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Chair

Mr. Garry Breitkreuz

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• (1530)

[English]

The Vice-Chair (Mr. Mark Holland (Ajax—Pickering, Lib.)): I call to order this meeting on the Royal Canadian Mounted Police public complaints commission and oversight.

Before we turn to our witnesses for today, there is one matter outstanding with the committee. Mr. Sullivan, the Federal Ombudsman for Victims of Crime, is unavailable on the 22nd, but is available on the 20th. The proposal is to change the date to the 20th from the 22nd. I want to make sure committee members are okay with that change.

Seeing no objections, we'll proceed with that change.

Thank you very much.

Before us today we have Mr. Ian McPhail, who I believe will be leading comments today.

Will any of the other witnesses be making comments as well, or just yourself, Mr. McPhail?

Mr. Ian McPhail (Interim Chair, Commission for Public Complaints Against the Royal Canadian Mounted Police): I will be speaking. My colleagues are here in the event there are questions on some details.

The Vice-Chair (Mr. Mark Holland): I just wanted to clarify that.

Mr. McPhail, please go ahead. You have 10 minutes for opening comments.

Mr. Ian McPhail: I would like to thank the committee for being given the opportunity to appear here today. I am joined by Helen Banulescu, the executive director, and Kevin Brosseau, the director of operations for the Commission for Public Complaints Against the RCMP.

[Translation]

My opening statement will be brief. As this is my first appearance before this committee, I would like to speak to you about my professional career, about the work that is done by the Commission for Public Complaints Against the Royal Canadian Mounted Police and about my vision of the organization at this time when we are getting prepared to carry out a stronger mandate.

[English]

I will keep my opening remarks brief. Given that this is my first appearance before this committee, I would like to talk about my professional background, the work of the Commission for Public

Complaints Against the RCMP, and my vision for the organization as we move forward towards a strengthened mandate.

Most of you may know little about me beyond a media outlet's description of me as being a real estate lawyer. It's true that I run my own law practice, which does, amongst other things, include real estate law. I've been a practising lawyer for 30 years. While it's not normally in my nature to talk about my own accomplishments, my colleagues at the complaints commission have insisted that I push my Scottish reticence to the back burner on this occasion.

I was brought up in a family strongly committed to public service. Some family members went the route of elected office as Liberals, Tories, and CCFers. My grandfather was elected mayor of Sault Ste. Marie. His cousin was the first female member of the House of Commons, Agnes Macphail, representing the old CCF party of Tommy Douglas. My path has taken me towards service to community—more specifically, with the Toronto Chinese Community Services Association, the Cabbagetown south residents' association, and the Toronto Grace Hospital.

What is probably of greater relevance in terms of my new appointment is my experience running government agencies. I spent six years as chair or acting chair at three Ontario agencies: the Environmental Review Tribunal, the Alcohol and Gaming Commission, and TVOntario. I am very proud of the work we accomplished at each agency. I believe I brought solid leadership to each organization. For example, I made greater public participation and access to environmental review tribunals a key priority during my three-year tenure there.

I was honoured to have been approached for the post of part-time complaints commission vice-chair and acting chair. My motivation in accepting the position was based on being asked to help a key organization transition to a new mandate. I am fortunate in that I have inherited a very strong team at the commission, which is a testament to my predecessor. I have an experienced staff of investigators, lawyers, and analysts with backgrounds in law enforcement, public security, public service, and the private sector.

To state the obvious, the RCMP has had a challenging past few years. The commission, for its part, has been forthright in identifying deficiencies, be they institutional or individual. As an independent review body and informed interlocutor, we are uniquely positioned to bring a vital perspective to national policing issues. Taser use and police investigating police are two such topics. When we are accused of being too soft on the RCMP by some critics, and being too critical by the RCMP commissioner, we know we probably have it about right.

That said, despite how the media may on occasion portray the relationship between the complaints commission and the RCMP, as hard-hitting as some of our reports may have been, the RCMP has in fact accepted the vast majority of our findings and recommendations. The commission, for its part, is proud of its record of fairness and impartiality. Without both, we could not do our job effectively.

I believe it is fair to say we can all agree that public trust is the keystone to the effectiveness of any police force in the world. Commissioner Elliott has reiterated this point on many occasions, as have my predecessors.

• (1535)

How does the CPC help the RCMP with gaining the trust of the Canadian public, you may ask? When I spoke to a large gathering of Alberta-based RCMP members several weeks ago, it was clear to me that from the commissioner on down, the RCMP shares the perspective that strengthened oversight is essential to RCMP credibility.

In terms of my vision for the CPC in the short term, it is simple: I want to consolidate the excellent work of my predecessor by maintaining strict service standards in response times to complaints and reviews. I want to strengthen the complaints and review processes and I want to make it easier for citizens to access the system. My longer-term vision is to ensure that the CPC as an organization is prepared for the change to a new mandate.

There is another important objective that I have as acting chair, and that is to ensure that the working relationship between the CPC and the RCMP rests on a solid foundation of mutual trust and respect. There will be occasions where we will just have to agree to disagree. We have our mandate and we will fulfill it on behalf of all Canadians.

In terms of the future, as has been consistently recommended by CPC chairs over the years, by the O'Connor commission, the Brown task force, and several House and Senate committees, including this one, the creation of a new oversight regime now appears imminent. I will speak to some of the key areas that I believe have to be addressed in a new oversight mandate.

Before I do that, I would like to state that I believe the RCMP is an institution vital to the safety and well-being of Canadians across this land. Canadians want the RCMP to succeed. As acting chair, I am optimistic that a strengthened oversight mandate will indeed help address what Commissioner Elliott has referred to as the RCMP's "credibility challenge".

As the Auditor General so eloquently put it in 2003, it is critical to "ensure that agencies exercising intrusive powers are subject to levels of external review and disclosure proportionate to the level of intrusion". Nowhere is this more important than when talking about policing.

With regard to new legislation and the bottom-line requirements for effective review and oversight, there are five points I wish to leave you with. First is access to information.

Under the current model, the RCMP commissioner may deny information that is relevant to a complaint. The commission must be

able to determine what information it requires and be able to access it as of right.

Second is self-initiated review authority. The current model is a reactive one, driven by complaints. The commission should have the authority to undertake reviews of RCMP conduct, policies, and procedures on its own initiative whenever a broader issue deserving of such scrutiny comes to light.

Third is the ability to work cooperatively with other agencies. The commission should be able to share information and reports with provincial ministers and the commission's provincial counterparts, or other similar bodies, when relevant. It should have the authority to conduct joint investigations, inquiries, reviews, or hearings where circumstances warrant.

Fourth is control over the complaint process. The commission should have stewardship over the intake of complaints and review requests. The commission should have the authority to impose reasonable time limits on complaints and reviews.

• (1540)

And finally, on improved powers of inquiry, the commission should be able to summon witnesses, enforce appearances, compel oral and written evidence, and examine and retain copies of information, without having to call a full-blown inquiry.

With that, Mr. Chairman, I would be pleased to respond to any questions committee members may have.

• (1545)

The Vice-Chair (Mr. Mark Holland): Thank you very much, Mr. McPhail.

The first round goes to the opposition.

I'd ask permission of the committee to ask questions from the chair, if that's satisfactory to the committee.

Some hon. members: Agreed.

The Vice-Chair (Mr. Mark Holland): Mr. McPhail, I'm sure you recognize, and you acknowledge in your comments, that you have big shoes to fill. Mr. Kennedy did an outstanding job in holding the RCMP and government accountable. And the office you hold is one that is critical to ensuring that function. It plays a vital role in allowing the public to know what changes need to be made and what deficiencies exist, and ultimately in upholding the integrity and public confidence in the RCMP. As problems are identified early and challenges are met, it allows the system to become stronger. So I'm sure you recognize that. And I'm sure you recognize the importance and size of the role you've undertaken.

I want to start, if I could, with the government having allocated \$8 million some two years ago for the establishment of a new review mechanism. We'd been waiting a long time for that money to be activated. The government now says it's moving forward with the new review mechanism. I'm wondering if you could tell the committee how this money will be spent. Do you have any insight into when and how that \$8 million will finally be activated?

Mr. Ian McPhail: In terms of the commission's budget, Mr. Chair, first of all, the commission has been acting on a budget of approximately \$5 million, with \$3 million of interim funding, for a total of \$8 million. This has been adequate to date to conduct its operations, although, frankly, only with great care in spending.

In terms of the adequacy or lack of adequacy of anticipated funding, that's going to be very much a factor of the responsibilities the commission is mandated, or becomes mandated, to undertake by Parliament. And until we have a more specific sense of what that mandate might be, it's very difficult to comment on the specific amount of funding that would be required to conduct the mandate.

The Vice-Chair (Mr. Mark Holland): As I say, we've been waiting for some two years, longer in fact if you consider the recommendations of Justice O'Connor following on the conclusions of Justice Iacobucci. We've been waiting a very long time for that.

Have you been given no indication of when we could expect that mandate?

Mr. Ian McPhail: All I know, Mr. Chair, is that the matter is under active consideration. We've made, both on the staff level and me, personally, some recommendations. So I know the matter is on the front burner at this time.

But in terms of a specific timeframe, I'm unable to enlighten the committee.

The Vice-Chair (Mr. Mark Holland): Mr. Kennedy certainly expressed great concern that such a great period of time had transpired and a mandate was still not forthcoming. Are you satisfied with the fact that the matter is under consideration? Or do you feel these matters represent a certain degree of urgency and need to be acted upon, if not immediately, certainly years ago, probably?

Mr. Ian McPhail: I can't comment as to what might have happened or did not happen in the past. I only know that a strong consensus has developed among the RCMP, the commission, and I believe parliamentarians of all parties that this is a matter that should be dealt with soon. I have been given to understand, as I say, without any specific timeframe, that this will be coming forth soon.

The Vice-Chair (Mr. Mark Holland): Right. But in your opinion, is there any reason to wait any further for that mandate? Should that mandate be implemented immediately?

Mr. Ian McPhail: Because I don't know the specifics as to where the new mandate stands, it's just not possible for me to give a particular timeframe.

I can tell you that when I was approached to take on this position, one of the reasons for my doing so was to enable the commission to transition to the new mandate. So clearly—

• (1550)

The Vice-Chair (Mr. Mark Holland): I understand that you're obviously new to the role, Mr. McPhail, but I know this was a deep concern of Mr. Kennedy's. It's certainly a deep concern not only for me but for many others. I have to express a little disappointment that it's an area you're not pressing more urgently.

Another thing Mr. Kennedy expressed a lot of concern with and said needed to be changed—and this was reiterated in the conclusions of both O'Connor and Iacobucci—was the fact that

there are many agencies for which we have no oversight, for example, Immigration and the Canada Border Services Agency. Many areas involved in gathering intelligence have no oversight.

The recommendation was to expand the mandate of the Public Complaints Commission to empower your office with those powers. Mr. Kennedy has been very critical of the fact that those recommendations haven't been acted upon. What is your feeling on that matter?

Mr. Ian McPhail: I would agree, as I said in my opening remarks, that there should be checks and balances with respect to any agency that has strong intrusive powers. Whether it is this commission, which I personally believe would be well equipped to take on such a role, or another body that does so is less relevant than having the job done.

The Vice-Chair (Mr. Mark Holland): Let me ask the question a little more explicitly.

Is it acceptable that agencies such as the Canada Border Services Agency, Immigration, and more than 20 others have no independent oversight at this point?

Mr. Ian McPhail: As I said, I'm a strong believer that all of us as individuals or as institutions must have checks and balances, must have appropriate oversight, and must be accountable.

The Vice-Chair (Mr. Mark Holland): What form would that oversight take? Would that take the form recommended by Justice O'Connor and advocated by your predecessor? What form of oversight should that take for those agencies that currently have none?

Mr. Ian McPhail: That's a matter for Parliament to decide. In terms of the structure, as I said, getting the job done is more important than which organization actually takes on the responsibility.

The Vice-Chair (Mr. Mark Holland): That is my seven minutes for this round.

[Translation]

Mr. Desnoyers, you have seven minutes.

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Thank you, Mr. Chair.

In your opening statement, you spoke of the implementation of new legislative structures and you said that this included five points. My colleague said earlier that Justices O'Connor and Iacobucci had made recommendations that seemed to meet with unanimous consent. Even the minister for public security made similar statements. There was talk of an \$8-million budget over two years for this organization.

From 2008 to 2009, the budget amounted to \$8.7 million, but it was reduced to \$5.2 million. Even Mr. Kennedy said at the time that this will be harmful to the civilian oversight of the activities of the RCMP.

Do you agree with these statements? Supposing that a new organization comprising certain elements—even though I think that there are missing pieces—were to be created, do you believe that the \$8 million would be enough?

[English]

Mr. Ian McPhail: I assume, Mr. Chair, to respond to the honourable member's question, that the question is whether a further \$8 million would be suitable.

Before I deal with that specific question, I would like to, if I might, correct one error that may have crept into the question, which was in the statement that funding for the commission was reduced from \$8 million to \$5 million.

For the past number of years, the commission has had base funding of approximately \$5 million and interim funding of \$3 million. That interim funding was renewed this year on the recommendation of the minister and with the approval of the Treasury Board. So funding has been consistent.

• (1555)

[Translation]

Mr. Luc Desnoyers: Were those amounts sufficient?

[English]

Mr. Ian McPhail: Yes, those amounts are sufficient to carry out the present mandate.

I believe the commission could be more effective with the same amount of funding were some of the recommendations that I've outlined put into place, such as the ability to control the complaints process to a greater degree, which would enable the commission to weed out more frivolous complaints.

And where I believe the result could cause the government considerable savings is an expansion of the commission's mandate to do more extensive reviews, so that governments of any stripe aren't faced with the alternative of having a full-blown public inquiry on one hand and just a general review on the other. At the moment it would appear to me that there is not an adequate middle ground there.

Again, would the \$8 million in additional funding announced be adequate for the new mandate? I can only refer to my earlier remarks in which I stated that we don't yet know what the new mandate is. At such time as that's undertaken, we of course will review what's involved and make appropriate recommendations.

[Translation]

Mr. Luc Desnoyers: Have you read Justice O'Connor's recommendations?

[English]

Mr. Ian McPhail: Yes. They have been taken into account.

[Translation]

Mr. Luc Desnoyers: Do you agree with broadening the mandate?

[English]

Mr. Ian McPhail: Yes, and I outlined very specifically how I think the mandate of the commission could be broadened to provide more effective oversight, at not substantial increased cost, without interfering with the appropriate internal discipline mechanisms of the RCMP.

[Translation]

Mr. Luc Desnoyers: This also has to do with the investigative power of organizations such as the RCMP and CSIS in particular. This is a much broader mandate. I will not come back to the financial aspect, but I would like to know if you have enough personnel to carry out such a mandate.

[English]

Mr. Ian McPhail: Clearly, if the mandate were broadened, additional personnel would be required. Again it goes back to the issue of what degree of expansion or broadening of the mandate might be legislated and what operational requirements there would be.

[Translation]

Mr. Luc Desnoyers: The Security Intelligence Review Committee, or SIRC, has a very broad mandate with regard to the RCMP. Is the power to investigate the RCMP an extra mandate for your commission? Do you think that this role can be quickly assimilated within a new mandate?

[English]

Mr. Ian McPhail: A broadening of the mandate to include CSIS would be very much a broadening, indeed. I'm not certain that the mandate would be expanded or broadened to that extent.

[Translation]

Mr. Luc Desnoyers: Justice O'Connor—

The Vice-Chair (Mr. Mark Holland): Mr. Desnoyers, you will have another opportunity to put questions. I also think that there was some confusion about this question. We could come back to it.

Mr. Davies, you have the floor for seven minutes.

• (1600)

[English]

Mr. Don Davies (Vancouver Kingsway, NDP): Thank you to all the witnesses for appearing before us.

I must say that any relative of Agnes Macphail is a friend of mine.

Mr. Ian McPhail: Thank you.

Mr. Don Davies: I want to focus a bit on one of the more troubling and profound aspects of this file—that is, deaths in custody. Of course, I come from British Columbia, where we've had some high-profile deaths in custody, not only in the custody of the RCMP but in other police forces as well. We have Mr. Dziekanski and Ian Bush, who passed away while in the custody of the RCMP in some form. We've had other high-profile deaths, including Mr. Frank Paul, involving the Vancouver Police Department.

First, what is your position on the general question of police investigating police in the case of a death or serious bodily injury while in custody?

Mr. Ian McPhail: First of all, if I can backtrack a little, the issue of police investigating police is perhaps an oversimplification. As I think you have correctly outlined, it applies to certain serious issues. Amongst those, I would include serious bodily harm, deaths while in custody, and issues of sexual assault.

In those instances, and perhaps in some other areas, I believe it is appropriate for a body outside of the RCMP to conduct the investigation. I think it's too difficult for the RCMP to maintain its credibility with the public when these issues come into play.

Mr. Don Davies: I take it you would agree with RCMP Commissioner Elliott's comments that the RCMP would prefer never to investigate themselves.

Mr. Ian McPhail: Yes, he has personally made that very clear.

Mr. Don Davies: I guess we're talking about gradients. The first thing I think we all agree on is that police forces should never investigate themselves when there's an allegation—and I'm talking about deaths in custody, serious bodily harm, or sexual assault. We agree with that.

Mr. Ian McPhail: Yes.

Mr. Don Davies: With regard to the next step, do you think it's appropriate to move the investigation outside of that police force and have a sister or brother police force investigate? That's the question I'm getting at. I think many British Columbians are concerned that is not enough of a distance because of the general, and quite natural, bonds, camaraderie, and sometimes connections between police forces.

Do you have any comments on that? That's the perceived conflict of interest that many people feel in my province.

Mr. Ian McPhail: I understand the issue, which is why it's important that there be detailed guidelines, almost a matrix, for the RCMP to follow depending on the level and seriousness of the incident.

If I could give you an example, and this relates to judicial matters, in Ontario, where we had a tragic death involving a former attorney general, the province went outside of Ontario to appoint a crown attorney for that case. That was for the very purpose you're pointing out, which was to avoid any perception of conflict. That was quite appropriate.

Mr. Don Davies: Here's an example. We had a recent assault by a Vancouver police officer on a resident named Mr. Yao Wei Wu. It was a case of mistaken identity. You may be familiar with the case.

Mr. Ian McPhail: Yes, I'm familiar with the case.

Mr. Don Davies: What the Vancouver Police Department did was to call in the Delta police force. I can tell you that the Chinese Canadian community don't perceive that to be much of a distance in terms of satisfying them that they can get a truly independent investigation into this matter.

Would that be enough of a distance, in your view, to satisfy everyone? I don't want to make you uncomfortable by commenting on that decision, but that's the example I'm thinking of.

•(1605)

Mr. Ian McPhail: Without commenting on the specific decision, I think the public is the final judge of these things. I believe that police forces, whether it's Vancouver or the RCMP, must be sensitive to public opinion. With that sensitivity they should avoid measures that could be seen as half measures, which is really what you're talking about.

Mr. Don Davies: Well, that's true, because I think this is a question of justice as well. It's not just about sensitivities, I would respectfully submit, but justice. There's a concern that if the investigation that's supposed to bring forth the evidence, on the basis of which the crown may subsequently lay charges, is not done fairly or scrupulously, it will taint the entire process.

Would you agree with what I think many Canadians want, a national civilian-led and civilian-delivered investigative body that would investigate across the nation any allegations of deaths in custody and serious injury? Do you see any problem with that?

Mr. Ian McPhail: As a matter of fact, the commission has strongly advocated, and I am in full support of this, that we have national standards. The RCMP is a national police force and there needs to be consistency across the country. I'm not certain that at this point we're at that stage.

The Vice-Chair (Mr. Mark Holland): Thank you.

Mr. MacKenzie for seven minutes, please.

Mr. Dave MacKenzie (Oxford, CPC): Thank you, and I'd like to thank the panel for being here today. I do recognize the new positions that everyone holds. On some days, I think there's a lot to be said for a new broom sweeping things clean. So we welcome you.

Mr. McPhail, I know you have some history with government and agencies, and so on, and that you have been appointed to other places. On being appointed to the commission, I doubt you went into it without doing some research on what the job involved, what tools you would have, and what road maps, if I can put it that way, were there for you.

I'd just like to know if you felt comfortable taking the job—and I'd hope you didn't take it if you weren't. But when we look at all of the things that we hear are wrong, there have to be some good things about doing the job—and we respect you for doing the job.

Mr. Ian McPhail: You're absolutely right. I did inquire as to what would be involved and what plans were in place or were going to be in place for the future.

One thing I can tell you is that when I took my previous positions with the Ontario government, in every case where I was appointed, I took those positions because there were problems that needed to be fixed or improvements to be made. I can honestly say that I acted as a change agent and was able to accomplish change in a non-confrontational and inclusive manner.

Yes, I became aware of some of the issues. I've become much more aware of the issues since I've taken the position, I can assure you, but that's what makes it interesting.

Mr. Dave MacKenzie: I have a great deal of respect for what your predecessor accomplished during his time, but sometimes it does take a new approach and a new view of things. I know that Mr. Kennedy was critical of a number of things, and I've heard some of the issues today. But one of the things is that when we talk about the oversight of other agencies, like CSIS...there is an organization called SIRC that oversees CSIS. People shouldn't believe that CSIS operates in some area without an oversight body, which it has.

•(1610)

Mr. Ian McPhail: I assure you the commission is not out to take over other organizations.

Mr. Dave MacKenzie: I understand that.

I'm just curious about the following. When you took over, can you tell us about the hand-off of backlogged complaints files, and maybe where we are with those?

Mr. Ian McPhail: This is an interesting point.

Just in the last few days I signed off on a decision where the initial complaint dated back to the 1990s. Now I don't believe that's the fault of the commission, but it is illustrative of the challenges involved in getting relevant information together. So I believe that's important.

Since I've been acting chair, I've issued over 40 decisions, so we're certainly moving along at a good clip in that regard.

Mr. Dave MacKenzie: I would just offer to you that I come from a province that has an independent special investigations unit in a similar manner, but different, and certainly decisions delayed are like decisions denied. The public is not well served, nor are the police officers. Obviously, I'm hoping you can tell us your intent is to clean those files off sooner rather than later.

Mr. Ian McPhail: Absolutely. I would go back to my role at the two quasi-judicial agencies, the Alcohol and Gaming Commission and the Environmental Review Tribunal, where we established quite tough performance measures and exceeded them.

I couldn't agree with you more. It is not fair to the complainant, whose concerns are being ignored. It is certainly not fair to the member, whose career is under a cloud, and it's hardly fair to the force or to the public, which either has forgotten that the complaint was made or has concluded that nothing ever came of the investigation.

Mr. Dave MacKenzie: I'm just wondering if you can enlighten us. My colleague from the NDP mentioned British Columbia. I believe I just read something recently about how the chiefs' association in British Columbia is supportive of independent investigative bodies. I don't know whether or not that would apply to your agency, but it seems to me that the police agencies are welcoming outside—I said "outside", but I mean independent—review. Do you see any difference with the RCMP?

Mr. Ian McPhail: No. I would say the RCMP has been very welcoming. The commissioner, in my conversations with him, has gone to great lengths to express his view that the credibility of the RCMP is genuinely affected by the effectiveness of that independent review and oversight mechanism, so I can assure you that he welcomes it. As I mentioned earlier, when I was in Alberta speaking to senior RCMP officers there, were a number of questions. Without exception, those members saw the value of an organization such as ours.

The Vice-Chair (Mr. Don Davies): I'm sorry, you're out of time.

Mr. Oliphant for five minutes.

Mr. Robert Oliphant (Don Valley West, Lib.): Thank you, Mr. Chair.

Thank you, Mr. McPhail, for offering yourself for public service. I'm from the Sioux, and your ancestral home is well known to me. I used to drive by the McPhail house constantly.

•(1615)

Mr. Ian McPhail: Really.

Mr. Robert Oliphant: You're new in the job and I am too. And you're interim in the job and I hope not to be in mine, but because you're interim, I want to focus a little bit on this period of time as opposed to the commission itself.

Were you given a mandate letter for this year?

Mr. Ian McPhail: No.

Mr. Robert Oliphant: There is not a specific mandate they have actually asked you to accomplish in the year.

Mr. Ian McPhail: No. I was advised that there was going to be a change in the whole oversight regime. It was probably difficult to give a mandate letter when the specific nature of that regime was not yet known, beyond the fact that it was going to take place, and my mandate was to assist the commission in transitioning to that new regime.

Mr. Robert Oliphant: On that scale, on the spectrum of being the changer and the caretaker while the change is going on, where would you understand your job to be?

Mr. Ian McPhail: My understanding would be much more on the changer side.

Mr. Robert Oliphant: So what are your personal goals with respect to the change?

Mr. Ian McPhail: First of all, it is to maintain the very effective role that the commission has established for itself up until now. The quality of the investigatory activities of the commission is first rate. The internal management of the commission is absolutely excellent.

So how do we take on new responsibilities? As I've said before, it depends on what those new responsibilities might be, but I have gone through that process before.

Mr. Robert Oliphant: Mr. Kennedy has some pretty concrete suggestions. Often, oversight bodies are actually the best places, because they see what needs to change. The RCMP has less desire to see oversight changed. They haven't been here pleading for change. Mr. Kennedy has suggested both budgetary and mandate changes. Mr. Brown has suggested a number of changes. Justice O'Connor has suggested a number of changes. Do you accept it as part of your mandate, then, to make these changes suggested by Mr. Kennedy, Mr. O'Connor, and Mr. Brown?

Mr. Ian McPhail: That's a difficult question to answer, as I'm sure you'll appreciate, because at the end of the day, it's the parliamentarians who will decide what changes we're going to be mandated to bring into place.

Mr. Robert Oliphant: That's my dilemma. Right there is my dilemma, because we've had a number of independent inquiries that have suggested changes. We have a government that has not acted on them. You've been appointed, and we can't tell whether it's to make change or to keep the status quo. That's exactly my dilemma. I'm trying to get the status of Mr. Justice O'Connor's desire for change and whether you have any indication that the government is working on that. I'm trying to understand whether your appointment is to keep the government happy or to effect change.

Mr. Ian McPhail: I was invited to be frank and open as to what changes I thought were appropriate. I have attempted to do that in my remarks today by outlining five broad areas. Certainly I'd be happy to go through those broad areas in greater detail. Whether all my suggestions are accepted by Parliament is not something I can predict.

Mr. Robert Oliphant: Your predecessor was pretty blunt in saying to us that the budget of the RCMP had expanded exponentially, but the budget of the watchdog agency had not. The amount of work being done to oversee it needed to expand proportionately, but it hadn't kept up. The mandate of the RCMP had grown, but there had been some tremendous deficiencies found in these commissions.

It's been very strongly stated that the excellence is not there. That's why we need a stronger oversight body. It is to have it become more excellent. We are committed to a stronger and better RCMP through oversight. I'm just not hearing that it really is your mandate to get that done.

The Vice-Chair (Mr. Mark Holland): We'll have to take that as a comment for the time being rather than a question.

We'll turn to Ms. Glover for five minutes.

•(1620)

Mrs. Shelly Glover (Saint Boniface, CPC): Thank you, Mr. Chair.

I want to welcome all our witnesses here today.

[Translation]

Sir, I am very glad to meet you.

[English]

It's an honour to meet you, because I have heard many times of the good work you've done, not only presently but in the past. I congratulate you and thank you for your service, and the other two witnesses, who I'm sure are working very hard doing their new work.

I want to follow up on something you said earlier. You mentioned, and I thought it was very interesting, that you've made 40 decisions to date. You've been there only a short time—since January. I'm interested in knowing what other activities you've undertaken since you came into the vice-chair role. Clearly, even though there is still a mandate outstanding that is being worked on—and it is being worked on—you've obviously done quite a bit of work. Please enlighten us about the things you've been engaged in.

Mr. Ian McPhail: I will try.

I can say that it's fascinating work. First of all, with respect to the decisions, each one of them has been a very interesting slice of life.

You see the decisions that have to be made by police officers on the job. I'm well aware that you don't want to be in the position of second guessing, but I can also see areas where police officers aren't given the right tools to do the job in terms of training and so forth.

Focusing on what else I've been involved with, I had the opportunity to speak to RCMP officers in Alberta. I visited the intake centre, which is in Surrey, British Columbia. I met with the staff there and was briefed by them.

I have met with the commissioner to discuss our respective roles. That was a productive meeting. We've agreed to remain in regular contact.

Mrs. Shelly Glover: By regular, do you mean you set a timeline?

Mr. Ian McPhail: We're going to do that probably quarterly.

I've had the opportunity to meet with the minister, and I was given full encouragement to proceed as I thought best and to feel free to make recommendations as I saw fit.

I met and had a very productive and enjoyable meeting with my predecessor to review some of the issues he had dealt with, and I gained insights there.

There's the ongoing administrative work of the commission: a budgetary review, work on the plan for the coming year—

Mrs. Shelly Glover: That's a lot since January. Good for you.

I'm curious to know, though, have you also thought about the input or the effect on provinces that contract out to the RCMP? I'm interested in knowing whether you have had conversations about that. I once lived in a small town that had to contract out even though they were becoming a city. I'm curious to know how you deal with the provinces.

Mr. Ian McPhail: That's a very interesting point. It gives rise to one of the general areas that I referenced, which is the ability to coordinate. For example, while we can share our decisions with the parties involved, we can't share them with the provincial ministers and with our provincial counterparts due to privacy legislation.

Mrs. Shelly Glover: So a complaint is lodged against a member in a small town. The complaint comes to you. You complete the investigation and you're restricted from sharing that information with the ministers in the provinces?

Mr. Ian McPhail: Correct.

The Vice-Chair (Mr. Mark Holland): I'm sorry, it will have to be a yes or no answer. Are you confirming that?

•(1625)

Mr. Ian McPhail: Yes, that's correct.

May I—

[Translation]

The Vice-Chair (Mr. Mark Holland): Now we will continue with the Bloc Québécois for five minutes.

Mr. Pomerleau, you have the floor.

Mr. Roger Pomerleau (Drummond, BQ): Thank you very much, Mr. Chair.

Mr. McPhail, Ms. Banulescu, Mr. Brosseau, I thank you for being here today.

This is the first time that I sit on this committee. If I correctly understand what I have heard, you have been in this position for a brief period of time, actually since last January.

[English]

Mr. Ian McPhail: That's correct. Likewise, it's the first time I've come to this committee.

[Translation]

Mr. Roger Pomerleau: I wish you good luck in your work.

I would like to put a few basic questions. What kind of complaints does the Commission for Public Complaints Against the Royal Canadian Mounted Police deal with? Do you have a register of such complaints? Are there any very specific kinds of complaints? What part of Canada do they come from? Do they come from all over Canada? How many employees do you have to deal with these complaints?

[English]

Mr. Ian McPhail: There are several questions there. First of all, in terms of the numbers of people we have to deal with the complaints, there are 40 full-time staff at the commission and approximately 20 short-term staff members. In addition, the commission retains outside investigators for specific projects.

In terms of the types of complaints, as you might imagine, they range from an instance where a citizen believes a police officer has been rude or disrespectful to I would say fairly high-level complaints dealing with political and other sensitive matters, and everything in between.

I'm glad you raised that issue. One of the things I would like to see happen with the commission, and I've seen this in the few months I've been here, is when you look at some of the complaints relating to police behaviour, many of which can occur because of a misunderstanding, sometimes because of language difficulties, I'd like to see us have the ability to appoint mediators and engage in other forms of alternate dispute resolution. I believe that would—not in all, but certainly in a significant number of instances—provide a faster, more effective, and more positive resolution. Whenever you have to say someone is right, someone is wrong, that's not as effective as the parties involved coming to that conclusion themselves.

[Translation]

Mr. Roger Pomerleau: It's just like in real life, isn't it?

You made five recommendations. Creating a position for a mediator would probably be the sixth recommendation. Under the title "Access to information", we read, and I quote: "With the current model, the RCMP Commissioner can refuse to disclose information regarding a complaint."

What reasons did the commissioner give to refuse to give information?

[English]

Mr. Ian McPhail: Since I've been in this position the commissioner has not refused, on any occasion, to provide information. In fact the RCMP has been most cooperative. My concern in terms of the credibility of the process is that the public needs to be assured that the commission is given the tools and the information necessary to do its job.

[Translation]

The Vice-Chair (Mr. Mark Holland): Thank you very much.

Now we will continue with Mr. Rathgeber, who has five minutes.

• (1630)

[English]

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Thank you, Mr. Chair.

And thank you to all the witnesses for your attendance.

Congratulations, Mr. McPhail, on your appointment. I know you'll do well.

You've been on the job since approximately the beginning of January.

Mr. Ian McPhail: Yes, the middle of January.

Mr. Brent Rathgeber: One of the major policing events that has occurred during your short tenure has been the policing of the Vancouver 2010 Olympics. I was wondering if you could tell us how that went, from your perspective, whether there were complaints, and if so, what kinds of complaints they might have been.

Mr. Ian McPhail: In my opinion, the policing at the Vancouver Olympics was a superb example of cooperation amongst various police forces. There were members of the RCMP, the Vancouver police, and police forces from across the country engaged in that event.

To get back to the previous question on what I have been doing, we spent quite a bit of time being prepared for an onslaught of complaints as a result of the Olympics. That onslaught never occurred. We had a total of 10 complaints, and not one was what one might consider an accusation of a major transgression. I hesitate to characterize any complaint as minor, because it's important to the person who made the complaint, but I believe that was a remarkable record.

Mr. Brent Rathgeber: Yes. I was in Vancouver, and I agree, policing seemed to be very successful.

One of the next policing initiatives that Canada will have to deal with will be the imminent G-8 and G-20 meetings. I'm curious as to what role, if any, the commission will be playing, in terms of coordinating complaints following those events where protestors can be anticipated.

Mr. Ian McPhail: Torontonians may be more difficult than Vancouverites; I'm not certain. We've already begun to coordinate with the provincial force and with our provincial counterpart, and we expect to be fully up to speed well before the event occurs.

Mr. Brent Rathgeber: In February of this year, the RCMP implemented or announced a new policy of referring investigations of its members involved in incidents related to serious injury or death to external investigative agencies.

I'm wondering if you've had a chance to contemplate that and if you have an opinion or a preliminary assessment of that new policy.

Mr. Ian McPhail: My preliminary assessment was to welcome that announcement. I believe it went a long way towards the recommendations of this commission. I think a further step that would be helpful would be to maintain a national register of complaints so that the public, the commission, and the RCMP would be able to ensure greater national standards as to how investigations are conducted, how these matters are resolved.

Mr. Brent Rathgeber: So that would be a databank of complainants for various oversight agencies?

Mr. Ian McPhail: I'm thinking specifically of the RCMP.

Mr. Brent Rathgeber: That's good. Thank you, Mr. Chair.

The Vice-Chair (Mr. Mark Holland): Thank you very much.

I turn to Mr. Lee for five minutes.

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

Over the last many years there have been times when the PCC complained that its mandate didn't allow it to compel certain types of information from the force, specifically matters involving security intelligence-gathering, national security, perhaps criminal intelligence.

Is there in existence now at the PCC an inventory of cases that were impaired, or current cases that may be impaired, because of the inability of the PCC to get all of the information it believes it needs?

• (1635)

Mr. Ian McPhail: The short answer to that question would be no. The problem is that we don't necessarily know what we don't know, as a commission, and in terms of the public perception of the process, if the public believes that the body being investigated is free to withhold information, that's not positive for the public perception of that institution.

Mr. Derek Lee: So the policy designers now haven't taken that up with your agency at all, with a view to either fixing it within your agency or pre-empting that by dealing with some other new agency construct that would provide a different type or level of oversight.

I'm just confirming whether or not you and your agency have taken that issue up with the minister or ministers who would be looking at this now, at the policy changes.

Mr. Ian McPhail: Yes, I've been invited to make my views known on these subjects. I have, and will continue to do so, both generally and in greater detail.

Mr. Derek Lee: But it's not a current irritant for you and the agency now?

Mr. Ian McPhail: No. I can say very definitely we are not currently looking at any case in which the RCMP has refused to provide information.

The Vice-Chair (Mr. Mark Holland): Thank you, Mr. Lee.

[Translation]

Mr. Petit, you have five minutes.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

Good afternoon, Mr. McPhail, Mr. Brosseau and Ms. Banulescu.

I have a fairly simple question for you. You know as I do that in different provinces you have limited jurisdiction. There are provinces where your mandate is broader and others where it is not so broad. For instance, in Ontario and in Quebec, your mandate is very limited. In the document that you read out for us earlier, a passage got my attention. I will read it out to you in French, because it is the version that I have, but you yourself wrote: "The commission should be able to share information and reports with provincial ministers and their provincial counterparts or other similar bodies. When relevant it should have the authority to conduct joint investigations, inquiries, reviews or hearings when circumstances warrant." If I understand correctly, this is one of your suggestions that becomes very important, because if Ontario and Quebec refuse to cooperate with you at all, you will have big problems. How have your relations with the various ministers of Ontario and Quebec been since you have been in this position?

[English]

Mr. Ian McPhail: Mr. Chair, through you to the honourable member, you're quite correct that Ontario and Quebec will not be as affected by these proposals as the other contracting provinces will, because the RCMP doesn't assume the role of the provincial police forces—the OPP or the Sûreté du Québec. Indeed it doesn't fulfill the role of the municipal police force, which it fulfills in some 200 municipalities and another 400 Indian reserves.

In terms of our being able to share information with the provincial ministers, I'm more concerned about those provinces in which the RCMP does act as a provincial force, for a very practical reason. There may be an issue in any province where the RCMP is the provincial force. A complaint can be made. We advise the RCMP. We advise the complainant. We advise the member. But we don't advise the minister who is going to be the one responsible for responding to the public. In my opinion, that's just not appropriate.

What we can do.... Let me give you an example of our ties with ministers. One of the authorities that is currently given to the commission is the power to initiate a review of a matter. Since I've been the acting chair, it has come to my attention and to the attention of the commission that it was certainly an issue in Nova Scotia, where an individual threatening suicide very tragically lost his own life in a confrontation with the RCMP. It did appear appropriate to institute an investigation into this matter. In that instance, as the complainant, we could communicate with the appropriate officials, but we cannot normally do so. That's a significant concern.

●(1640)

The Vice-Chair (Mr. Mark Holland): Mr. McPhail, I'm going to go back to some of the questions Mr. Oliphant was asking with respect to your mandate, because I think they're fairly germane. They're central to the discussion we need to have here today.

In your response to one of the questions Mr. Oliphant posed, you said that it's up to Parliament to make those decisions. I'm wondering whether you see it as your role to be an advocate. In other words, where you see problems, where you see things that are not working correctly, do you see it as your job to be a spokesperson on those issues and to advocate for change? If so, why would you make the comment that it's up to Parliament? Of course, obviously, it's up to Parliament to implement. But is it not up to you and your office, as was done by Mr. Kennedy, to expose areas of weakness, to criticize them, and to advocate for change?

Mr. Ian McPhail: I totally agree with you, Mr. Chair. The credibility of the process depends, to a very large extent, on the credibility of the body of the oversight agency. That's why, as a starting point, I've outlined five areas where I think it's important to strengthen the oversight mandate.

The Vice-Chair (Mr. Mark Holland): Outside of oversight, what are two areas that you feel are urgent or important to change right now?

Mr. Ian McPhail: Do you mean at this very moment? I wouldn't say that there are two that are urgent. I'd start from the point of view of first principles, and the first principle would be credibility. Credibility is, I think, developed through thorough and impartial investigations. So the commission must have the tools to do the job, and it must have those tools as a right. They shouldn't be dependent on the discretion of other parties.

The Vice-Chair (Mr. Mark Holland): You feel that those tools are currently not in place.

Mr. Ian McPhail: The tools can certainly be improved upon.

The Vice-Chair (Mr. Mark Holland): Okay, so first is independent oversight. Second is the issue you've just raised now. Is there anything else?

Mr. Ian McPhail: I would say that it is independence and the resources to do the job.

The Vice-Chair (Mr. Mark Holland): Mr. Kennedy also expressed concern with respect to the use of force with tasers. Having visited the depot in Winnipeg, one of the things that concerned me, which has been raised by others, is the fact that in the use-of-force training on the continuum of force, tasers are not included. Often, when people are leaving the depot, they get separate training on tasers. It's not included in that continuum of force when they're actually at the depot getting their initial training. There's confusion as to where that fits in.

I'm interested in your comments in terms of the adequacy of the response of the government to concerns that have been raised in the wake of Mr. Dziekanski's death and other incidents. Specifically on that comment, have you had an opportunity to visit the depot, and if you have, what is your feeling about the training there on the use of force and on the use of tasers in the continuum?

●(1645)

Mr. Ian McPhail: Let me make a couple of comments with respect to tasers. First of all, there has to be a consistent policy across the country, and the RCMP should be the leader of that policy. I've noted that some provincial police forces are adopting policies.

But let me get to the point on training. One issue that disturbs me is that much of the training in the use of tasers is conducted by the manufacturer, and I don't believe that is appropriate. I believe the police forces themselves should be conducting that training.

In terms of when tasers should be used, there has to be a benchmark, and I would suggest that the benchmark should be an imminent apprehension of harm or physical danger to a member of the force.

As to who should use tasers, it's not right to send out an inexperienced officer, and our recommendation is that in urban areas, tasers should be used only by officers at the rank of corporal or higher. In rural areas they should be used only by members with at least five years of experience.

The Vice-Chair (Mr. Mark Holland): Because I'm tight on time, I will close with two very quick questions. First, you said there should be a consistent policy, and you used the word "should". I would take that to mean you're inferring that such a policy doesn't exist today, correct?

Mr. Ian McPhail: I believe the RCMP has gone a long way towards establishing a consistent policy. I don't think they're there—

The Vice-Chair (Mr. Mark Holland): That's not the same thing as having a consistent policy. Either they have one or they don't. They could be moving towards one, but that would infer they don't have one.

Mr. Ian McPhail: I think they have a consistent policy in many areas. I think there are additional areas where—

The Vice-Chair (Mr. Mark Holland): I think it's fair to say that Mr. Kennedy was decidedly stronger on that point.

My second question is about the inadequacy of training you identified. Is it your feeling, then, just to summarize your comments, that the training that currently exists with respect to the taser weapon is inadequate?

Mr. Ian McPhail: As I said, I don't believe it's appropriate for an outside body, in this case the manufacturer, to be providing that training.

[Translation]

The Vice-Chair (Mr. Mark Holland): Mr. Desnoyers, you now have the floor for five minutes.

Mr. Luc Desnoyers: I would like to share my allotted time with my colleague.

From the outset, I have been hearing about the new mandate to come, but we have not gotten there yet. Thus, all kinds of things are being extrapolated whereas we know that various recommendations were made and that they should eventually be implemented. However, we do not yet know when the government will act. Thus, we are not sure of what will happen, but we clearly know that the commission has a mandate with regard to the RCMP. The SIRC, which deals with the mandate and the functioning of CSIS, has a very specific mandate. I hear that your mandate should eventually be broadened to try to cover that, but this is yet another extrapolation.

Let me come back to my colleague's question. How many complaints were filed before your commission last year? How were they divided up? How long did it take to settle these complaints?

• (1650)

[English]

Mr. Ian McPhail: For the specific numbers, Kevin, can I call on you?

Mr. Kevin Brosseau (Senior Director, Operations, Commission for Public Complaints Against the Royal Canadian Mounted Police): I can tell you that for fiscal year 2008-09, the commission received 1,692 complaints from the public about the RCMP. That information is available in our annual report on the commission's website, complaintscommission.ca or

[Translation]

commissiondesplaintes.ca

[English]

We have yet to compile the full statistics for fiscal year 2009-10, as that fiscal year just ended, but I have been advised that those numbers are slightly up again. So they would roughly be about 1,800, but we certainly can provide those numbers to you in the future.

Again, those complaints generally cover a cross-section of the way the RCMP interacts with the public, and oftentimes concern attitude, neglect of duty, and the use of force, etc. So the complaints cover a wide range of those matters.

[Translation]

Mr. Luc Desnoyers: How many of these complaints were settled?

[English]

Mr. Kevin Brosseau: I can say that many of those complaints continue to be investigated, because there is always a lag, for instance. But of those complaints, the number of dissatisfied complainants who come to the commission and request a review is approximately 200. Those were the review reports and decisions Mr. McPhail just referred to, 40 of which he has written.

[Translation]

Mr. Luc Desnoyers: Thus 200 complaints were settled out of 1,692.

A voice: There were 200 dissatisfied individuals.

Mr. Luc Desnoyers: There were 200 dissatisfied individuals? I missed your—

[English]

Mr. Kevin Brosseau: I apologize, sir. It's probably the other way around, where those dissatisfied ones, the 200 out of the 1,800 or so, are coming to the commission. The large majority, I would say, are satisfied or settled.

However, we should keep in mind that the RCMP is also a point of intake for complaints. The CPC is one recipient, but the RCMP also receive complaints directly from the public, and they would be in a better position to tell you how many complaints they've received and how many of those they've settled.

[Translation]

Mr. Roger Pomerleau: Mr. McPhail, your fourth recommendation deals with the control over the complaints process. It says here, and I quote: "The commission should have stewardship over the intake of complaints and review requests." Is this your personal observation, or is this a wish that you are making because this stewardship, in your opinion, is not being properly handled?

On the other hand, you say that the commission must have the power to impose reasonable time limits. I imagine that this is because you have noticed that it cannot currently impose any reasonable time limits. Am I right?

[English]

Mr. Ian McPhail: Yes, the honourable member is quite correct. The commission doesn't have the ability to refuse a complaint if we're of the opinion that the complaint is frivolous, vexatious, or without merit, and we don't have the ability to require information from the RCMP within specific timelines.

[Translation]

The Vice-Chair (Mr. Mark Holland): Thank you.

Let us continue with Mr. Davies, who has five minutes.

[English]

Mr. Don Davies: Thank you, again.

At his appearance in March, the Minister of Public Safety stated that the new body for civilian oversight of the RCMP that he intends to establish would not be charged with investigating allegations of serious injuries or death involving RCMP members. Is it your understanding that the new body will not include that?

Mr. Ian McPhail: It's my understanding that it has not yet been determined whether there will be a new body separate and apart from the present commission or whether the commission will assume the additional oversight mandate. It would be my strong sense that the commission should be the basis of the new oversight agency.

• (1655)

Mr. Don Davies: So it sounds like that issue is still to be determined, in your view. Is that your understanding?

Mr. Ian McPhail: Yes.

Mr. Don Davies: Okay.

Since many of the citizens where the RCMP governs are first nations, I'm wondering whether your office, or anybody else you're aware of, has had any discussions with representatives of first nations to seek their input on an effective oversight mechanism.

Mr. Ian McPhail: We've worked very actively with the friendship centres, which have over 120 locations across the country, in dealing with aboriginal people. We have followed a policy of reaching out to them. We prepared a video that can be shown, because it's important, as so many people who are marginalized in society just don't understand—

Mr. Don Davies: I'm sorry, Mr. McPhail, but I'll clarify my question. Have you specifically sought their input on the creation of a new oversight body?

Mr. Ian McPhail: No, we have not.

Mr. Don Davies: Thank you.

I'd like to get your view on something else that is a bit of related to this. It's our understanding that by statute, discipline can only be levied on RCMP officers if it's launched within a year. Of course, as we saw in the Dziekanski case, none of the four officers had any disciplinary procedures initiated against them within the one-year period. I think this could be a problem, because many of the oversight, review, and complaint processes take much longer than a year.

Do you have any advice or thoughts on how a new oversight body, or a body looking at the conduct of officers and justifying some form of disciplinary process, would interact with that one-year period? Is there any talk about expanding that one-year period? How does that fit together, in your view?

Mr. Ian McPhail: Our advice hasn't been sought on that particular issue, but the commission has no desire to interfere in internal disciplinary matters. That would be inappropriate. The RCMP itself should be the body to conduct disciplinary matters. In my opinion, the RCMP is the body to request that expansion of its power to discipline members.

Mr. Don Davies: Okay. So complaints come to your office. There are quite a few.

Actually, I just want to talk about the numbers a bit. I'm not holding you to it, as you're still working on some of them, but 1,692 in the 2008-09 fiscal year, and then, the numbers aren't in yet, but about 1,800...that would tell me that complaints are going up to some degree.

Mr. Ian McPhail: Yes. As a matter of fact—

Mr. Don Davies: What I take from this is that we're going in the wrong direction: complaints are going up.

Secondly, that amounts to five complaints a day, not including, as you said, complaints that are lodged directly with the RCMP.

Mr. Ian McPhail: Correct.

Mr. Don Davies: Does that strike you as a high number of complaints, or is that a low number? Do we know where we stand in terms of complaints against the RCMP vis-à-vis other forces?

Mr. Ian McPhail: It's difficult to answer that because we can only go by our past experience. When we think of the thousands of RCMP officers, the millions of interactions that those officers have with members of the public each year, it's probably not a large number.

Mr. Don Davies: It sounds like that's just your anecdotal view.

Mr. Ian McPhail: Exactly.

Mr. Don Davies: You haven't looked at numbers to see if that's high or low relative to any other police force.

Mr. Ian McPhail: No.

Mr. Don Davies: Thank you.

The Vice-Chair (Mr. Mark Holland): With the concurrence of the committee, Mr. MacKenzie's round will complete the fifth round in total, and we'll end the meeting with the completion of the fifth round.

Mr. MacKenzie, you have five minutes.

Mr. Dave MacKenzie: Thank you, Chair.

Mr. McPhail, I just want you to clarify something. Did you indicate that you thought the RCMP should set the policy across the country for all police people with tasers?

• (1700)

Mr. Ian McPhail: The RCMP can't tell the OPP, for example, what its policy should be, but I think the RCMP should be the leader and set a standard that other police forces would want to adhere to.

Mr. Dave MacKenzie: Do you think the best way might be a consensus across the country?

Mr. Ian McPhail: Very much so.

Mr. Dave MacKenzie: I thought I heard something, and I might have heard something different, but when we talk about civilian oversight bodies, my sense would be, having come from an agency with oversight, that those oversight bodies would tend not to want to take total direction from one source, that they would want to be part of a large group that would come to consensus.

Mr. Ian McPhail: Absolutely, and I can tell you that with the commission and the RCMP, there's constant give and take discussion, diplomatic parlance, full and frank discussion over many issues. Absolutely, it's not up to any oversight agency to dictate to those who are on the front line. As I said in my introductory remarks, our goal is to assist the RCMP in doing its job better, and that's what I think the public wants.

Mr. Dave MacKenzie: Sure. That's fair.

My other comment is that you have fairly strong views, after three months in the job, and when we talk particularly about the taser, that whole genre of tools for police officers, you suggested that they should not have them unless they've had five years of experience—I think that was the suggestion. What would you say about a police officer going on the street, armed with a handgun, after 26 weeks?

Mr. Ian McPhail: It's a very good point. I don't pretend that my views are the be-all and end-all. That's why it's very helpful to get the input, as we have, from the people who have to actually deal with these situations. I am concerned, though, that because the taser has been up until recently considered a non-lethal weapon, there has been a sense that it could be used more readily than it likely should.

Mr. Dave MacKenzie: Might it be fairer to say that, properly used, it's not so much the time of the service of the individual but better discipline and better training? And by discipline I mean in the sense of training, and so on.

Mr. Ian McPhail: Absolutely. People have to know what to expect.

When I was thinking in terms of time, and I think this applies to police officers and people in any profession or position, when you've seen what happens you have a better sense as to what to expect and you're probably more likely to get it right.

Mr. Dave MacKenzie: I think that's all the questions I have, Mr. Chair.

The Vice-Chair (Mr. Mark Holland): Let me take this opportunity to thank you, Mr. McPhail, and the other witnesses, for appearing before the committee and for your time in appearing today.

Seeing no further business, I'll call the meeting adjourned.

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