge for all of us.

In the bill itself you use the words “intended for use” in both paragraphs of the proposed new section. Are you able to say now who it is you are thinking about when you talk about intention? Is it some person in the chain of ownership or manufacture? Is it the end user? To use Mr. Petit's analogy, if I make a screwdriver, it's intended for many uses. If it ends up in the hands of a burglar, it might be a problem.

I'm having difficulty nailing down precisely what you mean when you say that something is “intended for use” in production. Who has to have that intention?

Mr. Chris Warkentin: The intention would concern the person who was actually going to produce the drug. The person who would knowingly contribute would be somebody who knowingly contributes to the person who is producing the drug.

Mr. Derek Lee: Yes, but the guy who manufactures the beaker doesn't know what it's going to be used for.

Mr. Chris Warkentin: Absolutely, and therefore—

Mr. Derek Lee: It's only the guy who makes and possesses the stuff at the end of the chain who is really involved, and if that's the case, it's the possession that should trigger the criminality and not so much the manufacture of the equipment.

Mr. Chris Warkentin: Mr. Lee, the difficulty with crystal meth is that from the time the substances are collected up to the point where

it's produced and then put onto the street is a very short period of time. There is not the necessity to import it from another jurisdiction; there isn't the end....

All these things are coming in close proximity to every Canadian citizen. The difficulty is for any person who is in the law enforcement profession to try to stop the chain of events from the point where it is a legal substance to the point where it is an illegal substance and available to your kids and my kids on the street. It is important that we allow them to have the tools.

If we have, let's say, somebody who is involved in bringing in large quantities of cold medication with the intent of selling it off the back of their truck to somebody who would take it then to a super lab, I have a problem with that.

Mr. Derek Lee: Of course, you're going to have problems with people involved in a criminal conspiracy. The problem is that your bill, in a vague way, reaches back and tries to criminalize what is normal conduct. It doesn't try to do it, but it suggests that we can criminalize it, and with the lack of particularity and definition, I'm having difficulty conceptualizing the actual criminality except with 20:20 hindsight.

Mr. Chris Warkentin: Mr. Lee, if you feel there's a necessity for an amendment that would clarify that it would be a person who would knowingly contribute to somebody's efforts to produce this stuff, if that's a necessity to have, I would beg you, for the sake of everybody who is impacted by this drug, to contribute, because 90% of the drug that's sold on the street is sold out of super labs. These aren't, for lack of a better term, mom and pop operations.

I don't think that in this legislation we're going to go after local pharmacists who sell a package of cold medication. That's not my intent, and I want it to be very clear that it's not my intent. What I am very concerned about is these super labs that are putting out 90% of the drug that's on the street. When I hear kids in my own riding, grade 6 students, saying that people are selling candy pop rockets in their community and they contain—

Mr. Derek Lee: You have made that point, but—

•(1215)

The Chair: Mr. Lee, your time is up.

I see there are a number of questions and that they all take the same thread.

I'm going to turn the questioning over to Mr. Moore right now.

Mr. Moore, you have the floor.

Mr. Rob Moore (Fundy Royal, CPC): Thanks, Chair, and thank you, Mr. Warkentin, for bringing this forward. Obviously, it is a concern of yours. It should be a concern of us all with what we probably all hear about crystal meth in our ridings.

Why don't you take us through a typical scenario now where law enforcement or prosecution is running into a problem under the current laws and what your bill would address—I think you were starting to do that—and maybe some of the specific feedback you have received that you have incorporated into your bill? What are the concerns that stakeholders are raising with you? Maybe you could give a scenario where the current law is falling short and the adoption of your bill would address some of that shortcoming.

Mr. Chris Warkentin: The issue that a lot of law enforcement people are very concerned about is that it is not necessarily the individuals who are producing the crystal meth who are importing or collecting up these precursors; it is actually a third party or a second party who's involved in contributing these precursors. So they are knowingly providing these precursors to the manufacturer. Basically, the scenario would be that an RCMP officer would see a transaction of large quantities of cough syrup that wouldn't be going to a drugstore or wouldn't be going to the regular retailers of this but would be going to some person who is just a private citizen. We're talking about large quantities. Right now they don't have the tools that are necessary for that type of intervention or that type of stop in the chain of events that would then lead this product to become an illegal substance.

My concern is that we do have people in this country who would willingly and knowingly sell products and equipment, precursors and equipment, to people who would then involve themselves in the criminal act. I believe if people knowingly do assist drug manufacturers, they have a burden to this country to be held accountable for those actions.

Mr. Rob Moore: I'm thinking back to the 1990s when there was a bombing of a federal building in the United States. That bomb was made largely of things that are legal: fertilizer, diesel, and so on. I know there was a response then. Of course, there's the inevitable public outcry when something like this happens: how did this happen and how can we stop it? They were things that, for all intents and purposes, were good and positive materials that could be used for very destructive means, in much the same way, I would say, as you've talked about some of the precursors of methamphetamine. Many of them are useful but extremely dangerous in their final form. It's not enough just to stop them, perhaps when it's too late. It has to be stopped earlier on.

Are there any parallels we can draw from that experience?

Mr. Chris Warkentin: I believe so. In Canada, we responded to that circumstance as well. We now have legislation in terms of the sale of particular fertilizers and the way they can be sold.

I guess I haven't gone that far. I'm not sure that individuals should be unable to purchase these household goods. I do believe that if there is an intent, then there is the parallel in terms of limiting or being able to stop a particular transaction if it can be proven that a person will knowingly be assisting somebody who is going to produce crystal meth. Absolutely. We as Canadians made legislation in response to that event in the United States. The Americans did as well.

• (1220)

Mr. Rob Moore: Thank you.

The Chair: Thank you, Mr. Moore.

We'll go to Monsieur Ménard.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): I will be brief, Mr. Chairman.

I congratulate you on your initiative. I know that the tabling of a private member's bill is always an important moment. I am campaigning within my caucus in order to have two hours a day

devoted to private members' business. In that way, everyone could do their job as a legislator. I hope that some day, this campaign will come to fruition reality.

I did not understand the innovative character of your bill. I was under the impression that methamphetamine and the substances used to make it were clearly banned under schedule 1 of the Controlled Drugs and Substances Act. I understand the concept of intent. We will see as a committee what the witnesses will tell us. Perhaps there are some clarifications required.

Do you have any indications that would lead us to believe that the organizations responsible for law enforcement—the RCMP or the various police forces of Canada and of Quebec—have a lax attitude as far as methamphetamine is concerned? I was also part of the committee, as Ms. Libby Davies was saying, for a year and half. At the request of your former colleague Mr. Randy White, we set up a committee on the non-therapeutic use of drugs. I had the impression that there was a real sense of urgency and that the organizations responsible for law enforcement were very sensitive to devastating effects of methamphetamine. You seem to be giving us a different perspective.

If I understand correctly, you are a member from Alberta. Why would there be something particular to your province that would not be found in other areas of Canada and of Quebec?

[*English*]

Mr. Chris Warkentin: First of all, I assure you, I believe the RCMP and police officers throughout this country, Quebec and Ontario included, are doing everything in their power to stop this. Having met several of them, I know this keeps them up at night as much as it keeps me up at night. Certainly they are doing everything in their power.

I think we have to allow them to have all the tools they're asking for. Specifically, this is a tool that some people from my home province have asked for. They've asked for the tool so they can go after people who willingly assist in the production of crystal meth. I'm doing what I can.

I'm not sure if it's something the RCMP and police officers in Quebec and Ontario have asked their members of Parliament to think about. I know from my home communities that it is something.... If they were given this particular tool, I'm not so sure it wouldn't help the enforcement authorities in Quebec and Ontario as well.

[*Translation*]

Mr. Réal Ménard: Thank you.

[*English*]

The Chair: Thank you, Mr. Ménard.

Mr. Calkins.

Mr. Blaine Calkins (Wetaskiwin, CPC): Thank you, Mr. Chair.

Congratulations, Mr. Warkentin, on getting here. I really appreciate your efforts in tightening up this legislation.

I'm not going to pretend to be an expert, but I have gone through the Controlled Drugs and Substances Act. Your intent here I think is to get rid of the organized element of the supply chain for the production of methamphetamine. So my first question is technical in the sense that if you take a look at schedule III of the Controlled Drugs and Substances Act, it basically deals with amphetamines. But if you look at section 23, it does not include methamphetamine.

I'm wondering why you haven't addressed that particular part of the schedule with your private member's bill.

Mr. Chris Warkentin: There probably are a number of things that we should get to and need to get to. I think I was specifically trying to address, with this particular piece of legislation, the whole issue of methamphetamines and the assistance that third parties might bring to the production side of methamphetamines.

Maybe this would be an opportunity to amend this particular legislation to include this. If it's something the committee would see to be appropriate and helpful, I would be supportive of that.

• (1225)

Mr. Blaine Calkins: Well, the line of questioning I will be asking further witnesses who are going to come and testify will be along the lines of whether the bill should be amended so that rather than just dealing specifically with methamphetamine, it is any of the items we see schedule III basically outline.

I think it's much more difficult to prove something in specific than it is to prove something in general. The more we generalize the production or the sale of such precursor materials in the creation of a broader list, such as all of the items in schedule III, it will probably be a little bit easier. I can see a defence forming: "We weren't going to actually create methamphetamine, we were going to create some other type of amphetamine." All of a sudden, your proposed section 7.1 has been successfully defended against, just based on a technicality.

I'm just wondering if, from your perspective—if the feedback I get from other witnesses agrees with my own train of thought—you agree that an amendment would be in order.

Mr. Chris Warkentin: Mr. Calkins, thank you very much.

If the committee would so desire such an amendment, I would be very supportive of it in order to ensure that we tighten up this particular amendment and make sure that people wouldn't get off on that type of loophole.

Mr. Blaine Calkins: My other question—my mind is racing here—is do you have a Wal-Mart in your riding, Mr. Warkentin?

Mr. Chris Warkentin: I do have a Wal-Mart.

Mr. Blaine Calkins: Have you ever been to the Wal-Mart where they have a self-checkout?

Mr. Chris Warkentin: I have, yes.

Mr. Blaine Calkins: If somebody were to buy the precursor agents for methamphetamine from that Wal-Mart in a self-checkout, who would be culpable for the sale portion?

Mr. Chris Warkentin: In terms of that, there wouldn't be somebody to go after because the machine wouldn't knowingly contribute to the manufacture of crystal meth....

Voices: Oh, oh!

Mr. Chris Warkentin: But I do want to address the specifics here.

We do talk about Wal-Marts and any grocery store being able to sell these types of products, but the super labs aren't going to Wal-Mart to get their products. I did talk about this specifically earlier.

This bill is going to address more specifically the issue of super labs in this country, because 90% of the stuff out there on the streets is produced in super labs. We have to go after this organized crime element.

Mr. Blaine Calkins: Thank you.

Thank you, Mr. Chair.

The Chair: Mr. Calkins, you have time for one question.

Ms. Davies.

Ms. Libby Davies: Thank you.

Your intent here is very clear. You want to do something to address this problem of methamphetamines, and I think that's to be applauded.

In looking at your bill, I think the question I have, and that we have to be able to answer, is what substantive difference this bill would really have on the success of enforcement. We have to figure out whether or not the mechanisms we have now produce the maximum enforcement that we think we can get.

For example, we do have a bill on organized crime. In any situation now that involves people knowingly being involved in organized crime, there are very serious penalties. We've actually never used that. I don't know if you're aware of it, but that legislation has never been used. There are also regulations that were brought in for business licences on methamphetamine.

So what is the response to the problem here? Your response is that we need this change. But will that change produce any better enforcement? That is my question.

I think it's up to you to show that this is the case. Right now the emphasis should be on really getting into some of these communities and providing prevention and education about the dangers of these substances. That way we'd have much greater success.

So I'm still not clear on what you believe the success will be of this bill in terms of enforcement.

Mr. Chris Warkentin: I appreciate your concerns, Ms. Davies. I absolutely do.

In terms of the organized crime element, it's very difficult. By your own admission, we haven't used this legislation yet, and that's because proving it's organized crime is very difficult. That's why I wouldn't leave this whole issue up to that piece of legislation. Organized crime can mean just a couple of people getting together and organizing, whereas this organized crime legislation hasn't been able to be used usefully to address those concerns.

This specifically addresses the whole issue of methamphetamine. It is something we need to....

Am I not correct, Ms. Davies, that the legislation has not yet been used?

• (1230)

Ms. Libby Davies: That's my understanding, but that's really my point: we have incredibly strong legislation, but the new legislation is not yet being used, so it raises the question as to whether this particular legislative change is going to produce any better effect.

For me it raises the question of what we think we're going to accomplish here. Is it just some nice words on paper that give the illusion we're going after this problem, while in actual fact there will be no greater success in enforcement than we currently have, so maybe we should be looking at the other elements that we all agree are very important as well?

Mr. Chris Warkentin: In conversation, even your colleague Mr. Comartin and I were of one mind in terms of going after people who would willingly contribute. He felt this legislation would assist in that. The justice department and the Library of Parliament all have come together to formulate this as a result of my particular concern. If indeed it's your perspective that it won't add anything, I would ask you, would it take anything away?

Ms. Libby Davies: No, I'm asking you.

Mr. Chris Warkentin: If it wouldn't take anything away—

The Chair: Thank you, Ms. Davies and Mr. Warkentin.

We have one very quick question from Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: I would like to continue with Mr. Calkins' questioning on supply.

It seems quite clear to me that the illegal labs belong to organized crime. There are also small illegal labs set up by young people who can get their hands on these things just about anywhere.

Are you aware of the distribution of these labs? For methamphetamine production, how many of these illegal labs are owned by organized crime and in what proportion? How many of these clandestine labs belong to street gangs and to youth, and in what proportion?

[*English*]

Mr. Chris Warkentin: My understanding is that for the most part it isn't young kids who are producing crystal meth in these super labs; it's people who have an entrepreneurial mind in the criminal respect, and they are going after young people in terms of distributing this particular product. It's not my understanding—

[*Translation*]

Mrs. Carole Freeman: Just a moment. If they are superlabs and these are big businesspeople, obviously the materials that they are using must be purchased in enormous quantities. We are no longer talking about Wal-Mart, we are talking about bulk purchases.

[*English*]

Mr. Chris Warkentin: That is sometimes the case, absolutely.

The Chair: Thank you, Madame Freeman—

[*Translation*]

Mrs. Carole Freeman: Are they the ones you are targeting? Are you targeting the superlabs that are buying in bulk?

[*English*]

Mr. Chris Warkentin: My specific target would be the super labs, because 85% to 90% of the drug that's out there being sold on the street is produced in the super labs.

The Chair: Thank you, Madame Freeman.

As a point of clarification, when Mr. Warkentin refers to a super lab, generally the products are bought in bulk. Many of them are imported into the country from other countries. I know that China has been on the list. Containerloads of the precursors have hit the shores of North America and they are destined for the super labs. This is just one aspect of it, to my knowledge.

I'm going to stop the—

Mr. Derek Lee: Mr. Chairman, you have clarified one thing. I would also like to clarify something.

Mr. Warkentin has suggested that the organized crime legislation had not been used yet, and I don't think either of us—

Mr. Chris Warkentin: I was asking for clarification on that.

Mr. Derek Lee: I don't think anyone has particulars around the table, but my understanding is that it has been used several times, and I think the record should show that whether it has been used may be unclear.

Monsieur Ménard and I are both aware that it has been used; we just can't cite actual case particulars at this time.

The Chair: Thank you very much, Mr. Lee and Mr. Ménard.

For this round of questioning, I will suspend for one minute and call the other witnesses to the front: the mayor of the town of Drayton Valley, Diana McQueen; and Mr. André Bigras, executive officer, Drug Prevention Network of Canada.

• _____ (Pause) _____

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• (1235)

The Chair: I would like to call the Standing Committee on Justice and Human Rights to order and welcome our next set of witnesses.

I'm going to change the order of presentations, deviating a bit from our agenda, and welcome first the mayor of the town of Drayton Valley.

Can you give us a brief outline of the weather situation in Drayton Valley?

Mayor, we're not sure if you're coming across clearly yet.

Mrs. Diana McQueen (Mayor, Town of Drayton Valley): [*Technical difficulty—Editor*]

The Chair: We just picked up the last part of your comments.

Are we good to go now?

Welcome, Mayor, to the Standing Committee on Justice and Human Rights. You are very much aware that our discussion is centred around private member's Bill C-428, an act to amend the Controlled Drugs and Substances Act, methamphetamine, presented, of course, by our member of Parliament from that area, Mr. Warkentin. We have gone through his presentation now, and the committee would like to hear what you have to say. I understand you have a unique situation you would like to describe to us.

We're very much aware of the time constraint here, so please, Mayor, you have the floor.

• (1240)

Mrs. Diana McQueen: Good afternoon, and thank you for the invitation. I won't take a lot of time.

I'll give you a brief understanding of Drayton Valley, and—this is not unique to Drayton Valley—the leadership our community took. It was an entire community effort.

About seven or eight years ago, when I first came on council, we started looking at the issues of drug and drug-related crime and how we could bring the whole community together to deal with these issues. We had created a community coalition, if you will, of stakeholders broadly based throughout the community. At that point in time, we were starting to hear from the police about methamphetamine in our community.

That stakeholder group was already together, and what we did was apply for a federal grant, which we were very grateful to receive, to hire what we called a community mobilizer, someone who was going to teach on the education prevention side to the students, teachers, businesses, and the entire community about the prevention side and the facts about this drug. On the other side of it, we had a community police officer.

This particular mobilizer was a past drug addict who had quite a bit of understanding of drugs and the drug-related crime, had been recovered for many years, and was a great person to have with us and working with our RCMP.

Also at that point in time, we had what was very unique for a community of our size in Alberta; we had hired a two-person RCMP GIS or general investigative services team to deal with the drug and drug-related crime. We were taking a holistic approach to this: prevention and education, as well as working with the RCMP on the enforcement side.

As we were working through this, we became aware that Drayton Valley and the whole corridor on Highway 16 in our community was starting to have a methamphetamine problem. Later we found out that there was a major drug house within that corridor on Highway 16, which was later taken out.

In discussion with the prevention team, and in particular when one of the RCMP members came to one of our committee meetings, we asked the question: what can we do, if anything, on the legislative side that would help this? We're working on the enforcement and on the prevention sides, but is there anything with regard to legislation whereby we could start the ball rolling to have an impact not just for our community but across Canada?

We had a discussion, and what we did as a council was create a resolution with our RCMP and their supervisors out of K division. I believe you have a copy of that resolution in front of you. It was first sent to our Alberta Urban Municipalities Association and approved. It was then sent to the Alberta Association of Municipal Districts and Counties, which is the rural association in Alberta, and they approved it, and then together that resolution was formatted and taken to the federal Canadian municipalities. So all the municipalities within Canada had the opportunity to review, discuss, and approve this resolution.

I know you have that resolution in front of you. Really, what it speaks to in the “therefore” clauses is about urging and requesting the Government of Canada to implement regulations that will strictly control the sale and possession of large quantities of chemicals used to produce methamphetamines—and it lists some of those as examples—but also to institute reporting requirements associated with the sale and possession of these chemicals. We felt very strongly, as did the majority of all federal Canadian municipalities, which approved this, that this was very important legislation.

Drayton Valley has.... I sat on Premier Klein's task force a year ago—

• (1245)

The Chair: Mayor, I want to interrupt for one second. Could you slow down just a little for our interpreters? They are having a hard time keeping up with you.

Mrs. Diana McQueen: Okay, certainly.

The Chair: Thank you.

Mrs. Diana McQueen: Sitting on our Premier Klein's task force with Dr. Colleen Klein and others on this committee, we came to realize that this was indeed a provincial and Canada-wide problem. In Drayton Valley we had the courage as a whole community, with its whole support, to tackle this problem, not burying our heads in the sand, to say this is an issue affecting our young people—and not just young people, but many middle-aged people as well. We wanted to tackle this problem. That's why you see this resolution that we sent.

We have had great success in our community using this holistic approach of prevention, education, enforcement, and the whole team effort. We've had a reduction of meth significantly, according to our RCMP and the provincial regulator, ADAG, the Alberta Drug Awareness Group. Those statistics have held within our community for a period of about three years now.

We're very proud of the work we have done, but we feel that although we have had some reduction and have done a huge education process, in the number of youth, teachers, business owners, and community people we have spoken to, it has really been on the prevention side—letting them know what chemicals are used to produce this drug and the real facts about this drug compared with other drugs. It was a real awareness program and certainly a great deal in our community. I commend the entire community.

But I look at this piece of legislation...and I want to commend those within the federal government who approved the Controlled Drugs and Substances Act as well, but I think we need to go a little bit further. Although we've seen some reductions and are starting to see that trend, we want to make sure that trend continues. While the economy is hot, other drugs are being looked at—the more expensive drugs. We know economies are cyclical as well, and we don't want to see a trend backwards with this drug.

Whatever we can do to monitor and control the substances coming into our country and the possession and sale of those chemicals, we need to do. And we need to regulate how large quantities of chemicals are sold.

I was listening to the prior witnesses talking about Wal-Mart or the drug stores or those kinds of things. There are ways we can put these behind the counter, and there are ways we can regulate the sales with reporting requirements. It is indeed, as was mentioned, a tool. I'll use an example.

In our community a few years ago we used the tool of a curfew bylaw. The curfew bylaw has never actually been enforced, but it has been an excellent tool for our RCMP community police officers to be able to use, to give warnings to the children. Also, it's a tool for parents to use.

This legislation is yet another tool—and I know you have other legislation as well—for them to draw on. I think the more tools we have, the more helpful it is to our police services, regardless of whether they are provincial or RCMP. We should do whatever we can to give them more tools, to give our communities more tools and more fight, but also to send a clear message out that Canada does not want to see this drug in our communities, that Canada understands the devastation this drug is creating among young people and those who are using this drug, and that we will do everything we can, as Canadians and as legislators, to stop the sale and the possession of these chemicals and this drug.

I'll leave it at that for any questions you may have.

The Chair: Thank you, Mayor.

If you would stand by, we have one other presentation from the Drug Prevention Network of Canada. Listen in, and then we will get to questions, both to you and to Mr. Bigras, regarding your presentations.

I'll turn the floor over to André Bigras, please.

• (1250)

Mr. André Bigras (Executive Officer, Drug Prevention Network of Canada): Thank you.

Bonjour. Good day.

I'd like to begin by commending you for addressing this very serious issue that is impacting Canadians, along with the youth of this nation, and by thanking the committee for permitting our group to make a presentation on this sensitive yet critical issue. We applaud and support this bill one hundred percent.

My name is André Bigras, and I'm representing the Drug Prevention Network of Canada. Our organization was founded in 2005 with the goal of seeing the Canadian drug strategy bring a

balanced approach to illegal drug issues, use, and abuse. Our focus is on prevention/education, treatment, and enforcement.

To give you a better understanding of who we are, the role of a DPNC board member is as follows.

Each member is an equal participant on the Canadian national board dedicated and subscribing to the following principles: to promote a healthy lifestyle, free of drugs; to advocate no use of illegal drugs and no abuse of legal drugs, including alcohol, tobacco, and solvents; to oppose legalization of drugs; to support the United Nations conventions and treaties concerning drugs and psychotropic substances; to participate with and support the DPNA.

Each board member shall support demand reduction principles and foster communication and cooperation among NGOs who are working to stem illicit drug use in and around the world.

Each board member shall foster citizen involvement and community cooperation to address the drug problem at the local level.

Each board member shall encourage conferences and initiatives focusing on drug prevention education, the establishment of drug prevention networks and community anti-drug coalitions, and the promotion of positive, healthy, drug-free norms and attitudes in society.

There is not any one magic solution that will resolve our drug problems, but we can make a positive impact by implementing many small steps, having a multi-dimensional approach that must give a consistent message that illegal drugs are dangerous, and that even prescribed legal drugs and over-the-counter drugs, if abused, can also be dangerous.

The new drug strategy for Canada is definitely heading in the right direction, and the Drug Prevention Network of Canada looks forward to working within the framework of this new drug strategy to improve conditions for the addicts and Canadians.

Crystal meth is one of the most deadly, yet cheap, drugs available in Canada. People under its influence feel a sense of power, and of sexual power, which also leads to sexually transmitted diseases. It also impacts the part of the brain that controls judgment and rational thought, making it a dangerous drug. Being very addictive, it adds to the need to implement laws to try to minimize the damage it is doing, especially to the youth of this nation. It's one of the easiest drugs that leads to addiction and one of the hardest ones from which to break free.

The recommended amendments to this bill are one step in that direction and are fully supported by the Drug Prevention Network of Canada, even though the precursor control regulations have been recently tightened. Companies selling precursor chemicals need to acquire an end-user statement from anyone purchasing the named chemicals, thus ensuring that only legitimate manufacturers are able to obtain the precursor chemicals. This gives us control over who is purchasing these products.

With these controls, we need laws and the inspection and enforcement capabilities, or they are basically meaningless. An analogy is that if one removed the fence around an apple tree and removed the penalty for taking apples, in a very short period of time there wouldn't be any apples left.

That same logic applies to our new drug laws. If they don't have any weight behind them, they are ineffective. This again reinforces the need for a multi-dimensional approach to the desired modifications, one of which is in front of us today. Some apples will always be stolen, but the majority might be left on the tree with proper safeguards.

I would recommend that we start with the products that are available in drugstores, such as ephedrine and pseudoephedrine, which are necessary key precursors to manufacturing methamphetamine. Given that one requires nearly 700 pills to produce one ounce of meth, the pharmacies could limit the amount of packages of ephedrine to two per customer or place these products behind the shelves where one needs to ask for the product. Anything and everything we do to restrict its availability becomes a detriment to some. The more restrictions, even small ones, the harder it becomes for the manufacturing of methamphetamines.

The greatest Christmas gift we can give our society is hope. The greatest gift we can give to parents is to minimize and restrict, to the best of our ability, the easy access to drugs and precursor products and to have in place treatment facilities to restore those who fall prey to this scourge. We also need to give the tools to enforcement agencies to stop the dealers, manufacturers, and importers of drugs or precursor products. This comes into line with Canada's new drug strategy of having compassion for addicts while punishing those trying to destroy this country's greatest asset, our youth.

• (1255)

I apologize for not presenting this in both official languages, due to the short notice given; however, I will answer questions in French.

I respectfully submit my testimony.

Thank you.

The Chair: Thank you very much, Mr. Bigras.

Mr. Lee, you're first on the list.

Mr. Derek Lee: Thank you—

The Chair: Mayor, can you still hear us?

She can hear us, but we can't hear her.

Mr. Derek Lee: Let's try.

Hello to Drayton Valley.

Mrs. Diana McQueen: Good afternoon.

Mr. Derek Lee: Yes, we're good.

I wanted to ask a question of Mayor McQueen.

Obviously she has developed a whole lot of political skills in Drayton Valley, one of which includes not stopping at the end of a sentence, thereby precluding your opposition from getting any intervention in. But we got through the translations okay here on the Hill. I want you to know that.

If Parliament were to pass this law, it would fulfill kind of a societal denunciation effect by bringing attention to this particular drug and showing that we've noticed this drug scourge. But are you able to outline for us from your experience in Drayton Valley a situation in which this law might have been used, or some particular factual circumstance in which it might have been helpful?

I would have thought you would get the biggest bang for your buck from the treatment, education, and enforcement envelopes you've mentioned. This law falls under enforcement; you've obviously had some success with the education side and possibly with the treatment side. Could you indicate some factual sequence or real-life scenario in which you think this law might help you in Alberta?

Mrs. Diana McQueen: Thank you for the question.

When we did the prevention and the enforcement, we worked with the RCMP and asked what tools they would find useful as well, so that they would have more success with regard to the enforcement side. That's how we came up with this resolution. I believe this bill really supports that resolution's intent.

We've done a lot of things, but what's happening here is that it's very easy for people to get access to the drugs used to produce methamphetamine. The more we can make that difficult for people, the less this drug will be there. When we're looking at large quantities of sales, we have to do a better job. We put monitoring the possession of those drugs, those chemicals, in the resolution, because in fact you'll see some of those chemicals used quite often, and there's not a problem. You'll see them on the farm or those kinds of things, but the purpose is to have a tool to monitor those. We are keeping track of who is buying these kinds of chemicals and where they are. It also gives some information to the RCMP to be able to monitor that, to question why large quantities of something may be going to specific buyers on a regular basis. It's a tool, if you will.

I think the bill is trying to even go further, and we certainly support the intent of Bill C-428. We support the amendment.

Mr. Derek Lee: That's good.

I can see that the bill itself does not fall within the four corners of the resolution that you adopted and forwarded on to the FCM. It's my understanding that Health Canada...that the regulations for the Controlled Drugs and Substances Act have been amended, and much of what's in your resolution has actually been adopted, which is great. I'm sure you're very pleased with that, but I'm still looking for a hook to hang my hat on here in terms of the bill itself.

I understand the general intent of the bill, and I understand your support for the bill, because it adds some enforcement infrastructure, if I can put it that way. Is there anything else you could tell us about the bill, or facts or circumstances in your community, that would relate directly to the bill itself?

If you don't have any, that's okay; I'm just curious.

• (1300)

Mrs. Diana McQueen: Not in particular. But I think the point is that it is still very easy to access those particular substances, so we need to do something. If you can't access them, it makes it more difficult for the production of methamphetamines. I think that's what the bill is speaking to, and that's the support we would have.

Because we did not have this tool, I don't know how it would specifically affect our community.

The Chair: Thank you, Mr. Lee.

Monsieur Ménard.

[*Translation*]

Mr. Réal Ménard: I will start with Mr. Bigras.

You seem to be inviting us to use certain legislative solutions that would reduce the supply, particularly in drugstores, of certain products that would contribute to the making of methamphetamine.

Could you elaborate on that idea?

Mr. André Bigras: I think that the drug problem is one that involves the whole community. We could work together, in partnership with the drugstores, to try and establish regulations on a voluntary basis on their part. If 75% of the drugstores agreed with us, they would be on our side. It would be neither legislation nor a regulation, but it would rather be an attempt to work in partnership with them in order to try and reduce the availability of the product to the public.

Mr. Réal Ménard: You are talking about the availability of the components used in the preparation and use of methamphetamine.

Were this bill to be passed by the committee and sent to the House, do you believe it would change anything? It certainly would not change anything in the pattern of drug use, because it is a bill that uses criminal law. It does not adhere to harm reduction strategy.

Could your organization talk to us about the reality? Why are young people using methamphetamine these days, and how could this bill act as a deterrent to that clientele?

Mr. André Bigras: Part of our society accepts regulations and laws. We at least want to affect that percentage and cause people to think about prevention, education, law enforcement and available treatments for those who have unfortunately been caught up in drug use.

It isn't just one thing. There are a series of things that could bring about a change in our society. A clear message that this is unacceptable has to be sent to society. In the past, the messages were mixed. You had to say no to drugs because they were dangerous, but we were distributing needles and crack pipes.

I believe that has to change and a clear message has to be sent on prevention and education. We have to tell our young people that we care enough about them to try and educate them and do prevention work.

Mr. Réal Ménard: I will not engage in an argument with you on harm reduction strategy, I will leave that to my colleague Ms. Libby.

In fact, your logic is somewhat debatable insofar as in Canada, we have had a prohibitionist strategy in place for drugs since the 19th century.

We turn out statistics, investigation after investigation. Methamphetamine is a somewhat different reality, but I'm having difficulty understanding how a single new clause in a bill could have such a deterrent effect.

In fact, you are saying that if we make this law, one segment of users, particularly young people, will pay attention to it. Up until now, there is no study that supports that point of view, quite the contrary. I'm not asking you to answer that.

If I have some time left, I would rather address the mayor.

We heard about the originality of an experiment carried out in your city. I do not really understand what is original about that model. I'm convinced that your town council, of which you are the mayor, is very concerned by this issue. You talked to us about a combination of education and deterrence, which it seems to me is done in many communities.

Where is the originality of the experiment that you carried out in your municipality?

[*English*]

Mrs. Diana McQueen: I think what makes it original for us is that the whole community came together with this: all of the agencies, the schools, the health and social services, pastors—the entire community pulling together, as our motto is. We were proactive in this. A lot of the communities in Alberta didn't want to talk about it. Nobody wanted to say they had a problem with methamphetamine. Whether because it would hurt their community relations or because it would hurt their economic development, nobody wanted to talk about it. Our community wanted to deal with this problem to protect the young people who were being hurt by it.

We're a very proactive community. I think that's where the difference really was for Drayton Valley; we got ahead of the problem before it got too far along. We started dealing with this long before any other community would talk about it. Many communities asked us, "Why are you discussing this? Why would you want to hurt your community and your economic development?"

We worked hard on this; we were proactive. We put in the prevention dollars and the enforcement dollars and used a holistic approach from the entire community. Our entire community was behind us on this, once we were able to let people know about this drug in particular—and this is the drug that we focused on—its devastating effects, the quick way one could become addicted to it, and the difference with respect to the chemicals that are used in this drug compared with some other drugs.

I have to say that what was unique for Drayton Valley is that we gave our citizens and the entire community the entire truth about this drug in the awareness stage. We went after it extremely hard, so that people knew.

We also were helping other communities within the province and within the country—in Saskatchewan and B.C., for example—sharing the information we had.

I think what is unique for Drayton Valley is that we have a great reputation for sharing resources and pulling our community together and making sure, if there's an issue, that we deal with the issue, as hard and difficult as it can be. That's what makes it unique.

I have to give the Province of Alberta great accolades for getting behind this initiative too, on the enforcement and the prevention side, making sure through AADAC that education and an awareness of this drug was available to lots of people in the province. They as well are working with our community, the province having the same type of approach, so that we can educate people on the harm of this drug.

• (1305)

The Chair: Thank you, Mayor.

Madam Davies.

Ms. Libby Davies: Thank you very much.

Thank you to both of the witnesses for appearing today.

Mr. Bigras, I think you said that your organization is fairly new, from 2005. Is this the same organization that Randy White is a founder of?

Mr. André Bigras: Yes, it is.

Ms. Libby Davies: Do you get funding from the Government of Canada?

Mr. André Bigras: No, we don't.

Ms. Libby Davies: How are you funded?

Mr. André Bigras: We're self-funded right now.

Ms. Libby Davies: Okay.

I could get into a big discussion with you about harm reduction, but I'm probably not going to convince you, and you're probably not going to convince me. But clearly your organization doesn't have that element.

Mayor McQueen, what you did in your community sounds very interesting, because you reached out to try to bring in the various stakeholders.

I have just two points.

I believe the resolution you circulated to us is from 2003. I'm not sure how long it took to get to the FCM, but I'm wondering whether the regulations we spoke about earlier may have come in after that, because I think there was a fair amount of activity amongst local communities and certainly, in Saskatchewan, Alberta, and B.C., among the western premiers.

Mr. Chair, I am thinking.... I know there's another day on Thursday, but it seems to me that we need some kind of official information from either Health Canada or the Department of Justice to get a handle on some of the statistics here and what these regulations are.

Again I want to point out to Mayor McQueen that my understanding is, from the City of Vancouver's report, that one of the changes that took place was that business operators are now required to have a licence to import, export, manufacture, and

distribute...and then they list the various elements. So there have been some more recent changes that I think address your resolution.

The question I have is this. You mention that you have done prevention, and I don't know what you were able to do by way of treatment. In our community, one of the most difficult things we've had to face is a lack of resources for treatment and, particularly for young people, treatment that is accessible, that is open, that you can go back for again, for which you get long-term support.... But it's really hard for people even to get on the waiting list.

I don't know whether there's a similar situation in your community, but I wonder whether you could speak a bit about what you were able to do by way of prevention education and whether or not you were able to make any headway on the treatment side.

• (1310)

Mrs. Diana McQueen: Thank you, Ms. Davies, for the question.

Certainly on prevention and education we did fantastically.

In part, Premier Klein's task force dealt with the lack of treatment facilities within our province, and I would say that lack is probably clear across the country.

The treatment issue has always been the hardest part for us to deal with. Ours is a community of 7,000 people, so obviously, other than the supports from AADAC, we do not have the support of treatment beds. Those needing treatment would go to Edmonton or other centres within the province. Definitely, with regard to crystal meth, the treatment, according to the experts, is different from the treatment for some other drugs they're having to deal with.

So we have a lack of treatment facilities, and I know that currently, under Premier Stelmach, they're working towards looking at how to deal with treatment as part of their whole crime initiative.

That is probably the most outstanding point we need to deal with in our province: the treatment facilities for this. We did the best we could with the resources we had on the prevention and education and enforcement side and we saw cracks that needed to be filled. The resolution won, and we thank the federal government for working on certain legislation that has come to date. That was something we were very proud to see, and you're absolutely right, there has been great movement on it. We're very grateful, as all our communities are.

In the area of treatment, we're still working on it. We've been early champions because we were having to deal with the problem early, but the work is still not done. I think this private member's bill shows a full understanding from an MP that the work isn't done. You will see that more needs to be done on the legislation side and also on the treatment side.

I would say those are the two areas that probably need the most work.

The Chair: Thank you, Ms. Davies.

Mr. Calkins.

Mr. Blaine Calkins: Thank you, Mr. Chair. I want to thank both of you for presenting here today.

Hello, Diana. How are you today?

Mrs. Diana McQueen: Great. How are you doing today, Blaine?

Mr. Blaine Calkins: I'm doing just fine. It's great to have someone from the great community of Drayton Valley, which is very close to the great constituency of Wetaskiwin, talking here today at this committee.

It's a very serious and important issue. I want to ask you a few questions concerning some specifics from your community insofar as the two RCMP officers are concerned.

Is that still going on?

Mrs. Diana McQueen: Yes, Mr. Calkins, it is. We were one of the first communities to hire what we called our two-unit drug team, the GIS team. We still have those two members, and I'm very proud to say that other communities around us have also brought in GIS members.

Mr. Blaine Calkins: Do you have any statistics or any information or records that these officers have been tracking, insofar as arrests are concerned or investigating the sources or points of origin where the methamphetamine was created, that you could submit to this committee?

Mr. Chair, I would be very much in favour of seeing what some of those statistics are and what some of the successes are, from the enforcement perspective.

Is that something you think you would be able to submit to the committee?

Mrs. Diana McQueen: I will certainly talk with our staff sergeant in the RCMP. They have that material. One of the witnesses who also presented was an RCMP member. If you would like to have that information, we can get the information from our local detachment. AADAC would have results and numbers as well.

Mr. Blaine Calkins: I've been to your community many times, lots during my youth. I had some family there that I went and visited. Of course, you and I both know that the community has been through some booms and some busts, and it's had some difficult times. I certainly want to commend you and everybody else in the community for taking on the challenge of methamphetamine.

I would just like to get your opinion, or your input, insofar as the age of the young people who are getting involved, and on some of the things that are happening. Can you give us any specific or anecdotal things?

I've heard from police officers directly about drug dealers and so on lacing marijuana cigarettes with crystal meth in order to get people hooked and move on with these kinds of things. Can you tell us, is there anything like that that has been deterred or has been tackled head on with your task force there or with the RCMP?

Do you know of any operations in Drayton Valley or in the area there? I know you mentioned one along Highway 16, a drug house or a manufacturing facility, that was closed down. Is there anything like that in Drayton Valley that you're aware of, that you can talk of? Have there been any successful crackdowns on that, or have there been any cases of people who are in possession of the precursor material who have basically been able to walk because there wasn't sufficient legislation to take care of the situation? It's rather a long question.

•(1315)

Mrs. Diana McQueen: Thank you. There are a few questions in that question.

Certainly that would be a question the RCMP could answer far better than myself. My understanding, though, is that in Drayton Valley proper, the town limits, there have not been any meth labs within the town. I think what you'll hear quite often is many of these labs, especially the bigger labs, are moving out more and more into the rural area, where they can't be noticed. They're further out in the rural areas. Certainly the big lab was in the Gainford area, so on the Highway 16 corridor, a very rural, small remote area. That's where more of the drugs are.

We're in very close proximity to Edmonton, as you know. We're about an hour and a half from Edmonton. So a lot of the drugs will come from that area. Also on the Highway 16 corridor, the Edson-Hinton-Whitecourt-Drayton Valley area, we know that certainly they're coming from that corridor and coming from the city as well.

There are no labs within the town proper, or even within our county, that I am aware of.

Mr. Blaine Calkins: Thank you, Mr. Chair.

The Chair: Thank you, Mr. Calkins.

Mr. Bagnell.

Hon. Larry Bagnell: Thank you, Mr. Chair.

I would echo Ms. Davies' request for a legal expert who could help us by telling what this bill would add to what's in the Controlled Drugs and Substances Act and through the precursor regulations.

I'm going to ask those same questions to Mr. Bigras, in case he can shed some light on it. So the first question is this. What could be caught under this act that could not be caught under the fact that this drug is already illegal under the Controlled Drugs and Substances Act?

Mr. André Bigras: I believe there'd be an enforcement and a penalty attached to it that's not there right now, if I understand rightly.

Hon. Larry Bagnell: I think there are pretty strict enforcement and penalties in the Controlled Drugs and Substances Act.

Mr. André Bigras: Under the precursors, I could stand to be corrected, I thought there was just a reporting structure in place for that; that it wasn't illegal to possess ephedrine, that it's not illegal to sell it, but it depends on the motives behind it. I think this would bring in a penalty aspect to it that I don't believe is there now, and I could stand to be corrected.

Hon. Larry Bagnell: To both witnesses, the FCM motion on control of the precursors, could that be—I don't think it's referenced in the act that we're actually dealing with today—handled under the precursor control regulations that Canada has? Your Worship or Mr. Bigras, are you looking for new legislation that would allow that FCM resolution to be implemented?

Mr. André Bigras: I believe that would strengthen it even more, sir.

Hon. Larry Bagnell: Strengthen which more?

•(1320)

Mr. André Bigras: This proposed section 7.1. would give it more strength with the penalty aspect.

Hon. Larry Bagnell: Do you have a comment on that, Your Worship?

Mrs. Diana McQueen: Whether it's under the Controlled Drugs and Substances Act or with the amendment to this bill, I think it certainly will add strength to it. We're really looking for where we can strengthen this and make it extremely difficult for people to access these chemicals.

Hon. Larry Bagnell: Thank you, Mr. Chair.

The Chair: Thank you, Mr. Bagnell.

Madam Freeman.

[Translation]

Mrs. Carole Freeman: I do not have any questions.

[English]

The Chair: Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Thank you, Chair.

André, Ms. Davies' comments led me to a couple of questions in terms of your organization and your work in this area of prevention. I wonder if you would comment on your organization and say a bit about what the Drug Prevention Network thinks of safe injection sites.

Mr. André Bigras: We're not in favour of the safe injection sites. The goal is to reduce the use and abuse of drugs.

I do believe that prevention, education, treatment, and enforcement all have a harm reduction component to them.

Mr. Rick Dykstra: So in relating that to this private member's bill, can you tie the two together for me in terms of the prevention and education side?

Mr. André Bigras: I think we're talking about two different things. Our philosophy is harm reduction, but I don't believe it plays into what we're talking about today.

Mr. Rick Dykstra: Okay. Thank you.

The Chair: Thank you, Mr. Dykstra.

Your Worship, I think the questions have come to a close, and I think your time is a few minutes away from closure as well.

Mr. Derek Lee: Can I ask one question?

The Chair: One of the members would like to ask you another question.

Mr. Lee.

Mr. Derek Lee: Thank you, Mr. Chairman.

This is a practical question. You must have had some success in your municipality in breaking up a lab. Maybe not. Maybe the meth in your community was imported from some other darn place. Was there a lab of some description in your community? If there was, who busted it, and what happened to the equipment and the real estate?

Mrs. Diana McQueen: As I stated before, to the best of my knowledge, and after discussing it with the RCMP, there has never been a lab within the town of Drayton Valley or area.

Mr. Derek Lee: Thank you very much.

The Chair: Thank you, Mr. Lee.

Thank you, Mayor McQueen.

Mr. Bigras, do you have some comments.?

Mr. André Bigras: Yes. On the subject of harm reduction, I want to make it clear that it depends on the definition. I do believe in anything that's going to reduce the harm caused by drugs, but we can play with the definition. I want to clarify that depending on what you mean by harm reduction, what I mean might vary.

The Chair: Thank you.

There will be other opportunities, Mr. Bigras, to get into that debate. Those definitions have to be clearly defined so we're all clear on what it all means. I know there are two positions on that, at least.

Thank you, witnesses. Thank you, Mayor and Mr. Bigras, for your attendance and your presentations.

Mrs. Diana McQueen: Thank you.

Ms. Libby Davies: On a point of information, are we going to have further information about this bill on Thursday? I think there have been a number of questions raised about it.

The Chair: Ms. Davies, I would like to excuse the witnesses.

Ms. Libby Davies: Yes, go ahead.

The Chair: Let's suspend for 60 seconds, and then we'll do some business before we conclude.

• _____ (Pause) _____

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•(1325)

The Chair: I'd like to call the members to the table.

We have two very quick items that have to be dealt with.

The first, of course, is the future business of the committee. After our break, we have to deal with the legislation we have on our plate. There are two items we would like to see come out of the Senate, Bill S-203, which is animal cruelty—it's sitting in limbo right now—and also Mr. Moore's motion on impaired driving.

I would request that committee members get their lists of witnesses forward. We ran into a serious problem here with this particular bill, calling witnesses at the last minute just to fill in the time. That should not be the case. It was well noted what we were going to be handling. And there was a real shortfall with the witnesses.

Dealing with this particular bill, for next Thursday we will have present the Royal Canadian Mounted Police, the Department of Health, and a professor from the University of Montreal.

Mr. Derek Lee: On this bill?

The Chair: On this bill. There will also be the possibility of one other witness.

Some of Ms. Davies' questions will be answered by these experts.

Ms. Libby Davies: I know there was a witness who was requested to come today. It's Donald MacPherson. Is that who you're trying to get for Thursday?

The Chair: We tried to get him for today, but there's been no connection.

Ms. Libby Davies: Apparently he couldn't come today because he was on his way back from somewhere. But I'm wondering if we could try to get him for Thursday. Perhaps someone could contact him.

The Chair: We will make that effort, Ms. Davies.

Ms. Libby Davies: Thank you.

The Chair: Please submit your witnesses for Bill S-203, and then more for Mr. Moore's motion on the issue of impaired driving, which will be taking place when we get back in the new year.

Mr. Lee.

Mr. Derek Lee: I was going to ask if our analyst could make sure we had a really quick recap of how methamphetamine and the

precursor chemicals are now handled in the CDSA. I don't know precisely. You could probably tell us in about one minute rather than.... But it's up to you, as long as—

The Chair: Do you want that for Thursday?

Mr. Derek Lee: That's fine.

Thank you.

The Chair: Please note, too, that there is an amendment. It will be distributed.

Ms. Libby Davies: Is that the one from the government?

The Chair: Yes.

Hon. Larry Bagnell: Is it clause-by-clause on Thursday?

The Chair: Yes, we're going to make that effort.

Is there a motion for adjournment?

The meeting is adjourned.

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