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# Standing Committee on Public Safety and National Security

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EVIDENCE

**Thursday, April 22, 2010**

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**Chair**

**Mr. Garry Breitkreuz**



## Standing Committee on Public Safety and National Security

Thursday, April 22, 2010

• (1545)

[English]

**The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)):** We are going to reconvene.

**Mr. Mark Holland (Ajax—Pickering, Lib.):** Mr. Chair, where was the vote? With respect, there was not a single—

**The Chair:** Yes, there was, and that's all I need.

**Mrs. Shelly Glover (Saint Boniface, CPC):** You do not run this committee!

**Mr. Mark Holland:** Calm yourself down.

Mr. Comartin, I'm simply asking, did you vote—

**Mrs. Shelly Glover:** If it wasn't for your shenanigans, we'd be absolutely fine.

**Mr. Mark Holland:** I'm asking if Mr. Comartin voted.

**The Chair:** Mr. Holland, before I recessed you had no objection to going public. Now you're saying you don't want to have this meeting in public?

**Mr. Mark Holland:** Mr. Chair, you have to have a vote, so have a vote.

**The Chair:** We did have a vote.

**Mr. Mark Holland:** I am asking if anybody on this side voted. In order to vote, you have to have a good opportunity for people to vote.

**The Chair:** Let me be clear, Mr. Holland. Are you saying you do not want this meeting to be in public?

**Mr. Mark Holland:** I am saying have a vote.

**An hon. member:** We had a vote.

**Mr. Mark Holland:** No, we never had a vote. I haven't talked to anybody on this side who thinks there was a vote. There were no hands; we didn't vote.

**An hon. member:** Because you were talking to somebody.

**The Chair:** You weren't even paying attention.

I looked around. There was no objection.

**Ms. Candice Hoepfner (Portage—Lisgar, CPC):** It passed.

**Mr. Mark Holland:** Because you didn't call the vote.

Go to the minutes. Ask the clerk. Did you call a vote? Did he call the question? There was no calling of the question.

**The Chair:** I did.

Ms. Mourani, please.

Oh, before we go to that, I want to get the approval of the committee to distribute the motion that Mr. Holland made here with all the names for all four days.

Is it okay if I do that? It is not translated, but it is names and it might not be a big issue to not have names translated.

Any objections? Hearing none, we'll distribute this.

Okay. Ms. Mourani, please go ahead.

[Translation]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Thank you, Mr. Chair.

Would it be possible to have Mr. Holland's motion? I think it's going to be distributed. I'd like to comment on it.

[English]

**The Chair:** On Mr. Holland's motion, go ahead.

[Translation]

**Mrs. Maria Mourani:** I simply wanted to say that, in the table where it mentions a third day, it says "Association de Santé Publique du Québec". The exact words should actually be "Institut national de santé publique du Québec". That's the institute that wants to appear before our committee.

Personally, I find Mr. Holland's proposal very interesting, especially since everyone is represented here. I see that there are as many witnesses from the Conservative Party as from the NDP and the Bloc. I think that it's quite fair. So I'd be pleased to approve this motion.

[English]

**The Chair:** Okay. Next on my list is Mr. MacKenzie.

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Chair, now that we are in open session, it is certainly an opportunity to let Canadians know what just happened here.

This was a committee that was supposed to meet today to decide on witnesses for Bill C-391, a private member's bill before the House. Before the meeting got very far along, Mr. Holland, for the Liberal Party, made a motion—

**Mr. Mark Holland:** A point of order, Mr. Chair.

**The Chair:** Yes.

**Mr. Mark Holland:** Before Mr. MacKenzie begins talking about items that happened while we were in camera, I would advise him to stick to the session that is in public.

**Mr. Dave MacKenzie:** Very well.

Mr. Chair, the Conservative side would like the opportunity to put a motion on the floor, or to at least have a discussion about a motion.

It's my understanding that there has been agreement among the parties, among the whips of the House. Certainly on our side, we would abide by the agreement the whips have come to and allow for parliamentary discussion based on the number of individuals seated in the House, which was about 50% on each side. That only makes a great deal of sense.

I think we have gone through the list of witnesses that have been provided. I think there are two that may be considered Conservative. They have no idea on that side who we really want to have at this committee. It's not their position to decide who our witnesses will be. We won't decide who their witnesses will be. There should be a discussion among all parties here about how many witnesses will appear. Adding additional days to the calendar is not what this was about. It was to decide on witnesses.

A unilateral decision from one side or the other.... They would not be very pleased if we came in and had the same type of approach, nor would I expect them to be. And I can't believe for one minute that they think we should be happy.

This is a private member's bill, obviously. The member should have some say in witnesses who should come forward. If they want to be smug and take it over and do what they're trying to do, that's fine on their side. It's certainly not parliamentary. Canadians can see. They'll hear what's going on here. There are Canadians out there who would like to have an opportunity, on both sides of the issue. We understand that not everybody agrees with our perspective, but certainly everybody out there I think will expect that there would be a fair hearing held in this place. Anything less than that is certainly not a democratic situation. It's not what Canadians expect. It's not what our colleagues in the House would expect. I'd be rather surprised, as a matter of fact, if some of the colleagues of the members opposite would be very happy to find out that this discussion is a one-sided discussion about who gets to speak and what witnesses come in here.

Mr. Chair, this defies logic. It just defies everything the people who were elected to be here are here to represent. It's why they came and why they would want to be here.

Mr. Chair, when we look at what is intended here, the motion itself is intended to shut down the opportunity for the member to bring witnesses forward to speak on behalf of her bill. Actually, there may be other people—and we don't mind that—who are going to speak against it. But they have absolutely no idea on the other side of the priorities we would have. For somebody on that side to make that decision is just not right.

•(1550)

**The Chair:** We'll go to Ms. Bonsant.

[*Translation*]

**Ms. France Bonsant (Compton—Stanstead, BQ):** Thank you, Mr. Chair.

I have just received this in English only. So I'd like this document in French, please: we're still in a bilingual country.

[*English*]

**The Chair:** I had just asked the question, I'm sure, and got the approval of the committee. Do you want me to collect...?

[*Translation*]

**Ms. France Bonsant:** Yesterday, I tabled a motion and it was translated immediately. I have no desire to hear unpleasant remarks from my Conservative colleagues again. Therefore I demand that this document be made available in French as well.

[*English*]

**The Chair:** You're asking that we collect all the sheets again.

[*Translation*]

**Ms. France Bonsant:** Yes, Mr. Chair.

The clerk or the researcher could have it translated into French, which would take five minutes.

[*English*]

**The Chair:** This is unusual, because I had the consent of the committee. Again, this is the second time people have challenged the chair, saying I didn't have the consent to do it.

[*Translation*]

**Mrs. Maria Mourani:** I thought that we would have a bilingual document.

**Ms. France Bonsant:** I thought that we would have a bilingual document.

**Mrs. Maria Mourani:** I thought that you were going to give us a bilingual document.

**Ms. France Bonsant:** Mr. Chair, we can't express our opinion until we have the sheet in front of us. In fact, it's a little difficult to guess whether it's bilingual or not if we can't see the document.

[*English*]

**The Chair:** Go ahead on this point, Mr. Rathgeber.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** As I understand it, this sheet was prepared by the mover of the motion, the member for Ajax—Pickering. If it's not in both official languages, I would argue that his motion is out of order.

•(1555)

**Mr. Mark Holland:** I have a point of order, Mr. Chairman.

**The Chair:** I want to point out that I have the consent of the committee to distribute this.

**Mr. Mark Holland:** The point I would make is that this was read orally. Because this is a matter before the committee, there is no requirement to submit anything in writing. People want it to be distributed

[*Translation*]

because people need the information on the hard copy. I have no problem with that. Unfortunately, I don't have a French version right now. There is no requirement to present things in French. I can present motions orally only. To facilitate things, I presented this paper version.

**Ms. France Bonsant:** All right.

[English]

**The Chair:** I will ask the clerk to make a comment in regard to this, because you do have the information translated before you. Let him explain.

[Translation]

**Ms. France Bonsant:** Yes.

**The Clerk of the Committee (Mr. Roger Préfontaine):** All the names that appear on Mr. Holland's motion are contained in the lists that were distributed. There are four lists: one for each party and one from the office of the clerk that reflects the requests we received. It's my understanding that the names of all interveners are on this list.

**Ms. France Bonsant:** Because I saw that it was bilingual. Thank you very much.

[English]

**The Chair:** You're withdrawing your concern.

[Translation]

**Ms. France Bonsant:** Yes.

[English]

**The Chair:** Okay.

Go ahead, Ms. Mourani.

[Translation]

**Mrs. Maria Mourani:** Thank you, Mr. Chair.

I would still like to mention that Mr. Holland's proposal also includes witnesses that appear on the Conservative Party list. I could mention a few: Mr. Bernardo from the Canadian Shooting Sports Association and the Canadian Institute for Legislative Action, and Mr. Newman from the Canadian Firearms Institute. There are people from all parties.

[English]

**Mrs. Shelly Glover:** I have a point of order.

I need to indicate that I don't know what the procedure is here, sir, when a statement is made that is incorrect and is actually misleading. I'm not sure whose turn it is to correct that, but that name is not on our list.

There is one name on our list and it is Mr. Bernardo. Every single one of the 33 witnesses put forward by Mr. Mark Holland belongs to the opposition. I don't know who is to correct Madame Mourani, but she certainly cannot mislead this committee.

**The Chair:** I'll let Ms. Mourani finish, and then I'll turn the floor over to you, Ms. Glover.

Ms. Mourani, you may finish.

[Translation]

**Mrs. Maria Mourani:** Mr. Chair, I think we should stop this.

Ms. Glover has done nothing but yell at this committee for some time.

[English]

**Mrs. Shelly Glover:** I have a point of order, sir. That was in camera.

[Translation]

**Mrs. Maria Mourani:** Earlier, Ms. Glover did not raise a point of order; she was making comments.

Wait your turn; you can make your comments, no problem.

[English]

**The Chair:** Go ahead.

[Translation]

**Mrs. Maria Mourani:** If you don't agree with what I have to say, you can say so later, but calm down.

[English]

**The Chair:** Ms. Mourani, I've given the floor to you.

[Translation]

**Mrs. Maria Mourani:** Mr. Chairman, we can express our opinions here without adrenalin levels going through the roof! We are civilized people, after all!

I'm telling you that this was the list I was given. This is the list that Mr. Préfontaine circulated to us. I'm sorry, but that is Ms. Hoepfner's list of witnesses.

Is this your list or not, Mr. Préfontaine? Is this the Conservative Party's list or am I wrong? This is really her list, isn't it?

**The Clerk:** Yes.

**Mrs. Maria Mourani:** Thank you for confirming that.

So, on this list of witnesses supplied by Ms. Hoepfner, it says "Candice Hoepfner's witness list". It's my understanding that she is a member of your party and that this is your list. Mr. Préfontaine has just confirmed that. So that's the list that was circulated to us.

I'm looking at Mark Holland's proposal and I've been trying to compare it for the last little while. I see Mr. Newman, Mr. Bernardo, Ms. Hoepfner. Let's forget about Ms. Hoepfner, because she is allowed to present her bill, that's quite normal. However, Mr. Newman and Mr. Bernardo are among the people whose names appear on the list of witnesses we were given. Honestly, I can say that there are people there from the Conservative Party.

I see the names of witnesses that I had on my list, Mr. Chair: I see Mr. Dupuis here, for example. He's one of my witnesses. I see La Fédération des femmes du Québec for example, which is one of my witnesses. There are also the NDP's witnesses.

I've just set the record straight by saying that everyone was represented in this motion. I urge everyone to vote on this in good faith. Let's do so in a civilized manner, please.

• (1600)

[English]

**The Chair:** Ms. Glover.

**Mrs. Shelly Glover:** Thank you, Mr. Chair.

I was trying to raise a point of order, because as Mr. Holland indicated very clearly, things that are done in camera, or the allegations that something is done in camera, are not permitted when a committee is then in public. So you'll have to advise us as to how to deal with that later. I don't know if an apology is expected. Nevertheless, let's move on.

I do want to apologize because I've been corrected. Ms. Hoepfner has indicated that the list that went to the clerk had that extra name on it, but the list we saw didn't have it.

I want to get back to the number of witnesses Mr. Holland has put forward to fill the entire agenda and add an additional day. Thirty-three witnesses were mentioned by Mr. Holland. Of those, two—Mr. Newman and Mr. Bernardo—were on the Conservative list of witnesses. Our list contained 57 people who have information to offer, who have the right to be heard. It is shocking and frankly very disappointing to see Mr. Ignatieff's members once again try to hijack an agenda and try to shut down democracy. Frankly, I'm appalled.

Canadians have asked us to debate this. There are two sides to this issue. It is a divided issue. We have people from the policing world who are divided. We have people from the victims' world who are divided. This requires a wholesome debate, and I believe we owe this to Canadians. I've received thousands of letters on this, as have other members of this committee. They are seized with this issue across our country. They deserve to hear what information is available from both sides.

I would implore the Liberals, please do not do this. Please do not put democracy in this kind of state. Canada is the most wonderful country in this world, and it's because we have a system that works. It's because we allow people to provide insight on issues like this, that Canadians are seized with.

This very bill can decide some extremely important issues, and we cannot let partisanship and we cannot let Mr. Ignatieff hijack this and take away the rights of Canadians. Please, I implore them to remove this motion from the table. Please, let's get back to discussing the witnesses fairly, 50-50. Let's hear both sides. There's a pro and a con, so let's hear them both.

**The Chair:** Mr. Holland, please.

**Mr. Mark Holland:** That's fine.

**The Chair:** Mr. Rathgeber.

**Mr. Brent Rathgeber:** Thank you, Mr. Chair.

Sadly, I am not as confident, or perhaps as naive, as my friend Mrs. Glover, that there might be any goodwill on that side of the table that would possibly remove what could only be viewed by any objective standard as a draconian motion to try to hijack this committee.

Mr. Chair, it's days like this that cause me to ponder why I got into this business. As you probably know, and as I suspect most of the members of this committee know, prior to becoming a member of Parliament, I practised law in Red Deer, Alberta, and Edmonton, Alberta.

In the judicial world we have rules of court, rules of civil procedure. Those who practise in the criminal courts are similarly restricted with respect to the rules of evidence and the rules of

criminal procedure. And of course people before the courts also have rights.

I raise that as an opening to my comments to suggest to this committee, and to any members of the public who I hope are listening, that those rules that basically allow for some sense of procedural fairness are completely and entirely abrogated when we go into a setting like this and we're forced to deal with a motion that is so anti-democratic that it ought to be, on the face of it, disallowed. But of course the member for Ajax—Pickering knows that his motion, regardless of how draconian it is—and it is draconian—can't be ruled out of order simply because it violates any sense of fairness.

Fairness is apparently not a relevant topic in this committee. We know what the numbers are. We know that this is a minority Parliament. As a result, there are five government members on this side of the table and one non-voting chair. It doesn't take a PhD in mathematics to count the numbers of people on the other side of the table. Mr. Holland does the math, and he decides that he is going to entirely dictate what this committee is going to do with respect to Bill C-391. He is going to decide who the witnesses are going to be.

Now, apparently there's some dispute as to how many of the witnesses were on the list that was submitted by the government and by the sponsor of the bill. I'm prepared to concede that the number is likely two and not one. Regardless, two out of thirty-three is about 6%, if my math is correct. So 6% of the witnesses who are going to come before this committee over the two days, and one three-hour hearing day, are likely to speak in favour of the bill that is sponsored by the member from Manitoba.

I know there's a lot going on this week in the House of Commons. A former member of this House spoke in this very room yesterday, and there was some media attention brought on that.

Similarly, there is significant media attention with respect to this Bill C-391. In fact we heard this week something that was very, very disturbing. The leader of the Liberal Party announced that he was going to enforce a whipped vote with respect to his members.

Of course, the members, all of whom were present when this bill was voted on in November of last year, will know that eight members of the Liberal caucus voted with the private member, the member from Portage—Lisgar, and in support of Bill C-391. Now those eight members, notwithstanding that this is a private member's bill, have somehow been deemed by their leader to be incapable of deciding for themselves whether or not Bill C-391 is a good bill and worthy of their support. They're apparently going to be told by their whip that they should vote against it.

I know the sponsor of this draconian motion that would allow the Liberal Party to dictate all the witnesses over all four hearing days has been in the meeting elsewhere stating that it's a whipped vote on this side of the House as well. I can tell the members of this committee that is simply not true.

That being said, you'd be hard pressed to find a single member of our caucus who is opposed to Bill C-391 because it is so fundamental as to what we believe in as Conservatives. The long-gun registry is a wasteful, ill-advised attempt at gun control.

•(1605)

I say that for a number of reasons. The last time we were here, when Mr. Sullivan, the outgoing Ombudsman for Victims of Crime, spoke, we talked about two issues. I think they are in fact distinct issues. One is the efficiency of the long-gun registry and the other is the effectiveness of the long-gun registry.

Certainly members on this side of the table would argue, and I think persuasively, that there was very little effectiveness from the long-gun registry. We all know anecdotally and otherwise that criminals simply do not register their guns. That's not to say that long guns are not used in the commission of offences. We know they are, and we know they are used tragically, from time to time, as some recent carnage on Ontario highways has sadly demonstrated.

Certainly in my city, the city of Edmonton, Mr. Chairman—and I've always found this fascinating—more people are killed with knives than are killed by either long guns or handguns. In fact, I think 62% of homicides in the city of Edmonton are committed with knives. Of the remainder, when firearms are the weapon of choice, long guns represent only a very small percentage. That's not to say that long guns don't, from time to time, find themselves at crime scenes. They do.

The issue is whether the long-gun registry has been an effective attempt to curb gun violence and whether it is effective in gun control. We certainly believe it isn't.

What I think there is more agreement about is the efficiency of the gun registry. There has been some suggestion, and certainly in the early days of the registry...

I guess I can understand why Mr. Holland and his friends over there in the coalition are so eager to have this bill scrapped. They find the whole thing an embarrassment, in fact, because it was their government that brought in the long-gun registry in 1993. I think Minister McLellan, a former member of Parliament from my city, was the Minister of Justice when the long-gun registry was brought in. So I understand how sensitive they are about this issue.

I know that the member for Etobicoke—Lakeshore was scrummed this week several times and gathered a lot of ink and a lot of airtime. I think he suggested that the long-gun registry could be improved. He thought that perhaps ceasing to make it a criminal offence to not register one's long gun might be a possible solution. Additionally, or alternatively, if there were fewer administrative hassles and less red tape and less paperwork, farmers and hunters might find the long-gun registry less odious than it is in its current form.

I agree, theoretically at least, that it could be made to be more efficient and certainly more cost-effective if in fact it were an effective tool in the fight against crime. But we believe it is not.

That brings me to the motion. There is dispute about whether the long-gun registry is effective. It's a legitimate dispute, and legitimate disputes need to be aired. And they need to be aired in some sort of forum where there is fairness and balance given to both sides of the equation.

When I look at the list of witnesses, I believe that some of them have very cogent opinions and very cogent thoughts to bring to bear on the question of both the effectiveness and the efficiency of the

long-gun registry in its current format. I know that Chief Blair, of the Toronto Police Service, who I think is the president of the Canadian Association of Chiefs of Police, does not support the member from Portage—Lisgar in her efforts. But I would like to hear from him.

I'm shocked and chagrined that members opposite do not want to hear a contrary point of view. We know that the chiefs of police are divided on this issue. Some of them have been public. Some have been much more private regarding their support for the member for Portage—Lisgar.

I think I can refer to her as Ms. Hoepfner in this committee, can I not? We're not in the House.

**The Chair:** Of course.

•(1610)

**Mr. Brent Rathgeber:** Then it's Ms. Hoepfner's bill.

As I said, some of them have been public and some of them have been private; nonetheless, the chiefs of police and certainly front-line officers are divided on this bill.

I appreciate that both Mr. Holland and Mr. Wrzesnewszkyj passed on their recent offers to speak to this motion, and I shouldn't impute any motives as to why they might not be speaking, but at some point I'd like to ask them what they have to fear. What do you have to fear from hearing from a police officer from New Glasgow, Nova Scotia, who might be in favour of Bill C-391? What do you have to fear? Why are you scared of his testimony?

I hearken back to my previous life as a civil litigator, wherein the rules of evidence simply would not have allowed this kangaroo gong show, this travesty of justice, that Mr. Holland has proposed to continue. Both sides to a dispute are able to lead evidence, and it's not for one side to decide who the other side's evidence ought to be, which is what has occurred here. Mr. Holland, or whoever created this odious list, has decided that Mr. Newman and Mr. Bernardo are competent and relevant witnesses, but that the rest of the individuals—I think there were 57 names submitted—ought not to be heard.

I'm surprised. I sit on two committees. Mr. Comartin sits on the other committee, as does Mr. Norlock. I think—and Mr. Norlock will certainly agree with me—that the committees operate in entirely different fashions. The committee on justice and human rights has a steering committee that meets periodically, and it irons out all of the issues well in advance of the actual hearing days. As a result, the committee is almost never caught up in the sort of procedural entanglement that we're in today, wherein it's alleged—and I would argue rightly alleged—that one member has hijacked the agenda and is trying to dictate the entire witness list, with the apparent support of the Bloc Québécois and my friend from the NDP, in whom I'm very disappointed and who I never would have imagined would acquiesce to this type of hijacking and this type of procedural nonsense.

**An hon. member:** [*Inaudible—Editor*]

**Mr. Brent Rathgeber:** You had an opportunity to speak and you chose not to.

•(1615)

**The Chair:** Order.

I can put you on the speaking list if you wish, Mr. Wrzesnewskyj.

**Mr. Brent Rathgeber:** So in the rules of procedural fairness, there are two sides to every story, and I am prepared to have the debate. I want to hear why Chief Blair and members from the police boards and Association pour la santé publique du Québec, where a tragic incident occurred maybe 20 years ago.... I think they have relevant commentary, relevant evidence.

But similarly, and in some sense of procedural fairness, members of this House, who were elected in democratic elections, as was I, must understand that there are two sides to every issue. I don't understand, and I want some....

I'm going to wrap up my comments for now, but I want to know what the members opposite have to fear. Why are they so scared of what the government's witnesses might say that they feel compelled to put together a list of 33 names, only two of which were submitted by the government, and apparently use their mathematical majority on this committee? I'll call it a tyranny of the minority to support this motion and dictate the agenda over four days without any significant contribution from members of the public, chiefs of police, or members of the Auditor General's office who have done forensic audits of how much money was wasted on the long-gun registry. I want to know what they have to fear.

Similar to Ms. Glover, I have been inundated with people who want to appear before this committee. I believe I had over 2,000 e-mails from members of the Canadian Taxpayers Federation alone, who requested that the Canadian Taxpayers Federation be allowed to come and speak to this issue. The Canadian Taxpayers Federation, for those members who aren't familiar with it, because I don't see it on the list, so maybe Mr. Holland doesn't know what they do or what their mandate is...their mandate is to assure good value for taxpayers' money.

Certainly as a member of this House, when I hear from 2,000 members of the public on any issue—I'm not saying they were all my constituents, and I know many of them were not—my ears are alive to that issue. I certainly would like to hear from the Canadian Taxpayers Federation. I would like to hear from members of the Calgary police department, some of whom have stated that the resources used in the gun registry could possibly or probably be better deployed with more effective results in the fight against crime.

Obviously if you have been listening, you will know I am vehemently against this motion. I am shocked that the members of this committee have so little regard for democracy that they simply want to hijack the agenda and dictate the witness list. And they know full well that there is public interest in this issue, so much so that the leader of the opposition decided he has to win this bill so badly that apparently he is going to order eight members of his caucus, who represent non-suburban and non-metropolitan areas, to vote against C-391, even though those members know it is in their constituents' best interest, and I would submit likely in those members' own political interests, to support Ms. Hoepfner's bill.

But there is so much attention to this bill based on the events this week that the leader of the opposition has decided to crack the whip. So before members vote on this bill, I would ask to them to consider what is at stake here, because I would submit, Mr. Chair, that it is not

just C-391. This really goes to the very fundamentals of how our parliamentary institutions operate.

We have the member from Etobicoke—Lakeshore who cracks the whip to force eight members of his rural caucus to vote against their better conscience, to vote against their better judgment, to vote against, I suspect, the expressed will of their constituents, because we know that Ms. Hoepfner's bill is very popular in rural Canada and elsewhere, but especially in rural Canada.

• (1620)

It's historical practice in this House that private members' bills are free votes. We saw a free vote yesterday on an equally controversial bill, the right to die with dignity bill, or what's commonly referred to as "the euthanasia bill", sponsored by Ms. Lalonde from the Bloc Québécois. Clearly, it was a non-whipped vote. Certainly most members of my party voted against the bill, but notably, I think the Minister of Foreign Affairs voted in favour of it. Similarly, the members of the opposition were divided on the whole issue of euthanasia and the right to die with dignity, and different members voted their conscience, which is the tradition of this House when it comes to private members' bills.

However, we see that tradition abrogated and abridged with respect to Bill C-391, where Mr. Ignatieff, the leader of Her Majesty's loyal opposition, has apparently seen fit that defeating Bill C-391 is more important to him than preserving the democratic tradition of the House that private members ought to be able to vote according to their constituents' wishes or their own conscience when it comes to matters of private members' business, as opposed to government business.

We see the same thing with the chicanery going on before this committee today, where any sense of fairness, any sense of fair play, any sense of a balanced debate is thrown out the window, as we have a list of 33 witnesses, 31 of whom are drawn from names that Mr. Holland, or Ms. Mourani, or Mr. Davies, or his replacement, have submitted. It's somehow supposed to be a fair debate for this committee to hear from 33 witnesses, 31 of whom are going to say that Bill C-391 is a bad bill. Is that really what democracy is all about? Is that really what our constituents send us here to do, to hear a debate that is so blatantly biased on one side as opposed to the other?

So I call upon members to consider what is at stake in addition to Bill C-391, and that is the parliamentary tradition that committees ought to examine bills. By any definition, the examination of a bill requires a balanced debate, and a balanced debate requires witnesses pro and con. I don't want to pre-judge the witnesses, but what I anticipate seeing here is that 31 out of 33 witnesses are going to be opposed to Bill C-391 and the other two are going to maintain, as I do, that it's a great bill and ought to go to third reading and the Senate.

So that's the principle that's being challenged, the principle of fair play, the principle that committees are supposed to study a bill. You cannot study a bill when one side dictates the witness list.

I encourage all honourable members to vote no to Mr. Holland's motion.



•(1625)

**The Chair:** Thank you.

I have four people on my list here: Ms. Hoepfner, Mr. Comartin, Mr. Wrzesnewskyj, and Mr. MacKenzie.

Ms. Hoepfner is first.

**Ms. Candice Hoepfner:** Thank you very much, Mr. Chair.

I obviously am not a regular member of this committee. I wanted to be here today because I knew the discussions would be about witnesses on my bill, Bill C-391. I came prepared.

I chair another committee, the HUMA committee. It is a great committee, and we are actually just looking at some private members' business. One of the things we've been able to do really well is work together. An opposition member introduced the private member's bill, and we've really worked together well in hearing from witnesses.

I have to say I am absolutely shocked, first of all, that Mr. Holland would suggest that I would be allowed only half an hour to introduce my bill and to answer questions on this bill. I don't think I've ever seen, in any committee I've been on, a time when the person who introduced the bill would be limited to half an hour. But what we see here is tremendous fear on the side of the opposition: fear of information getting out, fear of having to actually defend their position, and fear of democracy. There seems to be a pattern with the Liberals and with the opposition. There is a fear of democracy and a fear of hearing from Canadians.

It's interesting, because Mr. Ignatieff has just announced that he is going to whip this vote. He is going to whip eight Liberal members of Parliament who voted on November 4 to support ending the long-gun registry, and now, through Mr. Holland, we find out that Mr. Ignatieff also wants to whip this committee and actually whip all Canadians. Basically he is saying to Canadians, "You don't need to hear all of the information on Bill C-391. You don't need to hear all of the information on the long-run registry. It doesn't matter. Don't worry your pretty little heads over it, because we will take care of it. The Liberals will take care of it." Well, we know what the Liberals' agenda is, and that's to shut down democracy and shut down debate.

I am extremely frustrated. We came here today with a list of witnesses and wanting to compromise. I didn't expect Mr. Holland to agree with me on this bill; obviously he doesn't. I don't expect the opposition members to agree. The Bloc have been very clear, and although I don't agree with them, I absolutely respect that they can voice their opinion and reflect what their constituents want. I really do respect that, and I think all of us come here to do that.

What I find with this motion is exactly the opposite: we're not allowed to debate. That's what I'm finding frustrating. I'm not really sure... We need to find a solution, and I think the solution would be for Mr. Holland to withdraw this motion. I would actually respectfully ask Mr. Holland to withdraw this motion and let us look at the list and come to a compromise so that I could present witnesses.

The chief of police from Calgary would like to come and testify on the long-gun registry. We'd like to have the chief of police from New Glasgow come and testify. We have folks from the Canadian

Taxpayers Federation. We have people like Gary Mauser, who has done tremendous amounts of research. I have ex-SWAT officers Dave Shipman, Mitch McCormick, and Jack Tinsley. These are all individuals who have worked extensively with the long-gun registry, some on the front lines and some in universities.

I also have some groups who want to testify on behalf of aboriginals. I think we need to hear from aboriginal groups. They have a huge vested interest in this issue, and if we don't hear from them, again, it's just another way of shutting down democracy, as Mr. Ignatieff is doing by whipping Canadians.

I'd like to hear from the MLA from the Yukon. He represents a lot of aboriginal people, and I think he needs to be here. We have a wonderful young woman who is an Olympic medallist; we need to hear from women. We need to hear from victims' groups; there are some victims' groups from Quebec that have been very vocal, and they would like to be here. They would like to tell this committee what they believe on Bill C-391.

What we're finding instead is that—

**Mr. Andrew Kania (Brampton West, Lib.):** Mr. Chair, I have a point of order.

**The Chair:** There is a point of order.

**Mr. Andrew Kania:** In terms of my friend's comments, perhaps, Mr. Chair, it would be more helpful if she doesn't utter for a third time, "Mr. Ignatieff whipping Canadians". I don't think that's appropriate, and frankly I think she should withdraw that comment and apologize.

•(1630)

**The Chair:** Okay, go ahead.

**Ms. Candice Hoepfner:** Are you going to rule on it or do you want...?

No, I won't be apologizing, Mr. Kania.

I know you're a new MP, but through the chair, Mr. Kania, when a leader forces his members to vote against the will of their constituents, "whipping the vote" is a very common term to use. What Mr. Ignatieff is doing, through Mr. Holland, is telling this committee and all Canadians that we're not going to be able to voice our opinions and that it doesn't matter what we want. Mr. Ignatieff is saying that what matters is what he wants.

Again, it's a common term. I suggest you familiarize yourself with it. It's called "whipping the vote", and yes, he's doing it.

May I continue?

**Mr. Andrew Kania:** Mr. Chair, that's not what she indicated. She said, twice, "whipping Canadians".

**Ms. Candice Hoepfner:** Yes.

**Mr. Andrew Kania:** You were giving your explanation saying "whipping the vote". So perhaps you would consider that—

**The Chair:** I think she's clarified it.

You may continue.

**Ms. Candice Hoepfner:** Yes, I think I have. Thank you very much.

As I said, I think what would be productive is if we could take a step back. I want us to be able to look at this bill with honesty and integrity. I think we know there are both sides of the issue. There are some people on every side who are very, very passionate about this.

I think one of the problems, even in the discussions about the long-gun registry—and I would say on our side, too—is that it gets so political. Instead of actually talking about the facts on both sides, it gets political.

I think this committee was an opportunity for us to listen to others, not just ourselves. We're politicians. We have something we want to promote. We have something we want to do. This was an opportunity to hear from average Canadians.

I submitted a list of 57 witnesses who I thought would be productive. I certainly didn't expect to get 57—not at all. I think there are three names you've taken from my list, and one of them is actually a duplicate; you folks put it on your list as well. The only group that is represented is sports shooters, and one lady who is a farmer.

Basically what you're saying with respect to this list is that you don't want to hear from police officers. You've been saying you want to hear from police officers, but when you look at the list you've proposed you're saying to police officers who don't agree with you that you don't want to hear from them. You're saying you don't want to hear from women's groups that don't agree with you.

Liberals don't want to hear from aboriginal groups that don't agree with them. Liberals are saying to politicians from outside the federal jurisdiction, to provincial politicians, that you don't want to hear from them. You don't want to hear from victims' groups.

Over and over and over again, this list that Mr. Holland has proposed is saying to Canadians that they don't want to hear from them.

I'll tell you why I'm frustrated. We came here with the complete opposite in mind. We are still willing to go through this list to have an equitable amount of witnesses so that we can hear each other's side. I'm not here proposing that we want 60 witnesses and you get none—of course not. That's ridiculous.

This is a democracy. I have a right to be able to present my bill. It's something that Canadians want to hear about.

Obviously I can't support this motion. I will be doing everything I can to ask each one of you to please reconsider.

Please withdraw this motion. Let's look at the list and let's find a compromise. I do believe that we could. I think we actually could look at this bill with real honesty and integrity.

A lot of us work...we're in the House of Commons and sometimes we cross the floor to chat with each other, because there are a lot of things we do agree on. Many times that's not what Canadians see. Canadians see the arguing. I see that we have a lot more in common than not. I think there are times we build on that. I think probably one of the best things I've learned in being a new member of Parliament is that there are times we really do get along and we have so much in common.

I know that on this issue we're not on the same page. I understand that. But I think that on the matter of deciding witnesses and on moving forward in this process, where Canadians are watching—Canadians care about this—let's look each other in the eye. Let's be real. Let's be genuine. For the sake of Canadians, let's have an equitable discussion on it, not where one side has more than the other. I'm not asking for more; equality is all I'm asking for.

Instead, with this witness list, with my being told I get half an hour, I feel I'm being told to sit down and shut up, which I've heard before from the Liberals and I haven't appreciated it. I feel that now, indirectly, basically the same thing is coming through.

I am very glad to hear that Mr. Comartin will be speaking. I will be very interested to hear the NDP position on this. I commend the NDP. They have been consistent in allowing free votes on private members' bills, and they've been consistent on allowing democracy.

Again, I don't agree with everything the NDP do, but I respect their stand. I respect that you know where the NDP stand. I believe that they really do stand on what they believe is principle. Democracy is a principle that the NDP has a long tradition of supporting.

I certainly am hoping that Mr. Comartin will not support this motion, that he will agree with me.

Let's have an equitable and good discussion, so we can each have the same amount of witnesses, so we can hear all sides of this issue, so that Canadians can be heard.

I thank you very much for the time, Mr. Chair.

•(1635)

**The Chair:** Thank you, Ms. Hoepfner.

Mr. Comartin, please.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** I thought Mr. MacKenzie was next?

**The Chair:** No, I'm sorry, I should have told you that he switched with Ms. Hoepfner.

**Mr. Joe Comartin:** I see, okay. I wouldn't want to take a place ahead of Mr. MacKenzie, that's for sure, Mr. Chair.

I think we need to set this in the context of where we are at with this list of witnesses. We are faced with the inevitable, that on June 11 this bill has to be back in the House of Commons. So we have a very short period of time to deal with it.

I started off with I think up to 125 groups and individuals who approached me and wanted to testify. I would say that without exception I think they were all opposed to this private member's bill.

I had to say to a good number of them that it is not possible to testify, that we are faced with a limited period of time. It was a decision made by the whole of government, the way I will attribute it, to do this as a private member's bill rather than a government bill, which is the way they should have done it. If they had, then we would have had unlimited time to deal with this in a democratic fashion to allow an unlimited number of witnesses. We never have an unlimited number of witnesses, but we always put a limit on them when we can get a clear view of the pros and cons of the various aspects of legislation before whatever committee it is. We don't have that luxury here, Mr. Chair, at this time, because of a decision made by that side of the table, by the government, to allow this to go ahead as a private member's bill rather than a government bill.

As I said, I had to tell some 50-plus people, I think, or groups that I am not going to put their names forward, because I know we are not going to get through them. I did submit a list of 70 to 75 names to the clerk a week or two ago.

Moreover, I saw some of the lists from the other parties, including the one circulated by the clerk. I've done an analysis of the names on this list, and this is the way they break down.

There are 33 individuals or groups on this list. I have been involved in this issue for as long as I've been elected, and even before I was elected, so I know what I am saying about these groups. There are currently nine individuals or groups who are in favour of this legislation. There are 19 who, to my knowledge, are opposed to it. There are five who I know are neutral, and I'll use the Auditor General as an example. She, or somebody from her office, is being asked to come to provide information about the cost of the registry, but she will be coming as a resource, if I can put it that way, not an advocate either pro or con. By my identification, there are four other individuals or groups like that.

I look at the names I have seen submitted so far, including my own, and I look at the valid opinion polls showing that roughly two-thirds of Canadians support the registry, with changes. Those are the valid opinion polls, and I know, Mr. Chair, you and I have argued about this a number of times and disagree vehemently on the opinion polls, but that aside—

**The Chair:** Just to interject, the opinion poll I saw from a lot of the big newspapers was that 74% opposed the gun registry.

Anyway, go ahead.

**Mr. Joe Comartin:** Well, if you look even at that one in depth, in terms of amendments, some of which I hope to propose before we have to send this bill back, and you talk in that light and you give those alternatives and you give real information—which is what this should be about, as opposed to the contracted hearings forthcoming—and you give the Canadian people real information, you see that two-thirds of them are in fact in favour of keeping the registry with those types of amendments. That is my position, and I know I will never convince you, Mr. Chair. We've had too many arguments and too many discussions about this over the years; and vice versa, you are never going to convince me either. I'm coming at it from that vantage point.

So to respond to Ms. Hoepfner's question about what I am going to do, I am going to support this because basically it is about two-

thirds and one-third of Canadians. That is where the Canadian people are. So we are going to hear from witnesses, two-thirds of whom are opposed to your proposed legislation and one-third of whom are in favour of it. There are some very strong voices included. I know some of these people and they represent a good cross-section of the people who are in support of your bill, just as we have a good cross-section in this list of those who are opposed to it.

So that is where I'm at, Mr. Chair. I think, quite frankly, we are getting pretty close to exhausting all of the possibilities, and I would suggest to the committee that we consider taking a vote on the motion as presented by Mr. Holland.

Thank you.

• (1640)

**The Chair:** Mr. Wrzesnewskyj, go ahead, sir. You are next.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Thank you, Chair.

I was planning to do a point of order earlier when Mr. Rathgeber was speaking, but he was in full flight, so I didn't want to interrupt him.

He referred to what was going on here as the tyranny of the minority.

I'd like to point out that we govern ourselves by rules, and one of the fundamental rules by which decisions are made is by votes, and votes are decided by a majority, so it was a complete misrepresentation. In fact, it is possible to prevent a majority from having the opportunity to vote or to arrive at a decision, and one of the ways to do so is to filibuster. It is a procedure that is allowed, and, as I said, Mr. Rathgeber was in full flight. It was interesting to watch him as he filibustered. I didn't want to interrupt him, but I wanted to make the point that we don't have a tyranny of the minority. We decide things by votes. That is how committees decide on how they will conduct their business.

In terms of not liking certain votes and certain decisions, those things can be discussed, whether in committee or privately. Those options are available.

I just wanted to clarify that particular point.

Thank you.

**The Chair:** Thank you.

We will go back to Ms. Hoepfner, please.

**Ms. Candice Hoepfner:** Thank you very much, Mr. Chair.

I want to respond to something Mr. Comartin said, and it has been said a lot during this overall debate over the last little while. What's been said is that because I'm a backbencher, somehow the validity of my introducing this bill isn't there.

I have to say for the record that I am a backbencher. I was elected by the people in my riding. I am their duly elected member of Parliament. I have every right to introduce a private member's bill and I have every right to move it through the process.

It has been very obvious and clear over the last year that this is something I believe in very strongly. I think it's very careful—

**Mr. Joe Comartin:** On a point of order, I didn't say that. I want to make the point that when you presented bills over the years, I said it shouldn't be you doing it either, that it should be the government doing it. It has nothing to do with the fact that Ms. Hoepfner is a backbencher or inexperienced.

**Ms. Candice Hoepfner:** That's a debate.

**Mr. Joe Comartin:** That has nothing to do with this. She has every right to be doing what she's doing; my attack has never been on her as an individual, but on the government.

• (1645)

**The Chair:** You can get on the speaking list, Mr. Comartin.

**Mr. Joe Comartin:** That's what I said, and she is misrepresenting what I said to the committee.

**The Chair:** If you want to be on the list, just give me your name.

Go ahead, Ms. Hoepfner, please.

**Ms. Candice Hoepfner:** Thank you.

It has been clear over the last year to anybody who has been following this issue and following Bill C-391. As I said, this is something that I believe very strongly in. It's something I have worked hard at. I've worked to make sure that I know the issue and that I really know what we're talking about. I want to say again, on behalf of Canadians and on behalf of the good people of Portage—Lisgar who elected me to be here, that this bill is my bill. Bill C-391, an act to end the long-gun registry, belongs to me, the member for Portage—Lisgar, and I'm very proud of it.

If anybody wants to discredit what I'm doing—wants to discredit the work that I've done, wants to discredit the validity of Bill C-391 because I've introduced it—I would suggest that you rethink that. You might not have a lot of good arguments, and sometimes when people don't have good arguments they just start making ad hominem attacks. That is something that really needs to be rethought.

I wanted to clear that up, and again, on behalf of my constituents and for the record, I want to reinforce and reiterate the right that I have.

**The Chair:** Thank you.

Go ahead, Mr. Norlock, please.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Thank you very much, Mr. Chair.

I just made a few notes as I was sitting listening to this discussion. I think it's important for me—through the chair, of course—not necessarily to talk to this committee.... Quite frankly, I'm of the opinion that all minds are made up, that the opposition is united, that they had discussions on this and came up with a particular strategy, which, you know, Mr. Chair, as was mentioned, may very well work in a democracy, meaning that they may very well pass this motion that we're discussing. Basically, my thoughts were that we needed to see what Canadians thought.

Now, in thinking about this procedure or issue that we're debating, we did start off today in camera. That was the general intent, as we usually discuss back and forth which witnesses each of the four parties wants to call. We usually have a discussion. In all of the

committees that I'm aware of in this place, we usually have a to-and-fro discussion and, eventually—not always, but eventually—a compromise is struck.

The compromise struck is usually that we try to balance the discussion, the people who are for the particular bill or issue or motion before us and the people who are against it. And we do this in camera only because we want to make sure that we have a wholesome discussion and can move away from the party lines that often occur and can be somewhat more collegial—which is what I would say to Canadians.

When I talk to people about where the work of Parliament really gets done, the meat of what we discuss, I tell them that it occurs at the committee level. I tell them that good work is generally done at the committee level, but that from time to time committees become unworkable. Why? Because there's a lack of cooperation, a lack of congeniality, which the democratic process requires if you're going to be genuine.

So why did we move out of that in camera discussion? Well, we can't discuss, of course, anything that occurred in camera, but I believe that Canadians need to hear about this discussion. They need to hear about how committees really work when it comes down to choosing witnesses.

So why would the Conservatives be against someone else choosing who their witnesses are going to be? In other words, we submitted a very, very wholesome number of witnesses from each of the parties. Mr. Comartin indicated that hundreds of people had contacted him—

**Mr. Joe Comartin:** I said 125.

**Mr. Rick Norlock:** Yes, well, hundreds. I didn't write it down. He said that he had whittled that list down to 70 to 75 names. Anyway, Mr. Comartin knows that when a person makes notes, they usually are correct, because for 30 years I have made them, and defence counsel usually tried to.... But anyway, he won't get into that.

What normally occurs, and what occurred in this particular case, is that because of the importance of this private member's bill.... And nothing, save salacious comments about individuals and the substantive issues of the economy and these other things, has gripped this nation like firearms violence and public safety issues. Of course, we know that throughout the years there has been, and continues to be, a very fulsome discussion whether or not the long-gun registry fits the needs of Canadians vis-à-vis reducing firearm violence in this country. That's the reason my colleague, Ms. Hoepfner, introduced this private member's bill. She felt strongly enough that we needed to have that discussion here in the House of Commons.

We put forward a plethora of names, I would say, as did the other four parties. We put those names forward for discussion, as is the norm. But what happens when you want to hijack the proceedings, when you no longer want to be fair, when you no longer want to go forward with normal practice, is that you form a coalition—just as was formed before, and continues to be—and you reach an agreement to hijack the government's list and move a motion that you will decide who are going to be the witnesses for the other side, because, hey, after all, they did supply those names. Well, we supplied the names so that we'd have a list we could sit down with to get that balance that we normally do at committee.

●(1650)

I suppose Canadians have to decide whether this is fair. Is this fair? What I want to impress upon Canadians—because I believe it's useless to try to persuade the other side, since their minds are made up—is that it's inappropriate, because we all discuss with each other while one side or the other is speaking to the chair or to the issues. We sometimes consult with each other.

I won't mention the fact that there is some disinterest with what's going on here.

I did listen to Mr. Comartin, and I think he would find it very difficult to argue against what I've just said. It is a fact that we submit numerous names and then, during the discussion, we come to an appropriate balance of for and against, or of those who have a different view that is maybe not totally against. We have that discussion and we choose names. It's very rare that one side decides the priority for the other side.

He talks about opinion polls. In the interest of a little levity, I can recall a past Conservative Prime Minister saying, "You know what dogs do to poles." The real poll, the only poll that really counts, is the poll at election time. Yes, at election time Canadians decided to send Conservatives to government with about 10 or so fewer people than the opposition. When the opposition—or, for that matter, anyone in the House of Commons—says, "Canadians want...", what they're saying is, "The people who voted for me want..." I think the people with the most substance behind what Canadians want are the people most Canadians voted for. When it comes to opinion polls, we have to be very careful, because a poll can be slanted either way, depending on the question and the demographic you're going after.

Mr. Wrzesnewskyj says we are governed in this place by rules. Well, he was correct, but we're also governed in this place by tradition and by practice. The tradition and the practice are that, once again in the interests of fairness, we have certain discussions in camera, because, to an extent, we can drop that party stance and become a little more relaxed in our discussions when it comes to who we're going to invite before the committee to best portray something or to give us evidence that will allow the analysts to help us.

I would have to say, quite frankly, that we wouldn't be able to function without the analysts. In terms of who's more important, they would say that we MPs are and that they're not, but the truth is that we're a team, and they are often asked to suggest names to us. Sometimes, and maybe in this case, we need to revisit that, but we do it, once again, in camera. We're not in camera now, so I can talk in

generalities only because I can't speak specifically about what we discussed in camera.

●(1655)

I would like to go back to Mr. Wrzesnewskyj and say we should do what we normally do. Let's do what is the norm. Let's do what is the tradition. Let's show Canadians that we can cooperate. All you need to show is some goodwill. All you need to say is, "Look, Conservatives, we put forward this motion for you folks to have six witnesses, but we're big people; we'll allow you to choose the six names that you want to put forward."

Canadians looking at this would ask what would be fair. Isn't it fair that the Conservatives would be able to prioritize part of the 70-some names that they put forward? Wouldn't it be fair that they could put six of those names forward without having the other side decide? I would say that they would expect from the Conservatives that we would say to the NDP, to the Bloc Québécois, and to the Liberals that you should decide among yourselves. You decide, and we won't object to whatever names you want to put forward. We won't object to your fair share.

Once again I go back to fairness, tradition, and what's seen as right. It's just plainly the right thing to do. You can have all the fancy lawyers' words; I'll leave all the fancy lawyers' words to my friend, Mr. Rathgeber, because he is a lawyer and he's very articulate, as is Mr. Kania. He knows lots of good lawyers' words that a poor old policeman like me doesn't understand, but what I do understand is fairness.

Now, if all that's important here is winning—if all that's important here is to get our motion passed and to shove this motion up the noses of the Conservatives or some other body or place—they may very well win, but in the end, Mr. Chair, will Canadians feel this is fair, especially those Canadians who are conversant with how this place operates and conversant with the way committees operate? No, Mr. Chair, they will not find this fair.

I think we need to have a breather. I think we need to go back and ask what the harm is in this committee maintaining the norm of fair play, justice, and goodwill. If that happens as this committee...

I've been on the public safety committee now going on five years, and generally speaking, when we have discussions as MPs around this place, this is one of the committees that is looked to as one of the best operating committees. By that we mean there isn't the kind of wrangling and hoo-ha that goes on in other committees. Whether it was in camera or whether we were discussing very important legislation such as the Anti-terrorism Act, I was very proud to belong to that committee, because we did work as a team. We were able to sit down and go through some of the most important things.

Ms. Mourani likes to giggle and laugh through the whole thing. I can remember one meeting at which she actually admonished me because I dared to talk while she was talking, but I guess she can't hear me because she's too busy.

Anyway, Mr. Chair, I think it's very important that we begin to think along the lines of fairness. If it's all about winning at any cost and getting the motion passed to fix those Conservatives, then in the end they will win, but I suggest to you, Mr. Chair, that in the end they may very well lose. There's an old saying that you may win the battle, but you end up losing the war, and the war will be fought not in this place but at the polls. Sometimes, win or lose, you lose. You may, as I say, win this battle, but I think in the end you're going to lose the war.

• (1700)

With that, Mr. Chair, I shall relinquish my time for the time being.

**The Chair:** Thank you.

Mr. Kania, please.

**Mr. Andrew Kania:** There have been some unfortunate comments made by people around the table in terms of this issue. It has gotten heated. I'd like to tone it down. I think we need to be looking at all of this from a reasonable perspective.

I'd like to know, first of all, why this isn't a government bill. I understand that Ms. Hoepfner has the right to do it. I'm not challenging that; I'm not saying she did anything wrong. But I do think, given the seriousness of this, that the government should have brought this in as a government bill. On a practical basis, because it's been brought in as a private member's bill and not a government bill, there are reporting requirements back to the House of Commons that are in force only for private members' bills.

As we know, this has to be reported back by June 12 of this year, whether we like it or not. That changes the dynamics of how things are handled in terms of this bill. Obviously we can get through as many witnesses as possible, and it would be ideal to have as many witnesses from all sides as possible. But because of the fact that it's a private member's bill, it just can't be done, because we have limited time.

I have discussed with some of my colleagues—and I'd like to hear from them perhaps at a different time about this—about amending the reporting rules for this, so that there isn't a requirement to report this back to the House of Commons by June 12. Perhaps we could enter into some arrangements. This is me speaking. I'm not speaking for the Liberal Party; I'm not speaking for the critic. I am saying this to you, in terms of a reasonable position. Because you have all stated—and I think you're right—that this is a serious issue for Canadians, and you think it should be heard properly and that as many witnesses as possible should be heard so that all points of view are heard, why not change it so that there is no automatic reporting requirement by June 12, so that it can then be extended? If that occurred, we could have many more days of witnesses and we could get all the people who want to be heard in front of the committee in some way.

Now, I want to talk about having open minds. From the government's perspective, because it's a private member's bill and because it has to go back by June 12, they complain, under the current restrictive rules that we have, about not having enough witnesses from the government side if this motion were to be adopted. That could be fixed in a moment if we didn't have the June 12 reporting requirement to go back to the House. So why not try to

fix that and extend it so that we could open it up and have more Canadians have an opportunity to testify?

In terms of having an open mind, I do have an open mind. I'm not happy with the debate that I've heard in the national press, in this room, in the House of Commons, about the gun registry, because from what I hear it is not, in my view, intellectually defensible to say that we only have one choice. What I hear from the government side, and, to be fair, from some of the people on the other side as well, is to keep it or kill it, and nothing else. I don't see that as a wise or logical position that anybody should have on behalf of Canadians.

When you speak about having witnesses come before the committee, I would hope that you would want to include, from your own perspective, some witnesses who might say it's not perfect but here are our ideas to fix it. I've not heard that. So when the government complains about not having enough witnesses to call on its own behalf, I question that, because from what I can see, from everything I have read and the rhetoric and the advertising and the ten-percenters, the minds are already closed. The minds are already saying it has to be killed; it's not possible to modify it in any way to change it and still make it effective on behalf of Canadians.

I have a problem with legislators having closed minds. I personally do not.

There are many examples. Chiefs of police who support the gun registry and want to keep it are ignored. I have not heard anyone from the Conservative side say, "Okay, you have a point. Maybe you're wrong. What about if we modify it this way and try to fix it?" I don't hear that. I just hear them criticizing the chiefs of police, which I'm surprised about because the Conservatives have no difficulty using the police for this supposed law-and-order agenda when it suits them. Why don't we hear, "Because the chiefs of police actually believe it should be kept, maybe they have a point. Maybe we should listen to them. Maybe we should see what their opinions are. Maybe we should take them into account. Maybe we should try to fix it." I've never heard that from one Conservative ever. Why?

• (1705)

In terms of a private member's bill, everybody opposes it? We were talking about Mr. Ignatieff earlier, about how he has announced that he wants the Liberal caucus to be unified. Which Conservative member of Parliament is against this bill? Are there any? Are you telling me that among all the members you have there is nobody who might have some second thoughts and might think maybe it should be amended and saved? I don't believe that. Whether there is perhaps the whip you speak of behind the scenes.... I don't believe for one moment that there is not one Conservative member of Parliament who thinks it would be reasonable to perhaps try to save it by making changes. But we don't hear from them. We're not allowed to hear from them, I suspect.

Look at other organizations. We had here on Tuesday of this week the ombudsman for victims, Mr. Sullivan, who's not been renewed. He was very clear in stating that he believes the gun registry is something that should be maintained on behalf of victims. It's his job to make that comment about victims. I listened to that, and I thought, okay, maybe it should be saved. Maybe there should be changes, but we should save it in some manner.

Nobody on that side had any questions that were positive towards him. In terms of that issue, nobody agreed, and nobody even opened their mind to the possibility that perhaps it should be saved with changes.

You have victims groups that are very vocal in trying to save this. They're not listened to. Nobody on the other side is saying that maybe we should listen to them, or maybe we should come up with some ideas to save it.

I challenge the members opposite to put forward any proposal that seeks to reform it and save it, rather than having the very narrow-minded view that it must be killed, that's it, and there's nothing else to talk about. When you indicate that you need to have all these witnesses come forward simply to say the same thing, which is, "kill it, kill it, kill it", what's the point? I would challenge you to put forward some witnesses who actually might have a more nuanced view.

That being said, I would like to have more witnesses testify, but in order to do that, I suggest we change the rules for this bill so that we don't have the June 12 deadline.

In terms of changes, the Liberal Party has suggested the following:

A first-time failure to register a firearm would be treated as a simple, non-criminal ticketing offence, instead of a criminal offence, as it is currently.

Why can't we discuss that from a perspective of attempting to modify this and keep it, rather than entirely eliminating it? Why can't the government propose witnesses who would actually be nuanced and suggest changes to the registry, rather than proposing a slate of witnesses who simply say "kill it"?

• (1710)

Another proposed change is that the fees for new licences, renewals, and upgrades would be permanently eliminated. Why not? Why don't we discuss that reasonably? Why don't we have witnesses proposed by the government to consider that as a proposed change to keep the registry, rather than simply saying it needs to be eliminated?

Another change is that the registration process, especially the forms, would be streamlined to make registration as easy as possible. What's wrong with that idea?

That's just an example of one of the other suggestions. Maybe others need to be considered.

Maybe we could consider calling witnesses who would come and give proposals for how it should be saved and modified, rather than simply eliminated. That seems to me to be a reasonable position.

I've made those various points. My main summary is that I'd like everybody to have an open mind about this legislation.

I have one final comment, which is that long guns are principally responsible for the deaths of police officers. Long guns are the principal weapon of choice to hurt or kill persons in domestic abuse situations.

Considering all these various factors, I think it's incumbent on all of us—and I have this approach—to treat this as something that needs to be considered fairly, reasonably, with an open mind, and not with this dichotomy of having to kill it no matter what and not be willing to listen to anything else.

Thank you.

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

We'll now move over to Mr. MacKenzie.

**Mr. Dave MacKenzie:** Actually, I have a lot of issues.

Mr. Kania, I don't know where to begin with your whole list there. You made some statements that I don't think are borne out by the facts. You made unequivocal comments about long guns. I don't think you know how many of those long guns that you talked about were registered. I don't know where you come from with that whole issue about unrestricted long guns. The issue in Canada, including from your leader... Your leader has been quoted as saying that our problem is not long guns; it's handguns that are brought into this country.

What you've just said is beyond belief, and certainly Canadians will have the opportunity to look at what you said.

I'd like to go back to when you initially started. You said something about a reasonable perspective, and then you got off into some area about whether Ms. Hoepfner's bill...that we somehow are responsible for the timeframe.

Well, I know Mr. Kania is an honest man, and I know he has a good memory, and I know he will recall that when the agenda was set for this session there were all kinds of dates. The decision was made that there would be three days towards the end of the session.

It's pretty hard to blame the system for the fact that the 60-day notice is there for private members' business. It is there, and one of the reasons it's there is so it gets heard in a proper time. This proper time was not there because the committee filled the agenda so that this item was towards the end instead of at the beginning. We could have put in anything.

I think when you talk about open minds, Mr. Kania, we all would agree with that. I don't think there's a parliamentarian who would want to believe that others don't have open minds. But it begs the question that if members on the other side have open minds, why did they come here this afternoon prepared to shut down discussion about where we might go with witnesses?

Mr. Comartin, you'll probably be pleased to hear that I spoke with a young police officer from the city of Windsor last night who thought you were a pretty good guy. He thought you were a fair man. I don't think that if he saw what happened here today he would say that's the Joe Comartin he knows from Windsor.

Mr. Comartin probably won't understand this, but I did agree that he is a good, honest, fair-minded individual. Today's comments would be less than that. I think Mr. Comartin has indicated it's only his opinion of polls that really matters. Your one-third, two-thirds is how you justify this kind of a schedule. I don't think Ms. Hoepfner would agree that one-third of those witnesses would be the witnesses she would ask. I think your number was somewhat different from her belief.

We would have asked Rick Hanson, the chief of police in Calgary; Delaney Chisholm, the chief of police in New Glasgow, Nova Scotia; Sergeant Duane Rutledge, an active police officer; and the Canadian Taxpayers Federation. I'm sure you have all heard from them, because we have. They seemed to have in their correspondence that they were sending it to all of the committee members.

We would have liked you to consider Bob Head, the retired assistant commissioner from the RCMP; some former SWAT police officers: Dave Shipman, Mitch McCormick, Jack Tinsley, Gary Mauser, Steve Torino. Diana Cabrera is an Olympian sports shooter, and I can't believe this committee would not want to hear from her.

There is a member from Yukon: an aboriginal MLA, John Edzerza. Pierre-Hugues Boisvenu has represented victims, and my colleagues from the Bloc know full well who he is. He has been a victims' advocate, and we're going to hear from victims. Riccardo Di Done is another victims' rights individual.

• (1715)

Alison Redford, the Alberta Attorney General—you don't want to hear from an attorney general from another province. Conservation officers Don Wertz and Quinton Isley—talk about a closed mind.

We didn't ask for a lot of people. We wouldn't have asked for a lot of people. Ms. Hoepfner already made it clear that she had a list of about 57 or 58. If the doors opened up, she would have said bring them all. But she knew coming into this meeting that we needed to spend some time paring down all of our witnesses.

Somehow, to get here with no discussion and a motion already in hand that would totally fill not only the two days or three days that were scheduled, but another day, a fourth day.... I don't believe Canadians thought they were going to elect a group of parliamentarians who wouldn't come in here with some idea about some sense of democracy.

I can't believe they wouldn't want to hear from Rick Hanson, the chief of police in Calgary. I know Bill Blair, and I respect his opinion, but surely Canadians would expect to hear if there were other chiefs of police.

I don't think I can go out and say everybody in this country likes the gun registry, because I know they don't. I wouldn't for a minute want people to believe I think there aren't people who legitimately believe in the gun registry. But to not get the opportunity to hear from these police officers who have an opposing view of the current president of the chiefs' association....

I didn't even talk in here about Chief Blair's predecessor. His predecessor was a believer in the gun registry, but then he realized that the gun registry didn't do what other people were saying. He's now the head of the largest police force in Ontario. I didn't mention

him. We didn't ask him to be here. We thought there was a good balance from across the country.

We have all kinds of police officers. Last night we met with a number of them. One young man in particular came over and spoke to me. He said, "Long guns are not a problem, Chief. Our problem is handguns, and every gang-banger we get has a handgun in his pocket. That's our problem."

I don't know why you want to shut people out. Talk about a closed mind. My friend says we have closed minds. Give us the opportunity to bring some of these people forward. Maybe we can look at some of these things.

When he talks about what the Liberals are suggesting—Mr. Comartin certainly knows, and I'm sure Mr. Kania knows—if it's a Criminal Code offence, it's a criminal conviction. We need to look at how we think we can make this move from a Criminal Code offence to a non-criminal offence. Maybe there's some way in what he's talking about, but it doesn't work. If it's a Criminal Code offence, it's a Criminal Code offence. That's the end of the story. You can do whatever you want. If we have whatever regime he's talking about—a ticketed situation—and there's no record and no criminal offence, we won't know when the first offence happened or the tenth offence.

If you believe in what the situation is, what does a ticketable offence mean? It doesn't mean anything. It's something a political leader was talking to a group about to convince them he was doing something. At the end of the day, surely my good friends who understand criminal law know that if it's a Criminal Code offence in the Criminal Code, it stays as a criminal offence. It doesn't just change because we wish it would change and make it into some sort of ticketable Highway Traffic Act offence or provincial offence; it stays as a criminal offence. So don't try to fool Canadians and talk about something or do something that is just not doable. As I said, my good friends the lawyers on the other side certainly know that. It's not in the Criminal Code.

• (1720)

**Mr. Joe Comartin:** Stop picking on lawyers.

**The Chair:** Order. Everybody has to go through the chair, please.

**Mr. Joe Comartin:** Sorry, Mr. Chair.

**Mr. Dave MacKenzie:** Mr. Chair, I guess what Canadians will really find most offensive about this is the lack of democracy within this body. We should not have gotten to this position without some discussion. Somebody could have walked across the floor and said this is what their list of must-have witnesses is. It didn't happen.

We came here today firmly believing that we would have that opportunity to say this is the list of witnesses; we've got 57 or 58, whatever it might be, but we recognize that is going to be too many.



So if we're going to have three days, which was scheduled, and I think it's reasonable that we might have looked at four or six people on those three days.... Our understanding from the whips—the agreement was that it would be balanced in the numbers. If we're going to have 12 witnesses, that side would get six and this side would get six. I'm not sure that Ms. Hoepfner was going to be happy with that because that wasn't what she had thought or wanted, but we would live with that. Unfortunately, when you come in here with guns blazing, fill up the whole agenda, and then want to add another day to it, I just can't believe that Canadians on either side of the issue....

I know my friend, Mr. Rathgeber, mentioned the Taxpayers Federation. They're in all of our ridings. They're in my riding and in your ridings. These people feel they have some right to at least ask to be considered. There was no consideration given. And I don't know where they are on that issue. They may very well support the retention of the long-gun registry. But surely there should have been some discussion about some of those people.

Why would you not want to have some of the sport shooting people here—you know, an Olympian? At least you could have given us the decency of discussion. You might have said no, we think this is better or that's better.

Why would you not want to hear police chiefs who have something different to say than the current chief of Toronto? He's the president, and we all know that presidents don't necessarily speak for everybody, but they may speak for the majority. That's fair enough. We would have been more than willing to have heard Chief Blair come in and say that. If that's what you want, that's fine. But surely you wouldn't have minded Chief Hanson coming in with a different point of view.

If you want to talk about compromises, how do you ever get to a compromise if you're not prepared to listen? In this case, all we've got are the witnesses that you have decided we should hear, that Canadians should hear. I don't think the public out there are going to be one bit happy when they realize what's going on. And they will; they will know.

This is an important issue. It's important from the perspective of the people that you represent and we represent. It's important from the perspective of the people who want to retain the gun registry. They won't see it as being a very democratic process that the other side didn't get heard. I don't know what you fear. Why would you fear having somebody out there who may say something different from what Chief Blair says?

There was no consideration. You want to bring in a current assistant commissioner of the RCMP because you've heard his own personal opinion. Fair enough. Well, what's wrong with hearing Mr. Head? He's a retired RCMP officer; he's got nothing to gain—nothing to lose, nothing to gain—the same as everybody else. Why not hear him? It just seems like common sense and decency that we would do that.

I would hope that the side opposite would come to some reasonable expectation that this side should get some input into these things. If you want to withdraw your motion, I would certainly encourage that, and we could sit down and come up with a

reasonable list of witnesses that would fit Mr. Kania's timelines. Fair enough. But with what you have now, you haven't given this private member's bill any opportunity to be heard from the private member's side. You wouldn't be happy if the government did that to you. We wouldn't be happy to do it to you.

So I would just think that there would be some decency, some common sense that would say that we need to rethink the motion you've brought forward. It doesn't give the opportunity for a fair hearing on both sides of the issue. To hear one side—

● (1725)

**Mr. Mark Holland:** A point of order, Mr. Chair.

**The Chair:** A point of order.

**Mr. Mark Holland:** Mr. Chair, we've come to the end of the meeting. I ask that you call the question and make a determination. Call the question—

**Mr. Dave MacKenzie:** Mr. Chair, I'm not finished talking.

**The Chair:** It's out of order.

**Mr. Mark Holland:** I challenge the chair.

**The Chair:** No, it's out of order. I'm sorry, you can't do that.

Mr. MacKenzie.

**Mr. Dave MacKenzie:** I'm still talking.

**Mr. Mark Holland:** No, but I can challenge the chair. I have the right to challenge the chair. It's a non-debatable motion.

**Mr. Dave MacKenzie:** You can challenge the chair all you want, Mr. Holland. That's been your history. If you don't get your own way, you want to challenge or run to your cameras.

**Mr. Mark Holland:** I'm challenging the chair. It's a non-debatable—

**Mr. Dave MacKenzie:** Mr. Holland, you don't run the meeting. You don't control the meeting.

**Mr. Mark Holland:** It's a non-debatable motion, Mr. Chair.

**Mr. Dave MacKenzie:** Surely you understand that.

**The Chair:** You are challenging the chair.

**Mr. Mark Holland:** I am.

**The Chair:** Can I make a comment first of all? The arguments I've heard from this side—

**Mr. Mark Holland:** Mr. Chair, it's a non-debatable motion.

**The Chair:** I'm not debating your motion. I just want to put something on the record.

We were given an order from the House of Commons, and the only objections I've heard about that are that it should have come from the government; it shouldn't be a private member's bill. We have to deal with this, and I'd like to deal with it, as soon as possible.

**Mr. Dave MacKenzie:** On a point of order.

**Mr. Mark Holland:** There is no point of order. It's non-debatable.

**Mr. Dave MacKenzie:** I'm talking. You don't interrupt.

**Mr. Mark Holland:** The chair made a determination. I'm challenging the chair.

**Mr. Dave MacKenzie:** Let us finish.

**The Chair:** Mr. Holland, you can't bring in a motion on a point of order.

**Mr. Mark Holland:** Okay, but I'm challenging the chair on that point.

**The Chair:** It's 5:30. This meeting stands adjourned.

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