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Chair

Mr. Garry Breitkreuz

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• (1530)

[English]

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

We have two items of business before us, the first being a motion by one of the members of the committee and the second being planning of future business.

The first question I have for you is whether you would you like to go in camera for this discussion. It's an option. I would like to go in camera for the second part of the meeting, but if you want to remain as is for this part, that's fine.

I will turn the microphone over to Mr. Dosanjh to introduce his motion.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Thank you.

The motion is before you. I'm sure I'm not required to read it, but I'd be happy to read it if you so wish; it's pretty brief. I move that we study the incident involving Robert Dziekanski in Vancouver and invite the representatives of the Canada Border Services Agency, the Vancouver International Airport Authority, and the Royal Canadian Mounted Police, and other parties or interested individuals to make representations to the committee to that effect.

Of course, one of the issues to be discussed would be the tasers, but that wouldn't be the only issue.

I'm suggesting that we invite witnesses. If there's a consensus in the committee, that would be better, but if there's no consensus, we might have to vote on it. A list of witnesses can be put together by the clerk. Some of these people would be representatives of CBSA, RCMP, Transport Canada, the Vancouver International Airport Authority, the B.C. Civil Liberties Association, the Canadian Civil Liberties Association, and Amnesty International; use of force experts with knowledge of taser use; medical experts or doctors with knowledge of tasers; a representative of the manufacturer of tasers; police training experts with knowledge of the police training manuals for tasers and training generally; perhaps individuals with personal experience of being tasered, such as Matthew Gray or Karen Geldart; and in addition to them, perhaps even some officers who may have had the experience of tasing individuals, so you can hear firsthand from officers and under what circumstances they have used tasers and to what effect.

I know that Bill C-3 is coming before us and that it's a priority, but I'm suggesting that as we do Bill C-3, we do some of this as well

before the break. Then, of course, we can come back and finish off after the break, as we do witness protection as well.

• (1535)

The Chair: Okay. Well, you've heard the motion introduced.

Hon. Ujjal Dosanjh: Can I just add a few more words?

I think one of the reasons I felt it was important—not to be critical or partisan about this issue—is that we now have several investigations and reviews ongoing. We have the Nova Scotia one, and there's an inquiry in B.C., and all the parties have agreed to cooperate with B.C. We have the chair of the RCMP public complaints commission being asked to look into tasers, and he will look into the use of tasers in the RCMP experience. But I think we need to look, in a comprehensive way, at all the elements that come into play, for instance, at an airport, including the CBSA, the Vancouver International Airport Authority, Transport Canada, the RCMP, and any others, which would be the advantage of us looking at it in addition to the other elements.

Thank you.

The Chair: Okay. We'll now entertain discussion. Please indicate to me or the clerk that you wish to speak.

Mr. MacKenzie, please.

Mr. Dave MacKenzie (Oxford, CPC): Just speaking to the motion, not that we have any objection to the motion, in the sense that we think it's important that Canadians find out the details here.... First of all, as of today, we've heard of another investigation, the one in Nova Scotia.

I do have a copy of the news release from British Columbia, and perhaps the honourable member has read it, but the scope of the inquiry, interestingly, covers almost all of the issues that Mr. Dosanjh mentioned.

It would:

Review the appropriate use and policies currently employed by police in British Columbia with respect to the Taser, and recommend any necessary changes.

A full and comprehensive review of the incident involving Dziekanski, including (but not limited to) the actions of the RCMP, Canadian Border Services and immigration processes and Vancouver airport (YVR).

Provide further recommendations on how procedures can be improved with respect to the handling of foreign passengers coming into British Columbia through YVR.

All I'm thinking is that these are probably almost all of the issues that Mr. Dosanjh has identified that I think we would equally want to know the answers to, but I'm not sure it makes sense that we have two parallel investigations or inquiries ongoing, one here and one there, to get the same answers we're looking for.

I haven't seen what Nova Scotia is talking about with respect to theirs, although I understand the circumstances of that incident are considerably different from this incident.

I'm just wondering if it really does make sense to have two simultaneous inquiries going on, from a legislative perspective there and a parliamentary perspective here.

The Chair: Do you wish to respond?

Hon. Ujjal Dosanjh: If I may, and that may shorten the debate.

The Chair: Go ahead.

Hon. Ujjal Dosanjh: It has been my view that what we needed was an independent, public, and comprehensive review of the use of tasers across the country.

I don't believe the British Columbia inquiry will be able to do that. The British Columbia inquiry will be able to proceed with what they want to do because the federal bodies over which they have no jurisdiction have agreed to cooperate with them. It may take longer than two, three, or four months to do this.

This body can actually bring all of the information, knowledge, and experience available from all across the country, from various police forces, from various provinces, and try to set out some concerns that might be national, both for the airports per se and CBSA, and for tasers and the RCMP.

I think in that sense what's missing in the debate generally—and I don't mean to be critical—is the comprehensive, coordinated federal leadership. I think this committee, in a non-partisan kind of way, can provide that.

I don't believe this is going to be a situation where anybody is going to try to score points. That's not my intent. I don't think that's anybody's intent. I think we should just try to do the federal job in a non-partisan kind of way, and I think we can do that.

If we'd had a federal or a national independent review of these issues, including tasers, undertaken by the government, the beauty of that would have been that the rules governing the tasers or recommendations governing the tasers would have been imposed on the RCMP, but other police forces, provincial or municipal, would have been free to take those guidelines and adopt them, so you'd have some hope of uniformity prevailing across the country.

If we can be persuasive in the way we do work, and non-partisan, I think we may be able to accomplish that.

• (1540)

The Chair: Okay. Our next speaker is Monsieur Ménard.

I gather that you are actually going way beyond your motion now, by what you've suggested, that this be kind of a national study on various things, not just the incident at the airport.

Hon. Ujjal Dosanjh: One can broaden it. We're never limited to what we said before.

My sense is that if you want to study tasers, for that you might want experience from all the jurisdictions, or most of them, across the country. I think it would be useful to do that.

The Chair: Okay, because that really changes the dynamics of what you suggested here.

Hon. Ujjal Dosanjh: Yes.

The Chair: Just so everybody's aware.

Monsieur Ménard.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): I am certain that Mr. Dosanjh is full of good intentions, but he is heading for very slippery ground.

Need I remind you that administration of justice is under provincial jurisdiction? I side with the notion that parliamentary committees have a role to play in reviewing similar incidents, but this happened in the RCMP, a federal police force that undeniably falls under our jurisdiction. As for the idea of expanding this to all police forces and wanting to establish a national policy on the use of Tasers, I think we could accomplish the same thing by discussing best practices, but no more than that.

In any case, would we not just be looking at the way the RCMP should use them? I think that we can also learn from what is being done elsewhere, starting with here in the provinces, before looking to the United States, which has other practices. Here, too, it might be relevant to invite American witnesses who could enlighten us on the subject.

I simply want to warn you that, in my opinion, you are stepping onto slippery ground by wanting to establish a general policy on the use of Tasers by provincial police forces. You are moving into the area of administration of justice, and I will not follow you there.

[*English*]

The Chair: Ms. Priddy, please, if you're ready, go ahead.

Ms. Penny Priddy (Surrey North, NDP): Thank you, Mr. Chair.

I would like to speak to support this motion. There's a piece to this motion that is not explicitly, but I think implicitly, suggested under interested parties or individuals. I have a concern that this is a gentleman who is an immigrant. Vancouver, amongst other cities, has many, many immigrants who fly into that airport. We have, on behalf of Canada, the Olympics coming in two years or two and a half years, when we will have many more immigrants flying into Vancouver. I think part of this review is what supports there are for those individuals who do not have English as a functioning language and how do they find their way around the airport. How do they ask for help if they cannot speak English? How would they know that there were translation services available unless there were big signs posted? I don't think there are.

I think this is implicit in Mr. Dosanjh's motion, that in this specific case, because it is Vancouver, and I think it had a role to play in this, how we accept immigrants at that airport and how we ensure that they get through safely is an important part of looking at this. It's one of the reasons I'm supporting this motion.

Thank you.

• (1545)

The Chair: Thank you.

I have one more person on my list.

Mr. Mayes.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Chair, Mr. Dosanjh's motion is narrow, whereas his intent is very broad. It says right here, "study the incident involving the tragic death of Robert Dziekanski". That's what it says. And if we were to pass this motion the way it is, that's all we would be studying. I don't think that's your intent, but that's what the motion says. It doesn't say anything else about any broader issues than that.

The Chair: Are you done, Mr. Mayes?

Go ahead.

Hon. Ujjal Dosanjh: I would suggest that you're probably correct. If we really want to make it of general interest and general application, then I think we should say, "study the issues arising out of the tragic death of Robert Dziekanski". I think that makes it....

Mr. Colin Mayes: Mr. Ménard is right when he says that this is a provincial.... As far as what's going to happen with this incident is concerned, it's going to be pursued by the Province of British Columbia, and it is out of their jurisdiction. Is that not correct?

Hon. Ujjal Dosanjh: They don't have an ounce of jurisdiction. But everybody is going to cooperate with them.

Can I just add...?

The Chair: Are you amending your own motion, then?

Hon. Ujjal Dosanjh: Yes, I am. I'm making it palatable or acceptable to everyone.

May I just respond to Serge Ménard's point, if nobody else is on the list?

The Chair: There is Mr. Norlock on the list. Do you want to wait and then have a wrap-up?

Hon. Ujjal Dosanjh: I thought if I could just have two words....

I agree with Serge that we don't want to be stepping on provincial toes. That is not my intent. But just as we can study New York or California, or experiences in other United States jurisdictions, we are free to study the experience in Quebec or New Brunswick or British Columbia or any other province. I think it was in that sense that we thought we could bring in the experience of all jurisdictions, or many of them, and look at it to provide some guidance to whoever might want to accept our guidance at some point.

The Chair: Mr. Norlock.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): I must apologize. I was going down for a coffee when Ms. Priddy was speaking, but I think I heard her say "It needs to be expanded broadly", about the service we provide for new Canadians coming into airports, etc.

• (1550)

Ms. Penny Priddy: Well, that airport, anyway.

Mr. Rick Norlock: Or that particular airport. But I don't know why it should be just that airport, if we're talking about services. I think we're getting almost to the point where anything concerning an airport....

I would like, with respect to Mr. Dosanjh's motion, to say that I think it's a good idea, as I mentioned at the last meeting, that we look at this issue. But to do it justice, I think we have to do a lot of things to make sure we hone it to exactly what the intent is.

We are, if we count Nova Scotia now, getting into six and seven—and we'll make it eight—examples, and I agree that this is a federal issue. When we're dealing with CBSA, RCMP, and airport authorities, definitely the federal government has almost exclusive jurisdiction in those areas—with deference, of course, to the administration of justice.

But I also am cognizant of the work ahead for the committee. We were all in agreement that we would go along this line and discuss this issue, provided it didn't hold up Bill C-3 and one other thing we're dealing with and are almost right at the end of, and that's our witness protection issues.

I think there's almost unanimity here that we do this, so let's now figure out the mechanics of how we're going to deal with those three issues.

The Chair: I'll tell you as the chair that I'm becoming concerned here that we already made decisions at the last meeting that now we seem to be undoing a bit. You instructed the clerk and the staff to draw up a schedule, which we were going to discuss next. Now, if we pass a motion here to start this before Christmas, we're going to be undoing or contradicting what we passed previously. So I'd just be careful.

The other concern I have as chair is that we seem to be expanding the parameters of this study to the point that I don't know how we're going to contain this thing and make it a meaningful study if it becomes so broad that we're studying almost everything.

So I caution the committee as to the direction we're going. If this becomes too broad a study, it could almost be meaningless. The original motion was quite narrow, and now, if we amend it as suggested, I as the chair will have a hard time knowing what witnesses to invite.

Do you want to respond to that?

Hon. Ujjal Dosanjh: As to what witnesses you invite from time to time, the committee would meet in camera, or otherwise the steering committee could meet and deal with those issues.

Let's not jump ahead and think we're not going to be able to do this. I think we will be able to do this.

I agree that we had agreed to deal with Bill C-3 as a priority, and that still remains a priority. If we can get this work started before Christmas, it won't be finished for several months. I'm hoping that by then we will be able to have some benefit from the other studies. Some of them will be completed.

We should do Bill C-3. We should, if at all possible, do witness protection as well. I'm a little more flexible with respect to witness protection. If we can put in a meeting or two on this issue before Christmas, and witness protection, and go beyond the new year—and this, obviously, will continue for some time—I'm okay with that.

I'm happy to be bound by the other members of the committee if they want to do Bill C-3. Obviously we all want to finish Bill C-3 because of the court prescription. If we want to finish witness protection before Christmas, I will reluctantly go along with the committee.

The idea here isn't to be obstructionist, but if we can commence this work, even one meeting on this, and then finish it in the next sitting, I'm happy with that as well. I understand the constraints on our time.

The Chair: Mr. Brown is next, but if you want to just interject something....

Mr. Dave MacKenzie: I'm just wondering if we can do that in an extra meeting, if there is time—

Hon. Ujjal Dosanjh: Absolutely.

Mr. Dave MacKenzie: —because I'm thinking that a lot of what we need to do is to draft where we want to go and ask the researchers perhaps to do some things while we're gone.

Hon. Ujjal Dosanjh: We can do that in an extra in camera meeting. I don't have a problem with that.

The Chair: Let me just say what the clerk has suggested to me here—we don't have to decide on this right now—and then we'll hear from Mr. Brown.

The tentative schedule we drew up would result, if we adopt it, in an in camera meeting on December 13 to give drafting instructions to our staff here on the review of the witness protection program, and maybe at the same meeting, if we have time, we could also give them instructions on what witnesses to line up for when we come back in the next session after Christmas. That's a possibility.

• (1555)

Hon. Ujjal Dosanjh: I haven't seen the schedule that you've prepared.

The Chair: I wasn't going to hand it out, because it would be a distraction right now, but....

Mr. Brown, you're next.

Mr. Gord Brown (Leeds—Grenville, CPC): Thank you, Mr. Chairman.

I'm quite happy to support the gist of where we're going here. What I'm concerned about is that we focus too narrowly with this motion. I'm prepared to support it so that we can get moving, but we don't want to make it too broad, and I'm concerned that we're getting into immigration issues with this.

I think what we're trying to get at here is the whole taser issue. We don't know; maybe it's because of the death at the Vancouver airport, but all of a sudden, every time somebody gets tasered it's in the news now. Now tasers are in the news, it seems, every day.

I think what we want to get at is to learn about the whole taser issue. If we get too narrow, maybe we won't be able to get at all of

that from this motion. But I'm prepared to support it to get the ball rolling. Maybe we should—

The Chair: I kind of hear both—

Mr. Gord Brown: I just want to say, Mr. Chair, that maybe in establishing our witness list we can determine exactly what we want to do, and we would do that collectively, but the motion may be too restrictive in terms of giving us that flexibility.

The Chair: I'm listening to the debate now. I've been taking into account what the last few speakers have just said.

What if we were to set this aside for a moment? We can go in camera, we can take a look at the schedule that has been prepared for us, and then we can come back. In essence, we're almost tabling the motion for the time being, and then we can come back. You can tighten up the motion and get the wording exactly as you wish, and then we can discuss it further, maybe on December 13.

Do I hear you say let's wait and think about this a little bit?

Hon. Ujjal Dosanjh: I think we're all on the same page. We are a committee and we govern ourselves. If we believe, as we approach this issue and be more specific in terms of who to invite and who not to invite, that we have to add something or subtract something from this motion, we can do that.

I think this is a motion that's general enough when we have amended it to say it's the issues arising out of that incident.

The issue, Gord, is not just tasers. Tasers is one issue. The CBSA, the airport authorities, how they deal with people, Transport Canada—those are also important issues. Tasers are just one issue; tasers are not the only issue.

The Chair: All right. Seeing as there are no more people who want to make any comments, I would ask that we make a decision now on this motion. Can you just clarify what the amendment is? I have five words here that you seem to be wishing to add.

Hon. Ujjal Dosanjh: The amendment is to “study the issues arising out of the death of Robert Dziekanski”.

The Chair: Do you wish to have a vote on this or just simply agree? Do you want to vote on it? Okay.

The vote is on the amendment, first of all.

[Translation]

Mr. Serge Ménard: One moment.

• (1600)

[English]

What is the translation?

The Chair: I'll go through this slowly.

The amendment would come in after the word “study” in the first line in English. It would be “That the Public Safety and National Security Committee study the issues arising out of the”—and then continue with the motion—“incident involving the tragic death of Robert Dziekanski.” Did I get that right?

Hon. Ujjal Dosanjh: Yes.

The Chair: Okay. Did you get the translation, Monsieur Ménard? We've added five words in English after "study", "the issues arising out of".

Okay, the question is on—

Mr. Réal Ménard: I'm not sure that "*questions*" is the right translation in that sense.

The Chair: Yes, but the question is on the amendment. That's what I was going to start with.

Monsieur Ménard, is that clearer than mud or not?

[*Translation*]

Mr. Serge Ménard: Are you sure that "*questions*" is really the correct translation of "issues"? "*Questions*" are also "questions and answers," but here, "issues" are topics.

[*English*]

The Chair: The interpreters have clarified that for you, I hope.

We'll vote first on the amendment. So the question is on the amendment as has been suggested.

(Amendment agreed to)

The Chair: Now the question is on the main motion as amended.

(Motion as amended agreed to)

The Chair: We'll go now to future business, and we can decide if we want to deal with this again on the 13th, as suggested.

We're going to pause for a moment and go in camera.

[*Proceedings continue in camera*]

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