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**Thursday, June 4, 2009**

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**Chair**

**Mr. Garry Breitkreuz**

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•(1015)

[English]

**The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)):** Order, please.

I will let Mr. Holland put forth his motion that he gave notice of last day.

**Mr. Mark Holland (Ajax—Pickering, Lib.):** And I will move it with a minor change, having talked to Mr. Davies. I think he's right that in the second operative clause the word "will" I would change to "could": instead of "that such disregard will", it should say "that such disregard could".

In the second operative clause, "...and that committee further advise the Minister of Public Safety that such disregard could...", I don't think it's fair to say that it will.

Look, I'll be blunt here. Committee made a lot of accommodation. There were a lot of arguments made as to the imperative nature of dealing with this matter because it was a mandatory review. We moved our calendar around. We even moved ahead by a week the dealing of clause-by-clause so we could get the report out to the House as quickly as possible, and it came as a surprise to me—and probably even as a surprise to the government members—that the legislation was tabled in the House really when we only had maybe a week or two before we tabled our report.

Now, having been on committees for some period of time, I know you get used to your recommendations being ignored—more often than it should happen—but it's pretty rare that they don't even wait to hear what your recommendations are before they ignore them. To be blunt, it is incredibly disrespectful and it undermines this process. If the government comes and asks us to undertake another review, and asks us to invest our time and energy, and if government members come and tell us to bump the other items on the agenda because this is important and we need to have compromise and work back and forth, and we do that, and then the net result of it is that it's all tossed out the window and legislation is introduced without the value of our input or the input of all those witnesses who came before committee and shared their time and their energy and their expertise, then it really begs the question how, in the future, committee will respond when the government says it needs committee's help and it needs committee time and it asks us to bump other items to deal with an issue.

I'll tell you that I'll be very hesitant to bump other items or things that we think are important for government items, if the response of the government to this committee's work is to not even bother

waiting another week to hear what we have to say and what our recommendations are.

In this example, I think there are several items in the sex offender registry that were omitted, and I think they were omitted because of the haste with which the legislation was put forward. Had they waited for the committee's report, I think the legislation would have benefited from it. I say that not in some kind of partisan way because we had some partisan point to make that wouldn't be grabbed, but because this committee, in a unanimous fashion, was moving towards a couple of recommendations that were not included in that legislation. Had the government simply waited for our recommendations, it would have found that those were beneficial to add from the start.

So I really think it undermines our process. It really blatantly disregards the value of this committee and our work, and it makes it difficult going forward to work in a collaborative fashion when the government operates in this way. I think it's important to put as a matter of record the committee's displeasure with the way in which this was handled and to state going forward that, if this continues, it fundamentally undermines our ability to do our work here.

**The Chair:** Thank you, Mr. Holland.

Are there any other comments before we move forward?

Mr. Norlock, Mr. MacKenzie, Mr. Davies.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Chair, I hear what's being said. I'm not going to argue point by point, but I think it's necessary to say a couple of things just briefly.

I know the minister values the work of this committee. Not only do I know that, but the minister said so when he was here. I know also what kind of response that can bring, but let me just say this. This is a very tenuous Parliament. We have two pieces of legislation that we were mandated to look at. In the reality of the political sphere, the desire to make points and the desire for each side to declare which of them is more important than the other is there, and it's up to a committee to decide where it's going.

Let me just say that it's obvious from the witnesses, especially the police, and especially from some of the events that have happened in this country and in this province in the last few days, that we need this kind of legislation and need it PDQ. There are a bunch of other things I could say, and I don't disagree that probably there are some additional things we can do with the legislation; nothing's ever perfect.

And it is going to come back—we have a chance to make improvements to the legislation—so all is not lost. The deliberations of the committee are not lost, because we'll be able to fix and rectify those things that we as a committee may feel are lacking and add to them. So I don't really think it's the end of the world.

This Parliament is a minority government, we know, and there are things that have been mandated. And the current legislation—I'd like to throw partisan jabs at it—is sadly lacking. We know it is.

I suspect, although I'm not privy to the minister's deliberations, that some of the things I've just said influenced the manner in which the legislation was introduced.

Thank you.

**The Chair:** Mr. Davies is next, and then Mr. MacKenzie.

**Mr. Don Davies (Vancouver Kingsway, NDP):** I have a fair bit to say on this, because I felt exactly the same way as Mr. Holland did within moments of seeing this legislation tabled. One of the advantages of being new to Parliament is that I still approach my duties with a fair degree of sincerity and good faith that the work we do here matters. The kind of cynicism that I think underpins this act of the government is something that disappoints me and something I don't have a lot of experience with.

Mr. Norlock makes a fair point, in the sense that this legislation will come back to the committee. I hadn't considered that. I suppose that mitigates some of the effect of this, and I'll give that due consideration.

But this is what I wonder. What does this action of the government say to the witnesses who testified here? These people took their time to come here and to give their input to the committee, and the government didn't wait to even hear officially what that input was. What does that say to them?

Second, this is a statutory review. In my opinion, the whole purpose of what a previous Parliament put into law has been gutted because there hasn't been one. If government is going to act and make their legislative changes without waiting for the very statutory review to help inform their future legislative moves, there hasn't been a statutory review at all.

Third, I think this was disrespectful of all the members of this committee, including my colleagues on the government side.

I have a couple of questions in my mind that I don't expect to be answered here. If the government members did not know that this legislation was going to come.... I want to pause to say that this legislation wasn't drafted on Sunday. I'm a lawyer; I know how long it takes for legislation to be drafted. It would have taken weeks for this legislation to be drafted before it was introduced this week. If the government members did not know, then I think this action is just as disrespectful of them as it is of us, and if they did know, I have some other questions.

I want to point out, contrary to Mr. Norlock's comment—with which I will disagree, with respect—that there is no urgency to this legislation this week, none. Nothing has happened in Canada in the last two or three days that would justify an emergency, urgent introduction to Parliament of amendments to the Sex Offender Information Registry Act. I might be able to understand, if there had

been some urgency and someone could explain that to me, but there is none.

The last point I want to make is that I have a different conclusion from Mr. Norlock's point about this being a minority Parliament. That's precisely my point: this is a minority Parliament. That means that when we have to take up a parliamentary statutory review, the review must reflect the current makeup of this Parliament, and it's not a Conservative majority Parliament. That means that the statutory review must be informed by the input of all of us. To reflect that statutory review means that the minister should have—must have—in front of him the review of this committee, which is made up of no one party that has a majority, and with all of our input, which the majority of Canadian citizens have decided they want reflected in their legislation.

When you have a bill like this and—I'll call it a stunt—when I see a stunt like this pulled, whereby the government puts forward legislation that reflects only the Conservative perspective, without the input of all the members of this Parliament, of all the members of this committee, and of the witnesses who testified, I think this committee ought to express our displeasure in the most stark terms. I would hope that members on the other side of this table agree with that. As I said, I think their rights as parliamentarians and their hard work have been disrespected as much as all of ours have been.

• (1020)

**The Chair:** Mr. Davies, you're new to this committee. I have to let you know that we've been trying to do this for three years. It has been on the agenda for quite some time.

**Mr. Don Davies:** That's fair enough, Mr. Chairman. We could wait another week, then.

**The Chair:** Mr. Ménard.

[*Translation*]

**Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ):** I agree with many of the things that were said. There is a positive as well as a negative side to this. Quite simply, I felt that I had been insulted when the bill was introduced. I only felt this way once before, and that was when I was practising law. A judge had listened to our arguments regarding sentencing and when we had finished, he proceeded to read out a sentence that had been written in advance. Fortunately, we had recourse to a court of appeal.

I have enough years of experience in politics to know that one must put up with insults. We have seen a great deal worse than this. The fact remains that I felt that I had been insulted. I would have used even harsher words. In any case, I agree with the words used to describe the minister's actions. The minister introduced his bill in the hopes of reaping some immediate political benefit. It is this type of behaviour that discredits the work of members of Parliament in the eyes of the public. Mr. Davies rightfully asked how the witnesses felt. In this instance, the witnesses are not the only ones affected.

If legislation specifically provides for a review in two years' time by a committee, then we should know the electorate expects us to get down to business, gather information, give our opinion and have our views heard. This attitude shows that all of the work of parliamentarians, all of the precautions taken, serve no other purpose than to save face. This attitude leaves us with the impression that all of this is not important, that while a government is elected to govern, if it seeks advice from committees, it will merely disregard that advice because it will have already made up its mind. To my way of thinking, there are many other things that conspire to discredit our work. I do not think that this is true of this committee. Quite the contrary, in fact. I think we take our job very seriously. If our proceedings were made public, I would not be ashamed in the least.

As I have already said, this type of attitude can only serve to discredit the way in which the government operates and to weaken the voters' confidence in our system. That is the most serious repercussion. I can put up with insults, however. One of the challenges of politics is to acquire a tough shell capable of deflecting unwarranted insults, while at the same time remaining truly in tune with the opinions and wishes of the public. This is a challenge that we must contend with daily.

• (1025)

[English]

**The Chair:** Thank you.

My apologies, Mr. MacKenzie, I missed you.

**Mr. Dave MacKenzie (Oxford, CPC):** No problem, Chair.

You rightly pointed out that the statutory review was long overdue. We did ask for it over and over, and with all due respect, it kept getting pushed off and pushed off. So I'm sure Mr. Davies is probably right— don't know this—that the drafting was taking place because the issue was going to be brought forward at some point, whether or not we ever got to it.

Mr. Ménard would know. He was here when we asked to do the sex offender registry and the DNA data bank, and he used to agree with us, and we would lose frequently and something else would come up. Sometimes what most of us would concur with was something less important than what we have....

But I don't think we should lose sight of the fact that this will, I hope—I believe it will—pass second reading. We'd get that opportunity to come back, have the bill before us, and bring in other witnesses. There may very well be important things.... I think, with all due respect to the witnesses, they have been heard. The drafters of the bill would have had the benefit of transcripts and/or hearing the witnesses in full, as opposed to a report.

So I really do believe that timing had more to do with the end of the session of Parliament and getting it before the House, but also the fact that over the last two or three years we and the Bloc had been asking to review this, and it never got done. We always ended up doing something else that may or may not have been as important.

I'm not sure I'm going to change anybody's mind on the other side. I would suggest, if you've got on the record what you want, that we call a vote and vote on the motion.

**The Chair:** Okay, there has been a call for the vote.

Do you wish to have the vote now?

**Mr. Robert Oliphant (Don Valley West, Lib.):** I have one question, and it's not for this meeting obviously, but I would like the clerk to make available the cost of our hearings on this item. Conservative members are continually talking about wasting taxpayers' money. So I would like an itemized cost of the hearings, including the witnesses' expenses, the number of hours of staff time involved, and the real cost of having MPs involved in this per hour. I need a costing of that.

• (1030)

**The Chair:** That may be virtually impossible to do, if you would like your salary divided up by the hours you spend at the committee. You can do that yourself.

**Mr. Robert Oliphant:** I can do that part, because I know our salaries. I can calculate how much we cost per hour. I don't know how much it costs for travel for witnesses, and then the human cost.

**The Chair:** I think we can let you know how much the witnesses cost. Okay?

**Mr. Robert Oliphant:** I just want a number at some point. I don't need it today; I don't need it next week.

**The Chair:** I actually think the information is already available, because we had a budget approved. So you can just go and look at the budget.

**Mr. Robert Oliphant:** Maybe we need the actuals for travel, for hotels.

**The Chair:** Okay, these will be pretty close to what we allocated, but the clerk can tell you what was actually spent. The clerk will get you what the witnesses cost.

**Mr. Phil McColeman (Brant, CPC):** I just have a brief comment for Mr. Oliphant, if I might. When he costs out my hours, he should realize that I sleep for about five hours and the rest of my time is spent doing an MP's work.

**An hon. member:** Absolutely. Me too.

**The Chair:** Mr. Norlock.

**Mr. Rick Norlock:** When he costs the hours, how about including the three-year delay? If the legislation had had the desired effect in the first place, the costs to society.... We can cost things out.

**An hon. member:** Mr. Chairman, this committee—

**The Chair:** Order. Order.

Are we ready for the vote?

(Motion agreed to)

[Proceedings continue in camera]





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