



House of Commons
CANADA

Standing Committee on Public Safety and National Security

SECU • NUMBER 002 • 2nd SESSION • 39th PARLIAMENT

EVIDENCE

Tuesday, November 20, 2007

—
Chair

Mr. Garry Breitkreuz

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• (1530)

[English]

The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)): I'd like to call this meeting to order. This is meeting number two of the Standing Committee on Public Safety and National Security.

We have two items on our agenda this afternoon. The first one I'd like to deal with is routine motions. We had a discussion of this at the last meeting, and the clerk has put together a very good summary of the conclusions we reached. Do you wish him to distribute them now?

Some hon. members: Yes.

The Chair: Okay. He has already made the adjustments. I think that will help our discussion a lot. So I'll ask him to distribute the revised routine motions. I'll go through them and try to point out where the changes are.

Mr. Dosanjh.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): I have a motion that I want to give notice of. I don't have it typed. When do you want me to do that?

The Chair: You can submit it to the clerk at any point when it's ready to go.

Hon. Ujjal Dosanjh: Does that apply even if it's handwritten? I don't have it translated. Can't one orally notify the committee here?

The Chair: I think you would have to submit it.

Hon. Ujjal Dosanjh: I have to submit it ultimately anyway. I understand that. What are the rules?

The Chair: If you wish, and with the consent of the committee, you can do it right after we adopt our routine motions. We have to do those first. You can submit it before we go to our second agenda item. Then you won't have to wait until the end of the meeting.

Hon. Ujjal Dosanjh: I'm happy to do it at the end of the meeting. It doesn't matter to me.

The Chair: Why don't we do it at the end of the meeting.

Hon. Ujjal Dosanjh: Then I don't need consent.

The Chair: No, and at that point the 48 hours will begin.

Hon. Ujjal Dosanjh: That's fine. Thank you.

The Chair: Everybody has a copy now, so let's first of all ensure that we have the proper analysts—the people who help us at this committee. The first routine motion is that we retain the services of the staff who previously served this committee. Nobody has a problem with that, I hope.

Mr. MacKenzie.

Mr. Dave MacKenzie (Oxford, CPC): Do we accept these as we go along, or do we accept them or debate them as a whole?

The Chair: It would probably go more quickly to do them one at a time, but I'm at your mercy. It's whatever you wish. Should we do them one at a time?

Mr. Dave MacKenzie: Sure.

The Chair: Does anybody have a problem with that? If you have a problem, please raise your hand; otherwise I will assume that we have consent to go on to the next one. We'll do one at a time, and if we're done with it, we've agreed to it.

Monsieur Ménard.

[Translation]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): You could just read them to us as we go along.

[English]

The Chair: Okay. I'll read all the motions. I guess that's not too onerous a task.

The first one is about the services of the analysts from the Library of Parliament:

That the Committee retain the services of one or more analysts from the Library of Parliament, as needed, to assist the Committee in its work. These services may be requested at the discretion of the Chair.

(Motion agreed to)

• (1535)

The Chair: I'll invite our analysts to come up here. We have really enjoyed a very good working relationship with Phil and Lyne.

We welcome you back to this committee. Do you want to make acceptance speeches?

Some hon. members: Oh, oh!

Mr. Philip Rosen (Committee Researcher): I could just hand out the statement, Chair, if you wish.

The Chair: We have really appreciated the work you have done for this committee, and I think there was no need to have a discussion on that.

Okay. Reduced quorum. I've taken away one paragraph, you will notice, so this reduced quorum reads:

That the Chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three (3) members are present, including one member of the opposition and one member of the government.

That's the revised motion, which I think we agreed to last time.

Ms. Brown.

Ms. Bonnie Brown (Oakville, Lib.): I would like to propose that we put a period after the word "opposition" and eliminate "one member of the government", because I don't see how the meeting can happen unless you as the chair call it, and I don't think you'd call it unless you were sure at least one member of the government was going to be present.

We've never—

The Chair: I guess we should clarify it. This does not include the chair. I think it would be one member of the government sitting on the right side of the chair.

Ms. Bonnie Brown: Yes, but that also implies that if the government members didn't like something that was happening in the committee and they all got up and left, the meeting would have to stop, and that's why the previous motion had always been that it included at least one member of the opposition.

The Chair: But it is in there: one member of the opposition.

Ms. Bonnie Brown: Yes, I know, but that was always there.

The Chair: Yes.

Ms. Bonnie Brown: You're trying to add the government.

The Chair: It said in the previous one...it included the government, I believe. Let me compare. I don't think we've changed that.

Hon. Ujjal Dosanjh: Was "one member of government" included in the original rules?

The Chair: Yes.

Hon. Ujjal Dosanjh: Not the ones you've proposed.

The Chair: It used to be "including one member of the opposition", but that is the...

Hon. Ujjal Dosanjh: Those are the original rules.

Ms. Bonnie Brown: Yes.

Hon. Ujjal Dosanjh: And we're proposing they be left as they are.

Ms. Bonnie Brown: Yes, we're proposing it remain as the original clause.

The Chair: The clerk informs me that that would be a redundant motion, if it passed.

Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, just by way of clarification, we took out one part of that...it wasn't to divide the committee or create any issue. But if we were off the Hill and held a meeting somewhere, Winnipeg or Edmonton or wherever it might be, this would cover off the fact that if witnesses were called they would be heard, even though the whole committee might not show up, or one or two who intended to be there weren't there. It wasn't intended to take advantage of any situation, other than that if witnesses were before the committee they could be heard, as opposed to not being heard. It was to give comfort to witnesses, not to the government.

Ms. Bonnie Brown: Anyway, Mr. Chair, I am proposing we use the original motion, which just says "one member of the opposition"

and doesn't mention the government. Having been a chair myself, I know you can usually count on at least one member of the government being there, if not the whole group. I don't think you have too many worries that way, but you could get into a situation when you only have government members and you. That's why it was put in, that there has to be at least one member of the opposition, and the chances are you will have at least one member of the opposition. Even if one party is in a tiff with you or something, there are three parties, and I'm sure at least one would be there.

• (1540)

The Chair: Monsieur Ménard.

[*Translation*]

Mr. Serge Ménard: I would feel more comfortable dealing with this motion if I had the text of the previous one. It is funny, I do not remember this motion, probably because it has never been used,

[*English*]

The Chair: The clerk has a copy of this.

Do you wish to have the previous discussion on this, in 2006? The clerk has a copy of that.

[*Translation*]

Mr. Serge Ménard: I do not want the discussion, just a copy of the rule as it was before.

The Clerk of the Committee (Mr. Roger Préfontaine): There is no rule, Mr. Ménard, but we have what was previously passed by the committee.

Mr. Serge Ménard: OK.

[*English*]

Mr. Dave MacKenzie: Mr. Chairman, we don't have any serious problems. We're happy to move on with it.

The Chair: Mr. Dosanjh.

Hon. Ujjal Dosanjh: Mr. Chair, it might be useful to have the original rules, as I call them, in our possession so that we can compare as we go along, rather than asking you questions about them.

The Chair: Okay. I think we have copies for everybody.

Hon. Joe McGuire (Egmont, Lib.): Can we have a copy of the original routine motions from the last session? These are minutes.

The Chair: Yes, but the motions are there. They're all there.

Is there any further discussion?

Are you agreed that we will delete the last six words in the motion on reduced quorum? Do you have any problems with that?

Some hon. members: Agreed.

The Chair: Going on to the next one, distribution of documents, it reads:

That only the Clerk of the Committee be authorized to distribute to the members of the Committee any documents, including motions, and that all documents which are to be distributed amongst the committee members must be in both official languages. The Clerk shall advise all witnesses appearing before the committee of this requirement.

Are there any problems with that? Is there any discussion?

Monsieur Ménard, did you have a question or a comment?

[Translation]

Mr. Serge Ménard: Last time, we did not think that it was a good idea to put “the clerk shall advise all witnesses appearing before committee of this requirement.” We always made sure that the documents were in both official languages. I am just thinking of some organizations who might have difficulty providing them in both languages, because it has happened. Can the government offer them a translation service? If so, we could add that he shall advise all witnesses appearing before the committee of the requirement.

I do not know. Although it happens more often in English than in French, it can happen in French as well. People want to submit a brief in French and...

• (1545)

[English]

The Chair: Can I just interrupt you, Monsieur Ménard?

If a document is submitted in only one language, we do the distribution. Before it is given to the members of the committee, the translation is done.

[Translation]

Mr. Serge Ménard: Agreed. But if the clerk advises people that the document must be in both languages, they are going to think that it is up to them to have it translated.

[English]

The Chair: Well, they can do so if they wish. That's my understanding. But it also makes it clear to them that they must submit them in time for the translation to be done.

If they come to the committee thinking they will be able to distribute in only one language, they won't be able to do that. That's one of the reasons they have to be informed that they have to allow a week or whatever, several days at least, for these to be translated. If we did not inform them of that, they would think everything would be distributed right away. I think that's why this is put in.

[Translation]

Mr. Serge Ménard: That is a very good idea. I agree completely. If we are ready to do the translation, let's say for organizations without the means to do it themselves, we should tell them. Then they should submit their documents a few days in advance so that we can have them translated.

[English]

The Chair: I presume they are informed that it has to be done.

[Translation]

Mr. Serge Ménard: Agreed.

[English]

The Chair: That's already happening.

Okay, so that one is agreed to?

Some hon. members: Agreed.

The Chair: Ms. Priddy.

Ms. Penny Priddy (Surrey North, NDP): I just have a question.

So if we come upon an article that we think is of interest to everybody because it's about something we're talking about, and we have it in both languages, we should then not circulate it to the committee but give it to the clerk to circulate. I've been on committees where people find a document that's of interest to the subject matter and just want to share it. Do we give it to the clerk to make sure it goes around?

The Chair: Members of the committee, I believe, can circulate whatever they wish to the rest of the committee.

Ms. Penny Priddy: Okay.

The Chair: I think that's always been an understanding. It doesn't have to be done in the committee room.

Ms. Penny Priddy: Thank you.

The Chair: Next is staff at in camera meetings. It reads:

Each Committee member in attendance shall be permitted to have one staff member attend at any *in camera* meetings. In addition, each party shall be permitted to have one staff member from the Whip's office.

I believe we added that the last time. Is that all still fine? Okay.

Now we're at in camera meetings transcripts.

Sorry, Monsieur Ménard, you had a question?

[Translation]

Mr. Serge Ménard: As I look at the text in both languages, I see something in the French text that I think should be added to the English. It says “De plus, chaque parti est en droit d'être accompagné d'un membre du personnel du bureau du whip de sa formation politique.” We need it to be:

[English]

“one staff member from the Whip's office of that party”.

The Chair: We cut that out.

Mr. Dave MacKenzie: I think we agreed it had to be somebody from the whip's office.

The Chair: Yes, not from the political party. So that actually should be omitted in the French. It wasn't taken out in the French. The discussion last time was such that it wouldn't have to be from the political party; it should be from the whip's office.

Mr. Serge Ménard: Which whip's office?

The Chair: The party to which you belong, from your whip's office.

[Translation]

Mr. Serge Ménard: That is what it says in French, but not in English.

[English]

The Chair: I don't know enough about languages.

It says in the English, “each party shall be permitted to have one staff member from the Whip's office”. So each party can have it. It's just at the beginning of the sentence in English and at the end of the sentence in French.

• (1550)

Ms. Bonnie Brown: It's in the French.

The Chair: You're right, *chaque parti*, yes.

Ms. Bonnie Brown: You could fix it by saying, in English, "to have one staff member from each party's Whip's office".

The Chair: Okay. I took French for about a year.

[*Translation*]

Mr. Serge Ménard: In my opinion, the meaning and the intent are clear. I just pointed out that there is a difference between the two.

[*English*]

The Chair: Okay. We're at in camera meetings transcripts:

That *In Camera* meetings be transcribed and that the transcription be kept with the Clerk of the Committee for later consultation by members of the Committee, and that these transcripts be destroyed at the end of the session.

Yes, Ms. Brown.

Ms. Bonnie Brown: I move that the suggested clause be replaced by the original one, which reads:

That one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee.

The Chair: And take out—

Ms. Bonnie Brown: The destruction part.

The Chair: Okay. What happened is they were archived for 30 years.

The clerk also pointed out to me that one year before they can become public—that must be the 29th year—it goes to the Speaker of the House of Commons, and if there are any extenuating circumstances, he might want to—

Ms. Bonnie Brown: Keep them longer.

The Chair: —keep them beyond the 30 years. So there's more in the archivist regulations of the House of Commons.

Phil has pointed out an omission here, that our support staff at the committee should also be allowed to review those. Would you agree? If they have to write a report, they may have to consult....

Ms. Bonnie Brown: Yes, the research staff.

Hon. Ujjal Dosanjh: Is there a bar to that? I'm assuming they're the guardians of it along with the clerk.

The Chair: Well, the clerk is the guardian. I don't think they're the guardians. We should just make sure they have access to that.

Mr. Philip Rosen: If I may, Chair, the way the motion reads now, only the members of the committee can have access and read the documents, and we, not being members of the committee, cannot. The practice is, of course, that we do review in camera transcripts when we're trying to understand drafting instructions you give us to supplement whatever notes we take during a drafting session.

The Chair: I can't see a problem with allowing you to read that. Are there any comments?

Monsieur Ménard, you had your hand up.

[*Translation*]

Mr. Serge Ménard: I do not understand why we want to destroy these transcripts at the end of the session.

[*English*]

The Chair: Yes, we've already agreed that we're striking that off, "be destroyed at the end of the session". I thought we had agreed to that. Is that fine?

Some hon. members: Agreed.

[*Translation*]

Mr. Serge Ménard: I do not understand. Someone behind me was talking at the same time.

So we are removing the words "and that these transcripts be destroyed at the end of the session"?

An Hon. Member: *That's right.*

Mr. Serge Ménard: I agree.

I reminded you that it was worth while keeping the long discussions that we had in subcommittee on the Anti-terrorism Act when we began again in a new Parliament.

• (1555)

[*English*]

The Chair: Monsieur Ménard, I understand that these in camera meeting minutes will be kept with the clerk of the committee until the end of the parliamentary session and then they will go to the archives. Did you understand something different? They will not be destroyed. They will become part of the archives. Okay? All right.

We're going to add now "and that the research staff be allowed to have access to them", or whatever wording is appropriate. So all we have to do is add "members and staff of the committee".

Some hon. members: Agreed.

The Chair: The next motion is on working meals:

That the committee hereby authorize the clerk of the committee, in consultation with the chair, to make the necessary arrangements to provide for working meals, as may be required, and that the cost of these meals be charged to the committee budget.

Some hon. members: Agreed.

The Chair: The next motion is on witnesses expenses:

That, as established by the Board of Internal Economy and if requested, reasonable travelling, accommodation and living expenses be reimbursed to witnesses who are invited to appear before the Committee up to a maximum of two (2) representatives from any one organization, and that if requested, reasonable family care expenses of the witnesses shall be reimbursed.

Some hon. members: Agreed.

The Chair: All right. There are no concerns with that.

On priority of legislation, the motion reads as follows:

That the consideration and examination of any Bill, which falls within the expressed mandate of the committee shall take precedence over any study or non-legislative examination. In such circumstances the non-legislative study shall be deferred until such time as the Bill is reported back to the House.

If you're sitting on that side of the table, you'd better be careful what you object to here.

Okay, there are no problems with that—

Ms. Bonnie Brown: No, we have a problem with it.

As my colleague pointed out at the last meeting, it has been a tradition here that government bills in particular have to be moved on very quickly, but when the committee is in the middle of a study or almost at the end of a study, it makes common sense to have the last two meetings to complete the study before you pick up the bill.

This implies that if a bill is sent from the House, we would have to pick it up and deal with it at the very next meeting and leave the tail end of a study or another private member's bill or something like that languishing until we did the government bill. It has always been the tradition that the committee feels obligated to move on the government bill fairly expeditiously, but not without common sense, in other words.

I don't think we even need this clause, because there is already this tradition in Parliament. We are putting into rules things that are working well; we're solving a problem that doesn't exist.

The Chair: Well, okay. Are there any other comments?

Mr. Dave MacKenzie: I don't disagree with what the member is saying, but I'm wondering if it could have something in there that says it takes precedence, even if it....

Hon. Ujjal Dosanjh: That's the same thing. That's exactly what it says.

Mr. Dave MacKenzie: This committee has always worked well. I can't speak for other committees. It has always worked well.

The Chair: We may not have all the reasonable members who are present sitting here all the time.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Maybe we could just say "reasonable" in front of that word. That means you could wait a meeting or two, but that it does take precedence—I'm sorry, we could say "reasonable priority". It then allows you some flexibility.

The Chair: Okay, that's one suggestion. The other one was the word "normally", that it shall normally take precedence.

• (1600)

Hon. Ujjal Dosanjh: I think I made a point last time, and I'll make it again: nothing in the motions from the last sitting exists with respect to this matter. This is brand new. It is unnecessary, as pointed out by my colleague. The history of this committee, and generally of Parliament, tells us that government bills are given the attention they deserve—maybe not at the immediate next meeting, but a couple of meetings afterward.

We're all governed by common sense, and I just don't think this is—we're not going to support it. It's not the case that the government should be able to tell the committee what to do. I don't think it's within the accepted bounds of parliamentary procedure and convention.

The Chair: All right. Are there any other comments? The proposal seems to be that we would strike this particular motion.

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Chairman, I'd like to add that if such a guideline wasn't there before, and your committee was working well in the previous session, as I've heard—this is my first time sitting here—I don't see why it's necessary to add this. From that aspect I can't see the logic in prejudging, if I may use that word, that the committee is not going to continue to function as well as you described it earlier and as I sense it does.

The Chair: We have two definite opinions here. How are we going to resolve this? Does anybody have any more points they'd like to make?

Mr. Dave MacKenzie: Why don't we just vote on it? If we lose it, we lose it.

The Chair: You want to have the vote? Okay.

All those in favour—just let me get this straight here—that this priority of legislation motion be adopted, please raise your hands.

(Motion negated)

The Chair: The next one is on motions:

That a notice of two working days shall be required for any substantive motion to be considered by the committee; And that the period of notice be calculated from the time the motion has been distributed to the members of the committee by the Clerk of the Committee; And that the motion shall be distributed to members in both official languages; And that all motions received by the Clerk shall be placed upon the agenda of the first committee meeting following the period of notice.

Is that clear to you?

One question I have on the wording is whether the motion is deemed distributed before it is translated. Does it have to be in the hands of the committee members before we start counting the two working days? Is that clear?

Ms. Bonnie Brown: We don't like it. We're going to say "two working days from the time it has been received by the Clerk", not "distributed...by the Clerk". Otherwise there's no guarantee that it wouldn't take three or four days in the clerk's office.

The Chair: Well, it doesn't take three or four days.

Mr. John Cannis: It's the traditional....

Ms. Bonnie Brown: The traditional way is from the moment it's received by the clerk.

The Chair: Okay. I still think my question on when you start that two days.... If a motion—and this is the same for both sides of the table—is submitted on this side and you don't get it until there is less than 24 hours because it has taken 24 hours to distribute, you're going to be blindsided by whatever the motion is. It's the same the other way around. I almost think you'd have to count it from the time the members get the motion.

Ms. Bonnie Brown: It has never been that way, Mr. Chair.

Mr. John Cannis: It's when it's received by the clerk.

Ms. Bonnie Brown: When the clerk receives it.

• (1605)

The Chair: Some members might not receive it before it would be up for debate at the committee.

Mr. MacKenzie.

Mr. Dave MacKenzie: I think this one is actually to give everybody fair notice. I heard the clerk say to the chair, and I think he's absolutely right, that if I was to give him a notice of motion on a Friday afternoon, the committee would get it sometime on Monday at the earliest. It wouldn't give you a very fair opportunity to research that issue if we use the 48 hours in that manner. If you got it from the clerk on Monday and we had 48 hours, then everybody has a reasonable amount of time.

If we put that in there, I don't see where this issue, in any way, shape, or form, could be counterproductive to either the government or the opposition.

The Chair: My feeling is that it protects everybody, but anyway, what further comments do you have?

Ms. Bonnie Brown: That's exactly the point. If somebody hands it in at 3:30 on Friday, the intention of that member would probably be that it be debated at the Tuesday meeting.

The Chair: Yes. Well, it could be.

Ms. Bonnie Brown: Yes, it could be. That's why usually people put in motions about things they think are pretty urgent. After all, the committee will have an agenda anyway that we're all working on together, and if a member wants to inject something into that agenda, it's probably something they consider to be pretty important on kind of an emergency basis.

If a person puts it in on Friday afternoon by 3:30 p.m., it should be ready to be debated by Tuesday at 3:30 p.m., unless the committee decides by motion to defer it to the next meeting or something. The fact is, if you don't do it that way, then the motion wouldn't be debated till Thursday. So something that was an emergency would then be waiting four business days before it could be debated.

When I was in the chair of the health committee, sometimes I saw motions in the morning of the day they were up for debate that afternoon, because of the problems with translation.

Believe me, we're pretty sharp. We can figure out what we feel about a motion, and debate it and vote on it. But if everybody feels unprepared, and maybe the issue is pretty complex, they can vote as a committee to defer it to a future meeting. Or they can table it or something like that, if it's too difficult to debate right away.

Mr. Dave MacKenzie: Mr. Chairman, we could do it the other way around. We could put this in, and then if the committee felt strongly about an issue that they wished to debate without the 48 hours' notice, we'd do that at a committee meeting. If the standard process is that we have this in here, then everybody knows what it is. If it is important and it can't wait, then the committee can certainly deal with it.

The Chair: Mr. Dosanjh.

Hon. Ujjal Dosanjh: Mr. Chair, my experience here on committees is of rather short duration, but in that duration I have not really noticed any problems with the notice provisions as they existed. This, again, is one of those areas where no issue has existed. If we simply retain the original motion as it was in the last session, it would be fine.

If there's a problem on a particular motion, obviously we can talk about it at that point. I've not come across an issue where the notice provisions as they existed have been difficult to deal with.

The Chair: This is what the previous motion was:

That forty-eight (48) hours' notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the Clerk of the Committee and distributed to members in both official languages.

That's what we've had previously.

Hon. Ujjal Dosanjh: Which is that the 48 hours run from the receipt by the clerk. I think we should simply leave it. There's no need to beat this issue up any longer.

The Chair: It doesn't even say that.

Hon. Ujjal Dosanjh: That's been the tradition, that's been the convention. If we're now going to try to codify all of the conventions, I think we'll be here for a long time.

Mr. Dave MacKenzie: I think that's why we're behind this, Mr. Chair. It is to try to make it so.... Some committees didn't function very well in the last session, and part of it was because of issues such as this that weren't codified. Then the argument becomes, when was the notice served, the time, and so on.

• (1610)

Hon. Ujjal Dosanjh: I think we should get on to the real business. Let's get through this quickly.

The Chair: So how do we do it?

If we vote on this and it is defeated, does that mean we're reverting to the one we had previously? Is that the assumption I can make?

An hon.member: I would think so.

The Chair: All those in favour of the motion we have before us, that two working days shall be required for a motion to be considered by the committee, and that period of motion be calculated from the time the motion has been distributed to members of the committee, please signify.

(Motion negated)

The Chair: Therefore, we will revert to the one we agreed to in the last session of Parliament. All right.

On rounds of questioning, we really went through this in the last session of Parliament. I believe what we have here is what the practice of this committee was, that at the discretion of the chair the witnesses from any one organization shall be allowed 10 minutes to make their opening statement, and during the questioning of the witnesses there shall be allocated seven minutes for the first round of questioning, and thereafter five minutes shall be allocated to each questioner in the second and subsequent rounds of questioning.

Let's do this one first, the rounds of questioning. First, the witnesses shall have 10 minutes, the first round shall be seven minutes, all of the subsequent rounds shall be five minutes.

Is everybody agreed to that? That's what we did the last time.

Mr. Ménard.

[Translation]

Mr. Serge Ménard: I am telling you now that I will not be making an amendment because the reason I made one previously has been understood. As we have the same chair, who has accommodated the concerns I have raised with a remarkable blend of flexibility and even-handedness, I am ready to be flexible too.

[English]

The Chair: Thank you. I appreciate that.

I presume we're adopting this.

Some hon. members: Agreed.

The Chair: I just want to make this side comment.

If at any time you feel the witness is using up your time, you can indicate that to me, or you can say, "I have some more questions", and within reasonable bounds of decorum try to suggest to the witness that you would like to ask these questions. You can interrupt or you can somehow have me bring some order to it. I'm open to that.

I think that was your concern.

We have two more motions left. For the speaking order:

The order of questions for the first round of questioning shall be as follows: Liberal, Bloc, NDP, Conservative. Questioning during the subsequent rounds shall be the following: Liberal, Conservative, Bloc, Independent....

Independent? We don't have any independent.... I don't know where that came from. That "independent" shouldn't be there; I don't know how it got in there.

Ms. Penny Priddy: The NDP could have another one.

Some hon. members: Oh, oh!

The Chair: It continues: "Liberal, Conservative, NDP...."

No, that's not right either. There is an error here. This was not our practice in the last session. I don't know where this comes from.

•(1615)

Ms. Penny Priddy: It may have come from when Chuck Cadman was here.

The Chair: No.

Let me propose this to you; I don't see it written down anywhere.

Here I believe is the correct order. Liberals lead off the questioning; then the Bloc Québécois is next; then the NDP. Then it goes over to the government side, then back to the Liberals, then to the Bloc, to the government side, to the Liberals, to the government side, to the Liberals, and it ends with the government.

[Translation]

Mr. Serge Ménard: May I make a suggestion so that everyone understands, Mr. Chair?

[English]

The Chair: Okay, I have the sheets I was using the last time. This is correct.

[Translation]

Mr. Serge Ménard: The best way for us to understand, I think, would be to list the order of each round vertically on a sheet of paper. Then we would see the progression as we went along.

You have done that? Good. Great minds think alike.

[English]

The Chair: Yes. I agree with your suggestion.

The whole intent of this, and this is what the big discussion in the last session of Parliament was, is that every member get one turn before anybody gets two. In order to accomplish that, we had the Liberal Party leading off, then the Bloc, then the NDP, then the Conservatives. Then we went back to the second Liberal MP, then to the second Bloc member, then over to the Conservatives.

Ms. Bonnie Brown: It alternates in the second round.

Mr. Garry Breitkreuz: No, we let the Bloc have their second turn. This is the way we did it, and it worked very well, I thought.

Mr. Dave MacKenzie: It worked very well.

Ms. Penny Priddy: Not for me.

The Chair: Well, the NDP often got another turn, because somebody would defer to them. This committee worked very well, and the NDP pretty well got all their questions in, I think.

Mr. Dave MacKenzie: Too many.

The Chair: Too many? Well....

Do you agree to adopt the same order that we had in the last session?

Some hon. members: Agreed.

The Chair: I don't see anybody shaking their head vociferously, so we will adopt the same order.

The Chair: Last of all, concerning minority reports, the motion is:

That every party shall have the right to attach, as an annex, a dissenting opinion on any report to be sent to the House of Commons by the committee; and this dissenting opinion shall be submitted to the clerk of the committee within 72 hours of the passing of the report by the committee.

Is it agreed?

Some hon. members: Agreed.

The Chair: Okay. We are finished.

Let's move over to the next item of business, which is future business of the committee.

As has been the practice of this committee, we usually do that all together. I am now open to consideration of future business of the committee.

I just want to let the committee know that I believe we are voting on Bill C-3, and assuming that it is passed and referred to the committee, that could possibly be our first item of business. I don't know if we're ready to do that by Thursday because we'd have to call witnesses, so that could be a challenge. I put that before the committee, if that may be the first thing you'd like to deal with next Tuesday.

Mr. Dosanjh.

Hon. Ujjal Dosanjh: I wasn't on this committee, so I am perhaps speaking out of turn, but I was told there was a witness protection study the committee was doing. It's really at the tail end of it and it doesn't need too much work. Perhaps we should finish that quickly and then get on to the bill, or anything else we might decide to do.

The Chair: How far were we on that witness protection...? Does anybody recall?

Go ahead.

• (1620)

Ms. Lyne Casavant (Committee Researcher): Mr. Chair, there were six meetings devoted to the witness protection program last session. In the meantime, the Air India commission held some meetings on the witness protection program two or three weeks ago. They had some witnesses who provided a lot of information. I'm trying to get, for the committee, the paper that was submitted to the commission on the witness protection program that was done by Yvon Dandurand. I only have a copy in English, but it is available, I've been told, in French. I am looking for the French version.

There is also another person, Anne-Marie Boisvert, who wrote a document on the witness protection program for the Quebec government, and she was also a witness at the Air India committee. I think they had a lot of information that the committee didn't see. They heard from the RCMP a lot, from lawyers who were involved in the witness protection program, and also from experts from England and the United States, but not experts from Canada on this particular question. If the committee wishes, those are the two witnesses who I would think could bring some more information to this report.

The Chair: Phil has a comment on this.

Mr. Philip Rosen: My colleague, Ms. Casavant, is doing the work on this. Essentially what we're suggesting is that we're very close to submitting a draft instruction document to you so we can get drafting instructions and write the report while you're doing other things.

The Air India commission of inquiry has heard from these experts. Yvon Dandurand has written a comparative paper on witness protection programs in various parts of the world, not just the United States. He's from British Columbia. Anne-Marie Boisvert is a professor of law at the University of Montreal. Our suggestion is that if there is time we might have a panel of these two individuals, assuming they're available. Then you could give us drafting instructions and we could be drafting, for example, in the December-January period, while you're hearing evidence on Bill C-3, assuming you can get these people to come here fairly quickly.

The Chair: Mr. Norlock.

Mr. Rick Norlock: As a result of what the analysts have just said, I'd like to reinforce that. I think we need to go ahead with the witness protection program, with the proviso that as soon as Bill C-3 clears the House and comes to the committee, that it be our priority. If that's what the researcher is suggesting, then I think it's a good idea.

The Chair: Do you agree with the general spirit of what's being said here?

Ms. Brown.

Ms. Bonnie Brown: I see this bill clearing the House tonight and therefore being available to us by Thursday. Is the usual witness here the minister who comes first with the bill?

The Chair: After all the witnesses have been heard, then the officials and the minister would wrap it up.

Ms. Bonnie Brown: I don't know who you're going to get to be a witness on Thursday, unless these two people could come, but that's very short notice for them.

The Chair: That's really asking a lot of these people, but the clerk could check it out. Let me, as the chair, handle that, and I will send you a notice by Wednesday evening, which is when I guess you'd have to know. I would be surprised, because these people have a life and—

Ms. Bonnie Brown: Do I understand, Mr. Chair, that these are our two priorities? One is the bill and the other is to get one more meeting in on witness protection so we can launch the writing?

The Chair: Yes. If we can get those two witnesses to come before the committee, they have the written documents, which you can then use to write whatever.

Mr. Philip Rosen: Well, Chair, there is a second stage to witness protection. We would need a session with you based on my colleague's document to get drafting instructions from you, so we can write what you want us to say about witness protection.

The Chair: Right.

Ms. Bonnie Brown: So we'd need two meetings on that at some point between now and Christmas. And we could mix them in with the bill.

The Chair: Sure. There aren't very many sessions left. I think this is about all we would get done before Christmas, because we only have one more week in November and then a couple of weeks after that. There are about six sessions left.

I'd like to see us get both of these done.

Monsieur Ménard.

[Translation]

Mr. Serge Ménard: I can understand that C-3 is a priority, and I accept that completely. But it seems to me that meeting the new RCMP Commissioner is also a priority. He was appointed some time ago now and it is important for us to understand how he sees the future of the RCMP and what his immediate plans and priorities are.

It is also important for us to make suggestions on some of those priorities and to ask him questions about them. I am sure that if he had been appointed in the middle of a session, we would already have found the time to meet him. We should do everything possible, and more, to meet him before the Christmas break.

• (1625)

[English]

The Chair: Okay.

Ms. Priddy, then Mr. Norlock, and then Mr. Dosanjh.

Ms. Penny Priddy: Thank you. These are just questions of clarification, because I did not have the privilege of being here the last session.

Would I be correct in understanding that there's a director of public prosecution still to be appointed? Is it a justice committee issue? I don't know if it comes to the justice committee or here.

The Chair: I don't think it comes before our committee.

Ms. Penny Priddy: It doesn't come to us? Okay, fine. That's all right.

Was there some intention or stated intention by Minister Day to reintroduce some legislation—Liberal legislation, I think it was—on oversight?

The Chair: There was a signal sent, but I don't think it has happened yet.

Mr. Dave MacKenzie: Actually, I think that's a little premature. There are a couple of other reports out there, the Brown report and some other issues, and I think it will come before the committee before we are too far down the road.

Ms. Penny Priddy: I'm really not trying to be obtuse here, but what's too far down the road? I realize it's not in my Christmas stocking, but—

Mr. Dave MacKenzie: It would probably be after the new year, because I think the Brown report comes out in December; I think it's scheduled for December.

Ms. Penny Priddy: I have one more question, just because it would help we know if the information I've received is correct. Was there a working group on setting up a national DNA database, and was it a working group of this committee? Could you share its status with me?

The Chair: Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, I would just say to the member that we would like to have that as one of the couple of things we'd like to put forward to the committee. One is the DNA databank and the other is the sex offender information registry.

But I think our priority on this side, as it is for the official opposition, is to clean up the two issues. Our priority, obviously, at this point is Bill C-3, but we'd like to get the witness protection matter cleaned up and then have a clean slate going into the new year.

Ms. Penny Priddy: Thank you.

So the Brown report would be considered part of that oversight? I mean, you're mentioning the report is out there, so do you consider that part of looking at oversight? Are you expecting that to be a recommendation?

A voice: It's part of the package, right?

Mr. Philip Rosen: I can guess, Chair. My guess is that it will feed into whatever legislation the government comes up with. Of course, there was legislation brought in by the former government—and Minister Day has signalled that it's coming—but there are a number of items that feed into it, including the commission of inquiry into the Arar affair, and some other things as well. The Brown report, I guess, is the last piece of the puzzle for the government to put together its policy in that legislation.

Ms. Penny Priddy: I won't hold my breath, then, too hard, too long.

The Chair: There is going to be so much before this committee, it's going to be difficult to get our priorities here.

I wasn't listening with both ears here. You mentioned the DNA. What was the second thing?

Mr. Dave MacKenzie: The sex offender.

The Chair: Okay. Those are the two things the minister has asked.... That would be mandated by the legislation that we review this.

I think next on the list is Mr. Norlock.

Mr. Rick Norlock: No offence to Ms. Priddy, but I really think we want to do what we were working on. I don't want to lose track of that, because witness protection has a great deal to do with not only Air India but perhaps some things that may occur in our country at later times. We had some problems that were identified by witnesses with some things that we needed to.... I think we have a fairly good system, but there were some good ideas that we should incorporate into the one we have now. If we get involved in other things, we're going to lose some of that, and it's not good to lose momentum. Let's deal with one thing at a time.

We all have our personal agendas, but let's deal with those two items, and then we can decide as a committee what next we want to deal with.

The Chair: Mr. Dosanjh, you're next.

Hon. Ujjal Dosanjh: I think in that spirit I recognize that witness protection and the security certificate legislation are the priorities.

We may not have any more time, but I want to put several things on the record for my colleague, Roy Cullen, who is not here. There are several things that he'd like us to study. One is the fairness initiative with respect to the CBSA, and the other issue is the cost-recovery program that CBSA has. The third issue is generally, in relation to the Canada border service and our border with the United States, how well we are doing. These are obviously very large issues, and we may not get to them.

There is an issue that I also want to put on the agenda by way of a motion, and I'll tell you, it's obviously for study as well. It has to do with Mr. Dziekanski and his tragedy: to invite representatives of the CBSA, the RCMP, the Vancouver Airport Authority, and others to make presentations so we can study the issue as a committee. Others are studying it, but I think we have an obligation to study the issue.

Anyway, I'll put that forward as a motion. I just thought I'd tell you that.

● (1630)

The Chair: We're getting a little more here than we're going to be able to do.

Yes, Ms. Priddy.

Ms. Penny Priddy: Thank you.

I just wanted to respond to Mr. Norlock. None of the items I asked about are particular personal priorities of mine; they are just issues that people told me might be outstanding. I was just trying to clarify where they were with the committee. I wasn't suggesting the committee redirect its work; I was just trying to receive clarification on the status, not to influence the committee to a personal priority.

Thank you.

The Chair: You're referring to the three you brought forward previously?

Ms. Penny Priddy: Yes.

The Chair: Are there any other comments?

Mr. Ménard.

[*Translation*]

Mr. Serge Ménard: I see that everyone has their suggestions. I was only making the one that is most urgent for me, that is a meeting with the new RCMP Commissioner. I have another suggestion. Cigarette smuggling is more serious than ever. It is dramatic in Ontario and in Quebec where the second highest number of cigarettes are sold...We cannot really say smuggled cigarettes because they do not come from the United States; they come from Canadian manufacturers who do not pay duty. Most of these operations are on native reserves. I am not just worried about the loss of \$1.6 billion in taxes. Doctors who work in the area of tobacco addiction are noticing that progress is no longer being made, particularly among young people. They can get hold of contraband cigarettes too easily, and it does not seem to me that the RCMP is making the effort it should.

There are also things that will take a little less time. I do not know if other members are getting the same requests in their constituencies, but there is an incredible increase in the number of people who, for some reason or other, need a certificate saying that they have no criminal record in order to get a government job, or any job. It can take up to 18 months or even two years to get a certificate saying that one has no criminal record. Many of them are young people. I would like to get a better understanding of this problem.

As to the suggestion from the member for Vancouver South, I think it is a good one, but unfortunately there are a large number of issues that we want to address. I became interested in knowing more about this famous taser so I went to the Library of Parliament. I noticed that a number of studies came to conclusions that I do not want to list here. The attorney general of British Columbia has made the right decision: a public inquiry on the use of this weapon. Our procedures are also completely different from those of a commission of inquiry. Really, the best way to get to the bottom of the problem is to leave it to a judge or a commissioner, who can conduct an inquiry, write a report and who will have the opportunity to consider all the other studies already done on the taser. So the matter is no longer pressing for us, given the other matters we need to come to grips with.

I am telling you that contraband cigarettes are having disastrous effects in British Columbia and everywhere. Probably only one House committee can wake up the organizations who can fight against it. There is not just the RCMP, there are other organizations who, for \$5,000, issue permits to tobacco manufacturers who set up shop with no controls. A House committee can have an impact on the needed changes.

I am not making a lot of suggestions. For me, the top priority is to meet Mr. Elliott. I think that we should also come to grips with cigarette smuggling. Thank you.

● (1635)

[*English*]

The Chair: Does anybody else have any suggestions for us?

Ms. Brown.

Ms. Bonnie Brown: I don't know what we're going to do about the lack of meeting time for all these things we'd like to study. I agree with our top two priorities, but I think a number of factors are converging around this incident at the Vancouver airport. They include two government agencies that this minister—who we try to help—and this committee are responsible for, and they are the RCMP and the Border Services Agency. Those are the two major federal presences that were there at the time of that incident. If we're not responsible for them, I don't know what we are responsible for.

Secondly, because this is called the public safety committee, it raises the whole issue of the appropriate use of force on our own citizens or on visitors to our country.

I don't think some of the other issues are being raised in the international press and affecting Canada's international reputation. That's why we need to demonstrate that we are concerned about this and want to get some answers, as the committee of public safety. We know that international repercussions are happening, and looking to the future with the Olympics and people coming here, we have to get what went on at that airport straightened out.

It isn't completely our responsibility, but the minister is going to need views on that, other than the view of the agency investigating itself and the RCMP investigating itself. So our view might be very helpful to him.

The Chair: Mr. MacKenzie.

Mr. Dave MacKenzie: I wonder if the committee is prepared to sit additional meetings through the week if that's what we need to do. If all of these things are priorities, I don't think we have sufficient time in two meetings a week to do them. I wouldn't argue with anybody that some of these are priorities that should be addressed.

I wonder about tobacco and whether that could be dealt with by the health committee. If the issue is the increase in smoking, maybe it's a matter for the health committee and not us. I understand what you're saying about the crossover with the contraband.

I think we've expressed a desire to finish the one study we spent time on and move ahead on Bill C-3. If we can do those things and it means taking additional time, if staff and space are available, so be it.

The Chair: Or we could strike a subcommittee.

Mr. Dave MacKenzie: Somebody will still have to sit additional time, including the chair.

The Chair: That's true, but it depends on who the chair of the subcommittee is.

Mr. Rick Norlock: I agree with Ms. Brown that the issue is a substantive one and needs to be looked at. At the same time, there are five separate investigations into it. We may very well want to speak to the same people they're speaking to.

I'm not averse to that; as a matter of fact, I think it would be very helpful to get other police departments' training and use-of-force manuals, and evidence of that sort at this committee. But at the same time we have to realize that there are five different jurisdictions and different parts of both the government and other governments looking into it.

It's not as though we're leaving this unattacked in the public and government realm, but I agree there is no better place to do something about it than at this committee. It's important to get on the record that there are five other separate investigations—two associated with the government and three other non-government ones, not the least of which is a coroner's inquest. The Government of British Columbia is doing a study, and I believe other governments in Canada have also studied it.

I guess I'm trying to say it isn't as though no one else is doing something about it.

•(1640)

The Chair: I would like to maybe interject another point.

If we do it, I think we should do it well. To simply say that we have done it...you have to realize that if we're going to do it and we're going to do it well, it's going to involve a huge commitment of time on the part of the people of this committee, above and beyond the commitments you have right now.

Mr. Dosanjh.

Hon. Ujjal Dosanjh: I agree with Mr. Norlock that there are five other investigations. This is not to criticize anyone, but all those five investigations—four, at least—aren't going to be absolutely independent or open, transparent.

One is the integrated homicide task force investigation that's led by the RCMP. Then there's the RCMP investigation. Then there's, of course, the coroner's inquest that depends on the evidence gleaned by the RCMP. And then you have the public complaints commissioner, who also depends partially on the evidence gleaned by the RCMP.

That's not to criticize the RCMP. I have the utmost respect for them.

Then you have the CBSA internal recommendations coming to the minister, and you have the minister having ordered, he says, the RCMP to review their own regulations or protocols regarding tasers.

I must commend the province in terms of coming to the table with a broad inquiry, but all of us know the province actually doesn't have the constitutional jurisdiction to hold that inquiry, either on the airport authority, or on the RCMP, or on the CBSA, or on the immigration department.

I understand that the RCMP would cooperate with them, as would all the other federal agencies, but that simply points out the fact that we, federally, are not really living up to our obligations. We have jurisdiction over all of the elements that come together at that airport, and we are not conducting an open, transparent, comprehensive review, call it whatever you may.

Not to criticize anyone, but you agree that this is a tragedy that has touched the lives of all Canadians from coast to coast to coast, and it

has affected our international standing. So I was actually bringing it here in that spirit, not to criticize anyone but because I think we need to show, if the minister won't show that he is prepared to deal with that in a public, comprehensive, open kind of way, that he's responsible for at least two of the major agencies and the government is responsible for all four. That was the impetus that actually made me bring this motion forward here.

Thank you.

The Chair: Does anybody have a concrete proposal, then, of what we do on what days and what our priorities would be?

Mr. MacKenzie.

Mr. Dave MacKenzie: With the consent of the committee, we've just checked and we think the minister could be here on Tuesday to begin—

The Chair: On Bill C-3?

•(1645)

Mr. Dave MacKenzie: Yes, on Bill C-3.

The Chair: So he would lead it off. Okay.

Mr. Dave MacKenzie: I don't know what that does for Thursday. It is kind of short notice.

Mr. Rick Norlock: I think we should try.

Mr. Dave MacKenzie: But the other thing I would say is that we are trying to determine whether or not the ministry officials could be available for Thursday.

The Chair: So that's November 22, for departmental officials. Usually they appear after the minister, but that's up to you.

Mr. Rick Norlock: If we can get it done, let's do it.

Mr. Dave MacKenzie: It's just that I think there's a problem with time on Bill C-3.

Hon. Ujjal Dosanjh: And not on other things?

Mr. Dave MacKenzie: Not on other things.

Hon. Ujjal Dosanjh: Since he's here, he might as well. Why not? We're free to ask questions.

I can read your notes on Bill C-3. There's not much he can tell me that I can't learn.

Mr. Dave MacKenzie: But maybe there are some things you could be taught.

Hon. Ujjal Dosanjh: All right. So I'm not that incorrigible.

Mr. Dave MacKenzie: In the spirit of cooperation, it is the season.

The Chair: We have the 22nd, when possibly the officials can come, and the minister can come on the 27th.

The next meeting is on the 29th. For the 29th, do we wish to invite witnesses on Bill C-3? Keep in mind that we also want to do the witness protection and wrap that up here before Christmas.

We've had five requests to appear on Bill C-3: the B.C. Civil Liberties Association, the Canadian Bar Association, the Federation of Law Societies of Canada, there's a group, in French, here....

The Clerk: La Ligue des droits et libertés.

The Chair: Yes. I don't know how to translate that.

And then, last of all, the University of Ottawa, Faculty of Law.

An hon. member: All of them.

The Chair: Do you mean at the same time? Not likely. We would have three at a time?

Ms. Bonnie Brown: You can't have an august body such as the Canadian Bar Association without giving them a full hour.

The Chair: Yes, but we could have one meeting, and we could have two or three of them appear at one meeting. That is what our usual practice has been.

Ms. Bonnie Brown: It depends on how important they are. For example, if you had two important groups, one being the Canadian Bar Association, you would have only one for the first hour and one for the second hour.

The Chair: Okay.

Ms. Bonnie Brown: You said three, though.

The Chair: Yes, two or three. We've often had two or three.

All I am doing, so far, is telling you that these are the people who've asked to appear, and there may be other suggestions from other people.

Mr. MacKenzie.

Mr. Dave MacKenzie: In the interest of trying to tighten it up, Mr. Chair, I would agree with you that if we can have two or three at a time, that's one thing. If the committee feels strongly that we can't have three, then I would suggest we add a day in there somewhere.

The Chair: Okay, sure.

Ms. Bonnie Brown: Mr. Chairman, I think we need to see the list. If we think all angles have been covered, it may be just the five groups. But we may come up with a couple of others to add, and then of those there are the ones that I think are super important and the ones that maybe could fit on a panel. Sometimes you can have four or five groups represented on a panel if they're not national in nature.

Mr. Dave MacKenzie: You don't have the list of names of the people who've asked to come?

Ms. Bonnie Brown: No, we don't have it.

The Chair: I think this request was made to the clerk of the committee.

Ms. Bonnie Brown: Where did these suggestions come from, Mr. Clerk?

• (1650)

The Chair: They came from them.

The Clerk: They were requests made to my office.

Ms. Bonnie Brown: By whom?

Oh, you mean by the people themselves. I understand.

The Chair: The suggestion has been made that we try to fit in some extra meetings.

Does anybody have any comments on that?

Mr. MacKenzie.

Mr. Dave MacKenzie: I think, Mr. Chair, that we should try to determine whether or not the committee is satisfied with the list of witnesses.

The Chair: Okay.

Do any of our research staff have any additional suggestions?

Mr. Philip Rosen: There are some obvious witnesses that, for whatever reason, haven't contacted the clerk yet. One of them is the Canadian Council for Refugees, which I'm sure will have something to say about this. There's the Barreau du Québec, whom we always call—and I have to admit my conflict of interest as I'm a member of the Barreau du Québec. There's the Canadian Civil Liberties Association, who may have something to say about it. There are probably Muslim groups as well who may have something to say about it. There are some defence committees as well, for some of the people who are actually subject to security certificates.

Mr. Dave MacKenzie: Mr. Chair, we're only dealing with two parts of what the Supreme Court sent back to us. It's not a case of reopening the whole bill; it's only those two things that the Supreme Court felt needed to be fixed. So it shouldn't be a long discussion about the bill.

The Chair: That's a point.

Mr. Wrzesnewskij.

Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.): Perhaps I will just follow up on the clerk's comments, although these are just two parts. It is a very important bill and we want to make sure we get it right. The last thing you need is for a perception, whether erroneous or not, that groups who feel that they're directly affected by this have been excluded from the opportunity to appear and give their point of view. It does a disservice. Not every group is like the bar association, which follows carefully everything that goes on in parliamentary committees. There are groups out there that we have to be proactive with and to reach out to make sure we don't antagonize unnecessarily.

The Chair: Did you have a comment, Ms. Brown?

Ms. Bonnie Brown: Yes. Perhaps the researchers could put together a more fulsome list. These are people who asked themselves, but in order to have a well-rounded set of presentations so that we have a good feeling for it, for what we're doing, so that we have a level of comfort and the public has a level of comfort, maybe at the next meeting the researchers could put forward a list of people they think would be offended if they were left out.

The Chair: If they come with a list, are we all prepared to have extra meetings and all this?

Ms. Bonnie Brown: Sure.

The Chair: Mr. Norlock.

Mr. Rick Norlock: I think it's a good idea to have extra meetings to make sure we get the work done. If my memory is correct, some of these groups have attended this committee, but they have attended other committees to deal with the very same subject matter. Are they going to bring something new? Most of their considerations were related to the Supreme Court challenge. Now that we have the Supreme Court decision, and this based on it, if we're going to have 15 different organizations that want to come, I want to be able to restrict—that's why I think we can do more than two—the questioning and discussion to the subject matter at hand in the bill, and not do the whole issue all over again. All we'll be doing is going to hear testimony about things we've had before. The reason I said I'd be prepared to say yes to this is provided we restrict it, and you can ask the question and go through, so we could have three or four organizations attend, rather than just two.

The Chair: Is there a similar feeling on...?

Yes.

Hon. Ujjal Dosanjh: I think we can make those kinds of accommodations—there's no question—and we need to because we don't have that much time if we need to meet the February deadline for the court.

We all agree I think that the most important thing is that there are groups in this society that feel singled out, and this may not be intentional in the legislation or in any government either past or present. I believe it's important that they be given the opportunity to come and speak to the committee, so Canadians have the feeling they've been heard by the committee. That's very important.

• (1655)

The Chair: Would you agree with the point made here? They would comment on the court and what the court has mandated, the two points we have. Are you going to throw it wide open?

Hon. Ujjal Dosanjh: My sense is, look, I think people come to talk to you, and if they want to say something above and beyond the two provisions, if you restrict them in time, then let them say what they want to say. I just think we should really be....

Mr. Dave MacKenzie: Mr. Chair, with all due respect, and I understand what the member is saying, but this committee went through the Anti-terrorism Act. We've done study after study. The immigration committee studied it. The Supreme Court has studied it. What we're dealing with here is after the Supreme Court looked at the whole issue, they said, here are two issues that need to be addressed, and they have to be addressed by a certain time. It's not to cut them off, but maybe what we should look at is doing another study afterwards, but dealing with Bill C-3, which is only these two small issues. We're not trying to shut them off or not give them an opportunity, but....

Hon. Ujjal Dosanjh: I'm assuming that when you have groups like the ones mentioned by the staff, they are smart enough to come and address the issues at hand. If they have any time left to say something else, they may or may not.

I'm sure you've been approached by various individuals and scholars, as we have been, and they tell us that there are many things we can do to make these two provisions better—not to eliminate them, but to make them better. So you might hear from some of

those groups some ideas as to how we can make them better. I'd like to hear that.

Mr. Dave MacKenzie: About those two issues that we're talking about, not the bill, and not the whole act.

Hon. Ujjal Dosanjh: Not the concept itself.

If I come before you as a presenter and I want to say two sentences about the whole piece of legislation and say this thing stinks, but now I'll address the two issues, we're never going to prevent the people from saying that. If they want to say that, then fine, and that's our function, to hear people.

The Chair: It's a fair comment.

I'm trying to wrestle, in my mind, with how we're going to do all this. Could I ask the members of this committee, if they have any more suggestions as to witnesses that they get them to the clerk by Thursday, in the next 24 hours hopefully? Then we can let the staff and the clerk try to figure out who can come when.

Can I also schedule some extra meetings? I'm looking at the calendar, and the officials come this week, then the minister comes, and then on the 29th we can have witnesses. We have to go to clause-by-clause and get this done before Christmas, because we have a February deadline. All of this has to go through Parliament, and it has to all be done, so we have to finish before Christmas in the House and everything. We don't have very much time, and if everybody wants to have an exhaustive list of witnesses to appear before this committee, we're going to have to put in a lot of late night hours. Are you willing to do that? Can I let the staff...?

Ms. Bonnie Brown: Mr. Chair, I don't want an exhaustive list of witnesses; I just want to make sure that the researchers put in some of those, or all of those, people they suggested. The whole thing about what day we're going to meet and at what hour, etc., you shouldn't be worrying about; it should be the clerk and the researchers who put together a little calendar for your approval and then you bring it to us. You're agonizing over it.

The Chair: No. That was part of my suggestion, that they would put this all together; you bring in your suggestions in the next 24 hours and they'll put this all together. They can bring a proposal back to the committee and we'll discuss it Thursday after the officials are here. Hopefully in five to ten minutes we can put our little rubber stamp on what they bring forward.

At the same time, can they try to fit in the two suggested witnesses on the witness protection program? I don't know when they can come, but whatever, if they can come on a certain date before Christmas, we will try to fit that in. Those will be our two main agenda items that we're going to focus on and try to get into a calendar.

Yes, Ms. Priddy.

Ms. Penny Priddy: Thank you.

There may be no better way to handle this, and I'm uncertain. There's the idea of talking to the officials on Thursday, the minister on Tuesday, and then having all these witnesses come and raise issues that we then cannot go back to the minister and officials on. Or perhaps we can, and I'd like some clarification on that. It obviously seems to make more sense that those questions are raised and then we have a chance to ask those questions of the minister or of the ministerial staff. Would this be the normal procedure, that the ministerial staff and the minister would come at the end of the discussion?

• (1700)

The Chair: The committee can always invite him. It's something that we, as a committee, can always do if there is some issue that has surfaced that hasn't been dealt with.

Ms. Penny Priddy: I assume a number of issues are going to surface, given the witness list that people have talked about. I just want to know if there will be an opportunity to then return to either the minister or ministerial officials to ask if this is possible, or whatever.

The Chair: We may not even get the officials here on such short notice, on Thursday.

Ms. Penny Priddy: I understand that point.

My point is, is this the only opportunity to ask questions of the minister or the ministry?

The Chair: Yes, go ahead, Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, I would say if the officials aren't available Thursday—and we're only trying to do that to get the process started quickly—we'll try to arrange that they be here at the end to answer your technical questions. I think that's appropriate.

Ms. Penny Priddy: I think that's actually quite appropriate, so that's why I asked the question and shared the concern. Thank you.

The Chair: They'll be here for clause-by-clause, I was just reminded.

Ms. Penny Priddy: Thank you.

The Chair: The other thing was the taser incident. How do you want to handle that, fitting in that around all this? Do you want to do anything on that before Christmas?

Hon. Ujjal Dosanjh: I would like to. I'm going to actually present a formal motion to the clerk tomorrow. I have given you notice, essentially, that I'm going to do it, so I don't need to formally give you notice.

The Chair: We work together on this.

Hon. Ujjal Dosanjh: You've been deemed to be notified, although there is no requirement.

The Chair: Okay. We'll work together on that.

Committee, are we going to try to fit this all in here? What do you feel?

Hon. Ujjal Dosanjh: We may have to have extra sittings. I feel very strongly, and not in a partisan way, that federally we are responsible for the entirety of what goes on at that airport. The provincial government doesn't have an ounce of jurisdiction. We need to deal with it.

The Chair: I think you have agreement around the table on that.

Mr. Mayes.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Chair, this is only a suggestion. Rather than be the sixth group looking into this incident, maybe we should take all the recommendations of the five groups and review that. The committee could review all of that, and if there are any deficiencies or questions that are unanswered, review what they have brought forward, rather than starting a sixth study.

The Chair: Ms. Brown, and then Mr. Wrzesnewskyj.

Ms. Bonnie Brown: I've been here a long time, since 1993, and I don't want to appear too cynical.

Some hon. members: Oh, oh!

Ms. Bonnie Brown: But I really have to say that in my mind's eye, and long before I came here, I had this little phrase in my head about putting the monkeys in charge of the peanuts.

When the RCMP, or any organization—it has nothing to do with the RCMP per se, but whenever any organization is asked to investigate its own self, and in particular in instances where maybe in the public's mind or in my mind a failure has occurred, I don't put a whole lot of stock in what they say about themselves.

I think it's worth reviewing what those studies turn up, yes, as part of our investigation, but it isn't going to be enough, Mr. Chair, not to get at the truth. As I say, people investigating themselves are inclined, as we all are.... It's human nature to try to put a rosy glow around something that happened, even if it's almost impossible.

• (1705)

The Chair: Mr. Wrzesnewskyj.

Mr. Borys Wrzesnewskyj: Thank you, Mr. Chair. I'm simply basically reinforcing Ms. Brown's comments.

We heard earlier from Mr. Dosanjh that four of the five investigations, in fact those who are doing the investigating directly or indirectly, are involved in investigating themselves. That doesn't inspire confidence. For the one body that seems to be independent, it's really not within their area of jurisdiction.

It would be an abdication of our duties as elected officials, when something goes horribly wrong within our area of jurisdiction, not to at least make an effort to address the situation, especially in these particularly tragic circumstances and especially in an atmosphere in which the RCMP, unfortunately, has caused a great deal of discomfort because of their recent track record.

I sit on the public accounts committee. It took us a while, but we finally unravelled the rigged contracting scheme that three internal investigations—criminal, audit, etc.—didn't get to the bottom of. Fundamentally, what that underlines is that as a committee of Parliament we have the ability to get to the bottom of things that people investigating themselves don't.

The Chair: Let me tie this together first, Mr. Cannis.

We've had a suggestion here that we should maybe get the reports. Can what you're suggesting wait for this?

Hon. Ujjal Dosanjh: No. I think that would be abandoning our responsibilities. I think we have an obligation to say to Canadians that we are concerned, that we're doing this. One can say that after we have studied it, perhaps we can then wait for these reports to come and then look at them and conclude, but even that will depend on the particular speed at which they are doing these things.

The Chair: Mr. Cannis.

Mr. John Cannis: Thank you, Mr. Chair.

Mr. Dosanjh actually used the words “abandoning our responsibilities”. The media today has also put it right in the lap of the federal government.

With all due respect—I'm not a member of this committee—but as it was pointed out, four out of the five jurisdiction responsibilities.... I don't think we can afford, as federally elected members, to say it has already been looked into and certain revelations have come forth. It is in our laps. To sit back with Mr. Mayes—I think it was a good suggestion—would save time, but I think we're going to be perceived as federal representatives who are sitting back and doing nothing—waiting for the report and then analyzing it and procrastinating in some way. I think there has to be something on behalf of the federal government, and this committee specifically, to show that we're front and centre.

I'll close with this. The media has put the pressure on all of us. It's not the government necessarily. It's on all of us: it's your responsibility, you undertake it, let's see what you're going to do.

Based on that, I don't think we should be abandoning our responsibilities, as Mr. Dosanjh said.

The Chair: Mr. Norlock.

Mr. Rick Norlock: One of the great things about living in this country is that we have some of the best police forces on the face of this good earth. I would be the last person to ever want a police force to be tarnished in any way with regard to their ability to exercise their duties, mainly because I was a police officer and I have a son who is one.

I think it is expedient on any level of government to undertake any change or action with regard to the police force under their jurisdiction, in not only addressing a current situation but any situations that may occur in the future. That having been said, there is the Brown report to come out soon and these other investigations.

I see the point where the current set-up has always been in Canada. While you were in government, and in Conservative governments before, the RCMP had the powers they have today with regard to their internal investigations. We've had many, many decades of that. All of a sudden it has become necessary to change that in a few weeks.

My suggestion is that we get the Brown report. I agree that this committee is responsible and that it has to address that. So let's have the reports. Let's wait and see what transpires within the other agencies within a reasonable amount of time, given the exigencies we currently have on this committee, and then let's do an absolutely thorough study, looking not only at police forces in Canada but at police forces around the world and how they deal with these situations.

I do agree that we are vested with that important responsibility, but I also think we're vested with a very important responsibility to make sure we have the best advice and that we do not interfere or not have the information gleaned from these other investigations.

• (1710)

The Chair: You've heard comments all around. Are you ready to decide on this?

Mr. Dosanjh.

Hon. Ujjal Dosanjh: While you made very good points, I think the most important point is that we, federally—and this is not a partisan comment—are seen to be frozen. We have the CBSA looking at itself, and it will give a report to the minister. We have the RCMP, on tasers, looking at itself and giving a report to the minister. I just don't think that engenders the kind of confidence you've been proud of—and that I am proud of—as a former AG and the father of a cop.

I think it's incumbent on all of us to ensure we do the right thing in this case. We can't wait for the Brown report. The Brown report is about issues that are overarchingly important. This is about what happens when a person comes to the airport. What does CBSA do? How does the RCMP deal with it? What does Immigration do? What arrangements do the airports, particularly the international airports—Montreal, Toronto, Vancouver, Edmonton, Winnipeg—do? This is of import to the entire country. It is the face we present to the people we invite to this country.

I think it's beyond politics. We should be undertaking the study. We don't have to jump ahead of everybody else, but we can't be saying to the world that we will sit and do nothing and wait for everybody else to tell us what they're going to do. I think we have an obligation to take the initiative and do something in a non-partisan way.

The Chair: Let me make this suggestion.

I think you agreed to an extent with my proposal that we let the staff here at the table set up an agenda for us for the next couple of weeks. We can spend time at the end of any one of our sessions. Let's think about what everybody has said here. I'm trying to wrestle with what we might add to all the investigations. We would probably be calling the very same people, so I don't know what it would add, but let's think about this and maybe come back in the next session or two, at the end of one of our sessions, with a more concrete proposal as to how we want to handle this.

Everybody has made their views known now. Can I just let it sit for a while?

Mr. Dave MacKenzie: We can let it sit, but I agree that we should not let it sit for a long time.

I'm wondering, too, if it isn't broader than just this committee. As the member has mentioned, there is also Immigration and perhaps Transport Canada. Maybe we need to look at how to do it right.

Hon. Ujjal Dosanjh: From my perspective, when a committee wants to study this kind of complex subject, the majority of which falls within the jurisdiction of this committee, there is no reason that other entities would not come and give the information you need. The committee, in a sense, then can conduct itself.

I'm going to be handing this handwritten thing to the clerk. Let me just tell you what it says, and maybe I won't even have to type it. The clerk can do that for us. It reads as follows:

That this committee study the tragic death of Robert Dziekanski and invite representatives of the CBSA, RCMP, Vancouver Airport Authority, and other appropriate bodies and individuals to make presentations to that end.

That would be so that we can study it. It would include tasers and whatever you want to look at. It is important that we leave it in those general terms. The committee can then decide as we go forward.

● (1715)

The Chair: Okay, we have that before us. We might even be able to discuss this at the next meeting, on Thursday, if we don't have the officials here.

Go ahead, Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, the only thing I was going to say about Thursday is that if the researchers are available to contact the two individuals for witness protection, we'd certainly be prepared as a committee to deal with that. It's pretty short notice. We all agree with that, but if they are available, I think the committee would—

The Chair: That was part of my suggestion—that whenever these people are available, we'll fit them in and work around Bill C-3. We're a bit flexible on Bill C-3, as long as we get Bill C-3 done before it's too late.

Do we have a consensus on this now?

Hon. Ujjal Dosanjh: I think there is a consensus.

May I make a suggestion that you ask the staff and the clerk's office—I don't know who does what—to come up with a scheme to undertake this study? They can present it to us on Thursday in 15 or 20 minutes, in a rough way, with nothing set in concrete. In that way we can begin to look at what we're going to do. Is that appropriate?

The Chair: You're talking about your motion and a proposal for how to deal with it.

Hon. Ujjal Dosanjh: About how to go about doing what we—

The Chair: You mean how to study it—

Hon. Ujjal Dosanjh: There is consensus that we should do something. How do we do it?

The Chair: We are laying a heavy load on our staff here.

Hon. Ujjal Dosanjh: That's all right. We all get big bucks.

Mr. Philip Rosen: We could do what you like, but it would be helpful if you would tell us exactly what it is you want to do. We've

gleaned some of what you've had to say, but all we could say is this is a relevant witness or this is not a relevant witness. Then it's a matter of finding extra time or doing it after the new year and fitting them all in.

That's essentially your work plan right there. If you determine how many witnesses you want to hear and when you want to hear them, there's your work plan.

You've identified the relevant ministries and departments in the motion you read to us. We know who they are. It's a matter of having them come in and make statements as to what happened—not just in this instance but in dealing with similar instances in other circumstances. Other than that, I don't know what else there is to say in terms of a work plan.

Hon. Ujjal Dosanjh: If you've given us the work plan, then let's get to work.

The Chair: Let me interrupt here for a minute.

They may suggest that we have a joint committee with the others, the department of transport and the department of immigration. If it doesn't impact just on this committee, are we going to have three studies in Parliament?

Hon. Ujjal Dosanjh: My sense is that, first of all, if this committee wants Transport Canada to come here, Transport Canada will come here. I don't think we need to draw boundaries on ourselves.

The Chair: Okay, you'd accept that.

Mr. Dave MacKenzie: Are they going to investigate it?

Hon. Ujjal Dosanjh: I doubt that very much. At least, I haven't—

Mr. Rick Norlock: Check into it. If they're not, we won't go down that road.

Mr. Colin Mayes: Mr. Chair, we're debating the terms of reference of a motion that hasn't even been passed by the committee, and I'm not really clear on the details of the motion that was just presented. I'd like to talk to that motion when it's presented to this committee.

Really, the discussion here shouldn't take place until that motion is tabled, so that we can ask questions and get a clear picture of what the motion is all about and the direction it wants to take us.

The Chair: Okay. We'll wait to discuss the motion at the first opportunity to do so.

This meeting stands adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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