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Chair

Mr. Garry Breitkreuz

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•(1535)

[English]

The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)): I'd like to bring this meeting to order.

This is the Standing Committee on Public Safety and National Security, meeting 22. We have two items on our agenda.

First of all, we have a motion. Four members of this committee have requested to address the issue of obtaining two RCMP documents. I'll entertain that motion at this time.

Mr. Mark Holland (Ajax—Pickering, Lib.): I'm sorry, Mr. Chair...

The Chair: I said I will entertain the motion. Somebody can introduce the motion to address the issue of obtaining two RCMP documents.

Mr. Mark Holland: Right. At the last meeting I articulated the two documents that were being sought. One is the Canadian firearms program evaluation of February 2010, and the second is the internal RCMP audit of the Canadian firearms program that was around the same period of time. I'll move that as a motion.

It's clear that the committee would be requesting these documents of the RCMP commissioner.

The Chair: Okay. You've heard the motion. Is there any discussion?

Mr. MacKenzie.

Mr. Dave MacKenzie (Oxford, CPC): Mr. Chair, first off I'd like to deal absolutely with the motion. But I'd also like to bring to the attention of the committee that there have been a number of allegations made both in the House and in the public domain about a report from the RCMP on the firearms registry, that we had somehow done something with that report and not provided it. I'd like to suggest to the committee an article in the *Toronto Star*, written by Tonda MacCharles back on November 7. I'm sure my colleagues opposite have heard of the *Toronto Star* and Tonda; she frequently comes into our meetings. The last paragraph from Tonda was: "Responding by email to questions from the *Star*, RCMP Sgt. Greg Cox said late Friday the force submitted its 2008 firearms report on Oct. 9, four weeks ago".

So the report was tabled in the appropriate time. I think somehow members may have misconstrued some of the information that was out there. I would say particularly to the members of Liberal Party that if they talk with some of their former cabinet members they will tell you that many letters get sent with dates on them, but the reports

frequently do not show up at the same time. That's just for clarification on that particular issue. It was in fact confirmed by *Toronto Star* reporter Tonda MacCharles.

On the reports that were asked for, we have not been in any way, shape, or form trying to hold them back. The problem is, we couldn't figure out the reports that are in this motion. We're not certain what those reports are. We're certainly not opposed to making relevant and timely information available to the committee, but we need to know exactly what those are. We think that the report being referred to is an internal audit and evaluation done by the RCMP. We think that's what was referenced in the committee. We're not sure that those are complete, and we're not sure where they've gone. We know by Treasury Board guidelines that the internal documents are not approved by the minister, and the normal process would provide that, once final, those audits will be posted in both official languages on the RCMP website.

I am satisfied from what I have been told, and from what questions I've asked, that the minister hasn't seen them, nor likely would see them until they were made public anyway.

Mr. Chair, from our side we'd encourage you to instruct the clerk to write the RCMP and request the internal audit and evaluation, because that's what we think the opposite side is asking for. We have no idea whether they're done or where they are, but they will be a public document, so it would only be appropriate that if we want them, we ask for them.

The Chair: Is there any other discussion?

Mr. Holland.

Mr. Mark Holland: Mr. Chair, just on that, could we make a request that if those documents are not as yet translated, they be given to the clerk? Of course they would be translated before they would be disseminated to members of committee, but I don't want to get into a situation where they say they're sorry but it's not translated, and seven months later the documents come to us.

In other words, when we're making that request, if they haven't undertaken the translation yet, send it to the committee and then allow the committee to undertake the translation. As I understand it, one of them is about a 60-page report, and I'm not sure of the other's length. I just want to make sure we aren't caught in a situation, because we've already waited since February for this.

The Chair: Mr. MacKenzie.

Mr. Dave MacKenzie: We have no objection to that whatsoever, Mr. Chair. I think what we want to make perfectly clear is the minister's office doesn't have them, so the request would have to go to the RCMP. We think the documents you're talking about are the internal audit and the evaluation.

● (1540)

Mr. Mark Holland: That's correct.

If I could, as well, through you, Chair, to the clerk, perhaps we could have that go out as quickly as possible and make reference to the fact that the committee is already in the middle of clause-by-clause consideration of this bill and it could or could not come to the House very soon for a vote. And therefore his timely response would be appreciated.

The Chair: Okay.

Ms. Mourani.

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Chairman, I would simply like to indicate, for the clerk's information, that documents must be provided to us in both official languages. Indeed, I received the minister's responses in English. When the minister appeared before us, a few months ago, we asked him several questions to which we have received answers. I do not know if everyone received them in the same format as I did. In these answers, there were parts in French and others in English. I do not know if this went through the clerk, but I, for one, did not receive the full answers in French.

I would therefore like to have the minister's answers as well as these documents, in French, as quickly as possible.

[*English*]

The Chair: Okay.

Does anybody else have any comments before I call the question?

Seeing no more comments, we'll vote on the motion.

(Motion agreed to) [See *Minutes of Proceedings*]

The Chair: One of the members of the committee has indicated they would like to bring forth another motion at this point.

Mr. Mark Holland: I'm sorry to interrupt, Mr. Chair.

For the sake of those who might be waiting with bated breath in anticipation of our embarking on clause-by-clause consideration of Bill C-391, as I understand, there have been discussions that have taken place that would move the clause-by-clause consideration of Bill C-391 to Thursday and next Tuesday. I wanted to clarify that this was the understanding of the committee before we embark on other business.

The Chair: We'd have to have a motion to that effect, if we're going to do that. If you have discussions, they still have to be brought forward and approved by the committee. Does somebody want to bring that forth?

Mr. Davies.

Mr. Don Davies (Vancouver Kingsway, NDP): Thank you, Mr. Chairman.

What a delight it is to be back among my colleagues here on this committee.

The Chair: You are more than welcome, sir.

Mr. Don Davies: Thank you.

I would move that motion as indicated by Mr. Holland, that we defer the clause-by-clause until Thursday and Tuesday. I appreciate the collegiality of Mr. MacKenzie and the chair in accommodating that request.

The Chair: Is there any discussion in regard to that?

Ms. Mourani, you had your hand up first, then Mr. Rathgeber.

[*Translation*]

Mrs. Maria Mourani: Mr. Chairman, there is something that I do not understand. I was under the impression that Mr. Holland had a motion to put forward regarding Bill C-391.

Mr. Mark Holland: Could you repeat the question? I did not hear it.

Mrs. Maria Mourani: I was under the impression that you had a motion, but I am perhaps mistaken.

Mr. Mark Holland: At the beginning of the meeting, Mr. Davies had a discussion with Mr. MacKenzie and the matter of changing the dates was brought up. I mentioned that I had no objection, but that if it were a problem, I would be in favour of the committee moving to clause-by-clause today.

[*English*]

The Chair: We have a motion before the committee and I have a list of speakers here.

Mr. Rathgeber, then Mr. MacKenzie and Mr. Norlock.

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

There is a problem. The problem is that this committee has no flexibility with respect to its timetable, an issue that was of great concern and great consternation to me at an in camera meeting that I can't talk about. But the end result of that was that this committee has an agenda—that's public, so I can talk about it—that sets certain days for certain matters. As I understand it—and any honourable members of the committee may wish to correct me—clause-by-clause consideration of Bill C-391 was set for two hours for today and two hours for Thursday of this week. If my recollection is correct, next Tuesday and Thursday we are to give instructions to the analysts regarding a very comprehensive study on mental health and the state of corrections that this committee undertook last fall, October and November, with trips across Canada and to Norway and Britain, and hither, thither, and yon. I think it behoves us to move forward on that report, given the amount of time and money the committee has expended on studying mental health in corrections. I'm sure Mr. Davies, who's the mover of this motion, would not want to see all the work and time and energy and toil and labour he's put into studying the state of mental health in corrections be put off yet again.

I don't know how you prioritize the state of mental health in corrections versus Bill 391. Certainly the members on this side of the House are anxious to move forward. We support this bill wholeheartedly, at least speaking for myself, and I think I speak for all the members on this side of the table. The committee, as you know, Mr. Chair, is the author of its own procedure; it's the author of its own affairs. This committee has made a motion, and the motion was, as I understand it, to do clause-by-clause consideration today and Thursday. But there may be some technical problems with that.

I'm a little confused as to the starting lineup for today's match, because Mr. Davies—we welcomed him back a few moments ago when he made the motion—hasn't been participating in the hearing of the witnesses, and I was under the understanding that Mr. Comartin, the senior justice critic for the NDP, had a lead on this file. Is the problem that Mr. Comartin is not available today? I don't know. I would suggest, if that's the problem, that's not a legitimate or bona fide reason to adjourn what is to be clause-by-clause consideration from Tuesday and Thursday to Thursday and Tuesday of next week.

Maybe the amendments aren't ready. I don't know if the NDP needs more time. I don't know if the other parties are proposing amendments. I'm a little confused and I'm a little concerned by all of this. All that I do know—or I guess I might know more than this statement—is that the committee had resolved to do clause-by-clause today and clause-by-clause on Thursday of this week. This committee has set its own timetable, against this side of the table's strong opposition, essentially to the end of what was anticipated to be the spring session. So with Tuesday and Thursday already booked to do mental health and the state of corrections, I would suggest to you, Mr. Chair, that this motion is out of order, and I'm sure my colleagues would like to support me on this proposition.

• (1545)

The Chair: Mr. MacKenzie, you're next on my list.

Mr. Dave MacKenzie: Thank you, Chair.

I have previously discussed with Mr. Davies and with Mr. Holland what I thought the agreement was, to move today's agenda to Thursday and deal with the amendments that the NDP perhaps will bring forward and deal with them on Thursday.

Mr. Davies had indicated there had been some discussions with the House leaders, which I wasn't aware of. At this point, we're trying to get some kind of response. I do agree with Mr. Kania that the schedule was set—

An hon. member: Mr. Rathgeber.

Mr. Dave MacKenzie: I'm sorry. They look so much alike, Mr. Chair. And they're both pretty good guys, and not bad lawyers.

Having said that, at this point we're certainly reluctant to move today to next Tuesday. We've all agreed that we need to complete that report. There will always be something that seems to jump up to push aside the mental health issue and the prisons and addictions and all of a sudden we'll get to the point for the summer recess and the report won't be completed.

I think it's so important. It's something Canadians have been made aware of. Mr. Rathgeber so rightly pointed out that the committee

put a lot of time and effort and taxpayers put a lot of money into doing that study. I think for the purposes of that study it needs to get completed sooner rather than later—rather than getting pushed off.

So if we're going to adjourn today's meeting and put it into Thursday's.... I can't see where it's going to hurt their cause. It's not a long bill. I think we've got in front of us a total of 25 clauses, all of which are fairly simple to deal with. Mr. Davies indicated that perhaps eight or ten amendments may be put forward by the NDP. I think we should be able to handle that in one day. But if we move ahead today on this I think they're going to lose some of their opportunity to bring their amendments forward, because we'll be past that.

So I understand their problem, but at the same time I think the schedule was set some time ago, quite understandably.

• (1550)

The Chair: The suggestion has been made. I've got quite a list of speakers here. You've heard the suggestion that we leave the schedule the way it is for Thursday.

I just have a question for Mr. Davies. We have not seen any amendments. We could get this all done on Thursday if we would have the amendments tomorrow in advance and they could be translated and distributed. Then it would simplify things, as we could deal with this all in one day. Is that possible?

Mr. Don Davies: I can certainly bring that to Mr. Comartin. I'm at a loss, because I have not been privy to those discussions. But I'm happy to pass that on and to make that request. Obviously the amendments have to be drafted and circulated in advance. I don't see any reason why that couldn't be the case.

My instructions were to put a motion to defer the clause-by-clause until Thursday and Tuesday if necessary. I think we all acknowledge there's a possibility we could be done more quickly, but that's the wording I was given for this.

I will hold my other comments until I'm back in the queue. Certainly I'll pass that on, Mr. Chairman.

The Chair: The point is, on April 14 we sent out a note asking that all the amendments be submitted, and that was a month and a half ago. If your motion doesn't pass we'll probably finish today, and then there would be no amendments.

Next on my list is Mr. Norlock.

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

Much of what I was going to say has already been said. Here's the thrust of it. We can't talk about what was done in camera, which tied our hands as to what our scheduling would be. That having been the case, my preference is to go ahead until we can get this sorted out. But then in retrospect, if we knew what clauses the NDP intended to amend, we could deal with the other clauses. But I gather we don't even know what clauses are going to be amended. This leaves us in the position that we're going to cancel today, and each and every day is very valuable. So perhaps Mr. Davies does know the clause numbers, and if that's the case we can deal with the other ones.

The Chair: Thank you, Mr. Norlock.

Mr. McColeman.

Mr. Phil McColeman (Brant, CPC): I truly am quite amazed and in fact quite frustrated. As Mr. Norlock has so accurately said, we had an agenda forced down our throats that Mr. Davies was part of the coalition to make happen. For Mr. Davies now to arrive back, after we've spent the time we have listening to witnesses, doing all the review of materials, and coming prepared, on the schedule—we had no disagreement with the schedule as outlined—is to me a situation whereby we're put into changing the whole schedule.

We prepare ourselves as MPs to come and deal with the business of the day, as outlined in our schedules and agendas—which is, by the way, an agenda we had no input into, but that was forced upon us by the opposition. Mr. Davies played a key role in it, upon our return in this session. He played a key role along with other people on the other side of the table. It's unacceptable for me as a committee member to have him come back today and tell us that he's been given instructions by somebody outside this room that he is to come here and delay the business that's on our agenda for this committee.

In principle, regardless of what the issue might be—yes, it is Bill C-391, and yes, it is clause-by-clause—come on, stop playing games trying to juggle the schedule to whatever meets the needs of the NDP at this moment in time.

You can sense my frustration here. The games should stop here. Let's get to the work we had outlined doing. Let's review, clause by clause.

I totally agree with my colleague Mr. Rathgeber that this is totally out of order, in my opinion.

• (1555)

The Chair: Thank you, Mr. McColeman.

Ms. Glover.

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

I too want to voice my displeasure at the fact that we are once again leaving the agenda and trying to make last-minute adjustments. We prepare very hard for these committee meetings. My desk is completely covered in documents. There are a number of reasons we do this. It's because we want to do a good job. I'm sure that all members of this committee from every party want to do a good job.

I am prepared on Tuesday and Thursday of next week to move forward on a mental health issue, and it is pressing. I'm going to tell you why I believe it is pressing.

We just recently saw in a newspaper yet another example of why that study could help save lives and could help to improve the system. I want to read from a newspaper article with regard to that very important case, which was captured by not only our nation, but nations across this world. It's an important case because it could happen again, and we have the power to make some positive changes to hopefully prevent that.

Let me read a few sentences, if you would allow me, Mr. Chair. This is from an article by Dean Pritchard from May 31, and it's from Winnipeg:

The doctor of the man who beheaded an innocent passenger aboard a Greyhound bus less than two years ago is recommending day passes for his client, Vince Li.

The treating psychiatrist believes the man found not criminally responsible for slaying Tim McLean in front of a busload of horrified bystanders is ready to leave his secure mental health facility for hours at a time, provided he is accompanied by two "special constables".

Li's treating psychiatrist says Li continues to suffer hallucinations, but at a reduced intensity and frequency than at the time Tim McLean was killed.

He said Li is assessed as a low homicidal risk and suicide risk, and he responds well to hospital staff.

Here's a quotation:

"His demeanour on the ward, he doesn't argue with staff...he is responsive to their requests."

Meanwhile, McLean's family is lobbying to toughen the law against those found criminally not responsible for killing another person and was previously appalled when a psychiatrist commented that Li could be potentially...released within five years.

I might note that this is a case that happened in fact just outside Winnipeg, in my home province of Manitoba, and in fact the mother of the young man who was brutally murdered lives in our colleague Candace Hoepfner's riding, and we've been in close contact with her about this.

Let me continue:

"Tim's Law" aims to set at least a minimum mental health facility term for mentally ill killers.

Vince Li has been treated at the Selkirk Mental Health Centre since he was found not criminally responsible for the July 2008 killing aboard a Greyhound bus.

Manitoba's Criminal Code review board will perform annual reviews of Li's mental health....

Now, I understand that this tacks on a very large responsibility to a provincial government. However, given that we took the time and energy and used taxpayers' funds to do an extensive study of the mental health system in our prisons, and of addiction, and of how they influence one another, etc., I am anxious to complete this study, not only because it's the right thing to do, but because this is a pressing issue. This is an article, as I stated, from May 31. This is weighing heavily on the minds of the family of Tim McLean and on the minds, might I add, of the family of Vince Li.

I believe it's incumbent upon us as parliamentarians to not only honour the schedule we have lived by, which we all know many of us did not want to agree to and were handcuffed into doing. However, we agreed to it because I am prepared for Tuesday and Thursday to address this very serious issue, which is pressing, which is at the forefront of some of the news articles that we've seen—and I'm sure there are more to come—if not for any other reason than to assure these families that someone is looking at this issue. I don't want to detour from our agenda, because I believe this is a pressing issue.

Those are my comments.

• (1600)

I would hope that members of this committee—although many of them aren't listening.... I want to implore you to think about these families. Were this your son or your daughter who was beheaded and cannibalized by an individual who was found not criminally responsible, who was then about to receive day passes when the psychiatrists have said clearly that there are still hallucinations—not to the same extent as when the homicide occurred, but there are still hallucinations—you too would be very concerned. It would rip at your hearts, it would rip at your very being and your very soul. I will not do that to these families without voicing very clearly here in this committee that it cannot be done. We cannot leave these families in that kind of a state. This study is important to them, and I thank the analysts and the researchers who accompanied us. I know you've done a lot of work to prepare a draft report for us. I want to proceed to evaluating it and to making some significant recommendations for not only this family, but for all Canadians.

Again, I know that many of the opposition members are not listening. I implore you to listen very briefly. You need to do this for these families. Please, Mr. Chair, I need for them to hear this. These families cannot be left in this kind of situation.

Thank you for your time.

The Chair: Thank you, Ms. Glover. I think you've made some key points here.

I know the opposition wasn't as attentive as I was hoping.

Mr. Davies, you're next on my speaking list.

One of the options here—a compromise I might suggest as the chair—is that you could amend your motion that we deal with this on Thursday. Then we could accommodate the concerns here about finishing that report.

Mr. Don Davies: Mr. Chairman, right now, just to inform the committee, I'm seeking instructions from Mr. Comartin. I will be able to give a final answer very quickly.

As it is my turn to speak on this issue, I just want to quickly say that I think Mr. Rathgeber made some offensive comments about our study. He said in the mental health study that we travelled across the country, into Norway, into Britain, and “hither and thither and yon”. Actually, the committee went across this country and we went to Norway and Britain, and that was it. If he's suggesting that was not a wise use of resources of this committee, then it's certainly contrary to what his colleague just spent the last ten minutes prattling on about.

I think it's offensive to regard the work of this committee on mental health as something that is put in nursery rhyme terms. It was a valuable study, and it certainly was a good use of our time.

I also want to point out that we have time in June. I know the committee time has been allocated, but there are a few days still in June. The purpose of my motion would move things one day. This is a very important bill, Bill C-391. It deserves to have the full consideration of this committee. Mr. Comartin wants the opportunity to put some amendments forward. That was the spirit of my motion—to enable that to happen, so that this committee would be able to consider every conceivable aspect of the gun registry bill before a very important vote comes up in Parliament, and so that amendments would be put before this committee for all parliamentarians' consideration.

I'll point out that I hear one of my friends interrupting me, and it makes it difficult to speak, but I will respond. He asked why he is not here. I've explained why he's not here to the chair, but I'll do it again here, as I did to Mr. MacKenzie. He's not here because he was called to a meeting of the Afghanistan committee. Mr. Comartin is our party's nominee, and that's going on right at this moment. I might also point out that Mr. Comartin also advises me that he sent this request to defer this one day to the government House leader, Jay Hill, who didn't even give the courtesy of a reply. That's why I'm bringing it up at the committee here, but if we want to get into that kind of politics, I'll bring that forward for the record so everybody can hear.

As well, I would point out that I did talk to the chairman, I talked to the government leader on this committee, and I talked to all the other leaders. Frankly, before I moved this motion I thought I had the agreement of everybody on this. Apparently we don't. This is what I have to say on this subject.

In terms of the mental health committee study, of course I think we're all in agreement that it's a very important thing, and I think we can get that done by the end of the summer. I don't think one day is going to make that much of a difference on it. That's what I wanted to say to the substance of the matter.

I'm awaiting instructions from Mr. Comartin right now. I'll certainly be able to advise the chairman right away if there's a way I can get this out of the way and move the committee business forward.

• (1605)

The Chair: Thank you.

Next we have Mr. Holland, Ms. Hoepfner, Mr. McColeman, Ms. Mourani, and Mr. MacKenzie.

Mr. Holland, please.

Mr. Mark Holland: Thank you, Mr. Chair.

I think I have a solution. What I would suggest.... I'm happy to just deal with this on Thursday. Given the fact that the committee is concerned about other business on the table, we could deal with it on Thursday with no time limit. In other words, the committee would continue sitting until such time as we were done with the bill.

I'll move that as a motion, first of all, that we deal with it Thursday with no time limit.

Now, if I can speak to the amendment, Mr. Chair, there was a concern posed by Ms. Glover around the study on mental health and addictions that I think we all agreed we needed to proceed with. Of course, there are many solutions to that, including having additional meetings. One of the ways we can ensure that we get this done and limit the propensity we sometimes see for filibustering is by having no time limit. Therefore, it would then be the choice of the committee and its members what time we get out of here. I think that would be a solution. Then next week we can continue to deal with the mental health and addictions, which I think is a concern for all of us in this committee, and it deals with the concerns of Mr. Davies of not proceeding today because Mr. Comartin is unavailable.

The Chair: You have proposed an amendment, which I have issues with, because I can't stay after 5:30, but go ahead and clarify your amendment.

Mr. Mark Holland: To clarify, my amendment would be that the committee deal with clause-by-clause on Bill C-391 this coming Thursday and the committee sit until such time as it has completed clause-by-clause deliberations. That would be the motion.

Good news for you, Mr. Chair: I am available until whatever hour the committee needs me. I'm sure that members have all talked about the importance of this bill and the urgency of getting it out. I'm sure all members are willing to burn the midnight oil if need be to be here. But it also provides an incentive to members to more efficiently utilize their time and their speaking if they know they're going to have to go until four in the morning the longer they talk.

The Chair: Ms. Hoepfner.

Ms. Candice Hoepfner (Portage—Lisgar, CPC): Thank you.

I will speak to the original motion and to the amendment. I would disagree with both of them and recommend the committee not support either.

I would just say that all of us have been paying very close attention to this bill, not just those of us on this committee, but really throughout the country. We've been paying very close attention to the contents—those who are very opposed to the bill and those who support the bill. It hasn't come up by surprise.

I would very respectfully say to Mr. Davies, who has been put in a difficult position, that if Mr. Comartin is as concerned about this bill as Mr. Davies indicates, he would have been prepared. If he could not be at this meeting, it would have taken him maybe half an hour or maybe even an hour to prepare Mr. Davies to present those amendments.

All of us have worked in committees before. I also chair a committee. I chair the HUMA committee. I've seen the NDP before where they had amendments and the mover couldn't be there and that member really prepared one of his colleagues very well and she came and presented those amendments really with great excellence. So I don't think it's a stretch, especially when this is a bill, as I said, that has not just jumped up on us, or "oh, I didn't realize we were at this place". We knew this was happening. I think Mr. Comartin could have prepared Mr. Davies to present any amendments.

This committee planned today and Thursday to look at Bill C-391, and I would respectfully ask that you follow through on the commitment that you made, not just to the House of Commons, but to all Canadians. This isn't just a few of us who are paying attention and who are affected. This is all Canadians who are affected.

Now, if Mr. Davies would agree that we could start going through clause-by-clause right now, and if we're not finished on Thursday then hopefully Mr. Comartin would be here.... If we are finished today, then that's kind of the risk you take. All of us know you just can't think that somehow everybody will change all of their plans and the whole country will just wait because you're not prepared.

Mr. Chair, I think you need to look at what this committee has made a decision on. The whole committee cannot stop because one individual is not properly prepared. That would be my respectful submission.

Again, I think Mr. Davies has been put in a bit of a difficult spot having to defend, in this case, the indefensible. I think all of us should just say let's start right now. It's ten after; let's start on the business. Let's get moving on this bill, clause by clause. Let's deal with it, and this committee can then move on to the other business you have.

Thank you.

• (1610)

The Chair: Mr. McColeman, Ms. Mourani, Mr. MacKenzie, Mr. Rathgeber, and Ms. Glover.

Mr. McColeman, please.

Mr. Phil McColeman: Thank you, Chair.

Mine is just a question on procedure. Maybe through you to the clerk, when amendments to this come forward, do they have to be reported through the committee chair prior to the meeting, as discussed earlier or suggested by the chair? Is this an absolute procedure that has to happen?

The Chair: Just to clarify your question, you're asking if the amendments have to be submitted to the clerk before the meeting begins.

Mr. Phil McColeman: Yes, before the meeting begins.

The Chair: Okay, let's just take a moment.

The Clerk of the Committee (Mr. Roger Préfontaine): Amendments to a bill during clause-by-clause consideration can be moved on the floor by a member. However, it has been the practice, and a very practical and useful one, that members forward their amendments prior to the clause-by-clause meeting so copies can be made and translation can be ensured and verified. Also, we like to have time to have a look at the amendments to assess their receivability. If there are many amendments, it's important to put them in order of consideration by the committee, because sometimes it can be quite complicated.

Mr. Phil McColeman: So relative to that, and just to make further comments about my earlier frustration comments—comments on comments here—Mr. Comartin is a veteran of the Hill, is he not? So he would have served on many committees over a period of time, I'm going to propose or observe. In my opinion, he would be the type of member, being a former lawyer, who would know those procedural conventions—for sake of a better word—that this would be the way to handle things. So for us to arrive here today prepared to go clause by clause, and to have a substitute for Mr. Comartin.... And I understand, it seems to be a very valid reason. There's perhaps a committee that has a greater priority at this moment. But for him, when he became aware of that, not to have prepared himself after the last witnesses were heard and when if he had amendments he could have presented those to the clerk and to the chair prior to the meeting, again just adds a little bit more frustration on top of it.

We're not talking about a junior member here; we're talking about someone who is a good MP and who should have known that's the way you go. It's all well and good that we're here talking about this, but really, let's get down to the business, as my colleague next to me, Candice, has said. Let's get down to the business of doing this and get through it.

I'll leave it at that, Mr. Chair.

•(1615)

The Chair: Thank you.

Ms. Mourani.

[*Translation*]

Mrs. Maria Mourani: Thank you, Mr. Chairman.

I have listened to all of my colleagues and I must say that I am very uncomfortable. I too would like us to do the clause-by-clause study of the bill today.

I further understand that Mr. Comartin had some difficulty with regard to being here. I believe that he is at another meeting, on Afghanistan. He is nevertheless the one who has followed this debate from beginning to end.

I am however very uncomfortable because we have approximately three hours left, counting today, to get somewhere. I believe that many people have appeared before this committee to tell us of the great importance of this bill, whether or not they were in favour of it.

We should at least be able to conclude this debate with some form of decorum and reach an outcome once and for all. I am hoping that we will find a solution, even if it means beginning today, within minutes — with a miracle, perhaps —, the clause-by-clause study of the bill, or else this filibustering will go on indefinitely. The ball is in my colleagues' court.

As for me, I am in favour of one or the other options. I am prepared to extend my hand to all of the parties in order that we begin clause-by-clause study of the bill now or to see us continue on this point.

[*English*]

The Chair: Do you have a point of order, Mr. Davies?

Mr. Don Davies: Yes, Mr. Chairman. I just talked with Mr. Comartin. Once again I want to stress that I thought I had the

agreement of all the parties for this, but obviously we don't, so Mr. Comartin has instructed me that the New Democrats would withdraw our motion.

The Chair: Okay.

[*Translation*]

Mrs. Maria Mourani: Might I finish, Mr. Chairman?

Mr. Chairman, I would simply like to finish, if you will allow me.

[*English*]

The Chair: Well, the point of order almost makes that unnecessary, but go ahead.

[*Translation*]

Mrs. Maria Mourani: It is never unnecessary to say thank you to one's colleagues. I simply wished to thank Mr. Don Davies and Mr. Comartin for allowing us to continue.

[*English*]

The Chair: Mr. Holland.

Mr. Mark Holland: On a point of order, I understand that the motion has been withdrawn, and I withdraw my amendment, so it's gone. Let's just get to clause-by-clause, then.

The Chair: You've heard Mr. Davies' motion to withdraw; however, you cannot withdraw a motion without the permission of the committee to do so.

Does anybody want to speak to his withdrawing of this motion before I ask what the committee's will is on it?

Mr. MacKenzie.

Mr. Dave MacKenzie: Just extremely briefly, so that the committee understands, Mr. Davies did not explain the whole story when I spoke with him earlier. He indicated that the House leaders had discussed it. I didn't have from him, as he just indicated, that the House leader from the Conservative Party did not respond, so that there was never an agreement among the parties.

•(1620)

The Chair: I have two people, Ms. Glover and then Mr. Holland.

Mr. Mark Holland: I'm ready. Let's get on, please. I think we've debated this to death. I'm sure we all want to get down to work.

Mrs. Shelly Glover: Did you say Ms. Glover, or did you say—?

The Chair: I said Ms. Glover and then Mr. Holland.

Mrs. Shelly Glover: That's what I thought.

Thank you, Mr. Chair.

The Chair: Ms. Glover is first, and then you can....

Mrs. Shelly Glover: Mr. Chair, the reason I want to add something is that I appreciate that Mr. Davies withdrew the motion; what I wasn't clear about is the fact that it was Mr. Holland who put forward an amendment.

I was glad that you allowed Mr. Holland to make a statement about withdrawing the amendment, but the way in which he did it made it seem as if you, Mr. Chair, don't have any authority here. And it's bothersome, when you also indicate to me that it's my turn and then Mr. Holland talks over me. I am again feeling, Mr. Chair, that we are not playing fair here.

The reason we didn't quickly—as quickly as Mr. Holland expected us to—jump to the pump is that while I appreciated the motion's being withdrawn by Mr. Davies, we still had one extra step to do, which is procedural. There are procedures here. We are supposed to follow them, and the fact that Mr. Holland doesn't appreciate that we don't get to them as quickly as he'd like and snaps at us all, I don't appreciate. I don't appreciate that.

I'm glad the amendment has formally been withdrawn, which should have been done through the chair rather than through a snap attack. Nevertheless, Mr. Chair, I am concerned again about the tone that Mr. Holland continues to use and the talking over members who procedurally are on the list ahead of him.

Thank you.

The Chair: Yes, thank you.

Procedurally Mr. Davies cannot just withdraw the motion, and that's why I have to have some discussion here before we vote on it. The motion once tabled belongs to the committee; it's no longer just his motion. So that's why we're having this discussion.

Mr. Davies, you are next on my speaking list.

Mr. Don Davies: I just want to clarify something that Mr. MacKenzie said. I don't know whether I misspoke or he misunderstood, but I didn't suggest that the House leaders had met and agreed. I said that there was a request that had been made to the government House leader, Mr. Jay Hill, for which we did not get the courtesy of a reply; that is what I said.

The agreement I was referring to that I thought we had—and again this was my understanding—was my discussion with Mr. MacKenzie, Mr. Holland, and Madam Mourani, prior to this meeting starting, about the motion. That's what I thought we had agreement on. I didn't mean to suggest that the House leaders had reached any agreement. That was never anything I suggested or said.

The Chair: Let me ask you to clarify. I understand that you said "I withdraw my motion and that we proceed to clause-by-clause". Is that what you said?

Mr. Don Davies: No, I don't think I have the ability to direct the committee. I'm just notifying the committee and asking through the chair, Mr. Chairman; we would like to formally withdraw the motion that I made at the beginning.

The Chair: Okay.

Mr. Holland.

Mr. Mark Holland: Thank you, Mr. Chair.

I have two points. First, when I suggested that Mr. Davies had removed his motion, given that we had just spent 15 minutes saying that the motion should be withdrawn and we should get to business, I thought that would have excited members and that we all would have been anxious to get to work. I didn't see that as being pre-emptive.

Secondly, Ms. Glover, when you didn't speak for several seconds and were looking in my direction, I thought you were waiting expectantly for me to speak, so that's why I spoke; and my only comment, then as now, was let's get to work. Let's stop talking; let's go to clause-by-clause.

The Chair: Yes, but she made the point, Mr. Holland, and it's a good one, that you have to make all your comments through the chair and wait for your turn.

Mr. Rathgeber.

Mr. Brent Rathgeber: I'm just confused after having listened to this for the last almost an hour. I agree that Mr. Davies is in a tough spot. He hasn't sat through the witnesses, although he is a member of this committee and he is his party's critic on public safety. So is the proposal that we're going to adjourn the meeting and allow Mr. Comartin to be here on Thursday? In such a case, I think I'd probably be in favour of that motion. Or are we going to put Mr. Davies in the difficult spot of having to speak to a bill on which he hasn't heard the witnesses?

The Chair: We're debating the motion to withdraw the motion.

Is there anybody else who wishes to comment on this?

Okay, do we have agreement to withdraw the motion that was made?

We have agreement.

We can then go to clause-by-clause consideration of this bill, can we not?

An hon. member: Yes.

The Chair: Mr. Holland.

• (1625)

Mr. Mark Holland: Thank you.

Are we in clause-by-clause, Mr. Chair?

The Chair: Yes.

Mr. Mark Holland: Then I'll make a motion that this committee, pursuant to Standing Order 97.1, recommend that the House of Commons do not proceed further with Bill C-391, an act to amend the Criminal Code and the Firearms Act and repeal the long-gun registry, because the committee has heard sufficient testimony that the bill will dismantle a tool that promotes and enhances public security and the safety of Canadian police officers.

Mr. Chair, I think the committee has had an opportunity over the last number of weeks to hear from expert after expert who I think have made it very clear. Whether it's the chiefs of police, the Canadian Police Association, the police boards, physicians, or paramedics, we've heard again and again the imperative nature of securing this bill.

I think it's been debated to death. I'm not going to talk ad nauseam on all the points that have been made. All committee members have heard the points on one side or the other and are probably ready to make a determination. I think it's time this committee turn this over to the House and allow the House to make a determination. After hearing the testimony, that's my firm conclusion, and that's the motion that I present.

The Chair: Okay. I'm just going to get down the names of everybody I see wanting to speak.

I have a lengthy speaking list: Mr. McColeman, Ms. Glover, Mr. Rathgeber, Mr. MacKenzie, Ms. Mourani, Mr. Davies, Ms. Hoepfner, Mr. Desnoyers, Mr. Kania, and Mr. Norlock.

I want to suspend for a moment.

- (1625) _____ (Pause) _____
- (1630)

The Chair: Okay. I have gone to the Standing Orders of the House of Commons and I've read the relevant section that Mr. Holland has referred to in his motion. I would like to make sure the committee understands this. I'm going to read this. It applies only to private members' bills and not to government bills. I was not familiar with this, and I'm sure you would all be very interested in the procedure here. At the end, I will re-cap this section:

97.1(1) A standing, special or legislative committee to which a Private Member's public bill has been referred shall in every case, within sixty sitting days from the date of the bill's reference to the committee, either report the bill to the House with or without amendment or present to the House a report containing a recommendation not to proceed further with the bill and giving the reasons therefor or requesting a single extension of thirty sitting days to consider the bill, and giving the reasons therefor. If no bill or report is presented by the end of the sixty sitting days where no extension has been approved by the House, or by the end of the thirty sitting day extension if approved by the House, the bill shall be deemed to have been reported without amendment.

2(a) Immediately after the presentation of a report containing a recommendation not to proceed further with a bill pursuant to section (1) of this Standing Order, the Clerk of the House shall cause to be placed on the Notice Paper a notice of motion for concurrence in the report, which shall stand in the name of the Member presenting the report.

That hopefully won't be me. It continues:

No other notice of motion for concurrence in the report shall be placed on the Notice Paper.

(b) When a notice given pursuant to paragraph (a) of this Standing Order is transferred to the Order Paper under "Motions", it shall be set down for consideration only pursuant to paragraph (c) of this Standing Order.

(c) Debate on the motion to concur in a report containing a recommendation not to proceed further with a bill shall be taken up at the end of the time provided for the consideration of Private Members' Business on a day fixed, after consultation, by the Speaker. The motion shall be deemed to be proposed and shall be considered for not more than one hour, provided that:

- (i) during consideration of any such motion, no Member shall speak more than once or for more than ten minutes;
- (ii) unless previously disposed of, not later than the end of the said hour of consideration, the Speaker shall interrupt the proceedings and put forthwith and successively, without further debate or amendment, every question necessary to dispose of the motion; and
- (iii) any recorded division demanded pursuant to Standing Order 45(1) shall be deemed deferred to the next Wednesday, immediately before the time provided for Private Members' Business.

(d) When a motion to concur in a report containing a recommendation not to proceed further with a bill is adopted, all proceedings on the bill shall come to an end.

(e) When a motion to concur in a report containing a recommendation not to proceed further with a bill is negatived, the bill shall be deemed to have been reported without amendment.

(f) If proceedings on a motion to concur in a report of a committee containing a recommendation not to proceed further with a bill have not been concluded by the sixtieth sitting day following the date of the referral of the bill to the committee, or by the end of the thirty day extension, if one has been granted pursuant to sections (1) and (3) of this Standing Order, the said bill shall remain before the committee until proceedings on the motion to concur in the report have been concluded.

(3)(a) Upon presentation of a report requesting an extension of thirty sitting days to consider a bill referred to in section (1) of this Standing Order, a motion to concur in the report shall be deemed moved, the question deemed put, and a

recorded division deemed demanded and deferred to the next Wednesday, immediately before the time provided for Private Members' Business.

- (1635)
 - (b) If proceedings on any motion to concur in a report of a committee requesting an extension of thirty sitting days to consider a bill have not been concluded by the sixtieth sitting day following the date of the referral of the bill to the committee, the said bill shall remain before the committee until proceedings on the motion to concur in the report have been concluded, provided that:
 - (i) should the motion to concur in the report be adopted, the committee shall have an extension until the ninetieth sitting day following the date of the referral of the bill to the committee; or
 - (ii) should the motion to concur in the report be negatived, the bill shall be deemed to have been reported without amendment.

To summarize briefly, this only applies to private members' bills. This is taken to the House as a report from the committee, and if it is concurred in by the House, if it is accepted, that's the end of the bill. If the House rejects the motion, the bill is deemed to be reported. If the committee doesn't accept this motion, then we go to clause-by-clause.

Are there any questions on this?

Mr. McColeman, please.

Mr. Phil McColeman: Would you please reread the motion?

The Chair: It reads:

That this Committee, pursuant to S.O. 97.1, recommends that the House of Commons do not proceed further with Bill C-391, An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry), because the Committee has heard sufficient testimony that the bill will dismantle a tool that promotes and enhances public security and the safety of Canadian police officers.

Mr. Phil McColeman: Thank you.

This member will never agree to that, because I don't believe in the premise of the motion that we not proceed with this bill. So it's pretty simple from that point of view.

But I do want to comment about the member making this motion, because this motion being presented at this moment in—

- (1640)

Mr. Mark Holland: On a point of order, Mr. Chair, I thought we were having questions about your decision. Are we starting debate at this point?

The Chair: There were no questions. I have a speaking list, so we're going to debate the motion.

Mr. Mark Holland: So we're on the speaking list.

The Chair: You didn't raise your hand.

Mr. Mark Holland: I'm just asking if we're on the speaking list.

The Chair: Yes.

Mr. Mark Holland: Thank you.

The Chair: Mr. McColeman.

Mr. Phil McColeman: Before I am interrupted again, the member clearly made his intentions known earlier in this meeting that he'd like to deal with this clause-by-clause. So he was moving forward to say that the NDP motion was withdrawn, so let's get down to clause-by-clause. Then he stepped up and said he had a motion that this committee basically recommend to the House of Commons that we not proceed with this bill.

I mean, does it get more insane than this? I don't know. This is just unbelievable to me. It is ridiculous, preposterous, and against all logic that this motion is placed before us at this time. I will never agree to it because I don't agree with the premise of it.

The Chair: Ms. Glover.

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

I too will not agree to this motion. In fact, I'm quite surprised that it has been brought forward after all of the testimony we've heard.

When Mr. Holland originally made his motion I clearly and distinctly heard the word "expert" being used. Yet the motion that has now been distributed—in English, I might add—doesn't have the word "expert" in it. So I'm first of all concerned that the motion that was made is not in fact the motion that is presented to us, because they're not the same words.

So I'd ask you, Mr. Chair, to first clarify that for me, because I know for sure that word is missing. What other words are missing, I now have to wonder. I don't know how quickly we can get a copy of the blues, but the motion before us on paper is not the motion Mr. Holland made.

I don't know how we can clarify that. But I do want to speak to the motion he made, and in particular the word "expert" he used. I would ask whether Mr. Holland will withdraw his motion and start again with this motion.

I don't know how you're going to do that, Mr. Chair. I have more to say on the motion, but before I begin we need clarification on what Mr. Holland plans to do, because what he said is not what is written here.

The Chair: Okay, actually, that's a question for the chair. I will suspend again for a moment.

Mr. Mark Holland: Mr. Chair, I'm not sure the sources appear in the motion.

An hon. member: We're suspended.

Mr. Mark Holland: Am I not allowed to raise a point of order?

The Chair: No. You have been a member of Parliament for more than a week or two, I think. When the meeting is suspended, you can't just suddenly talk. We're not even in session right now.

Mr. Mark Holland: Mr. Chair, with respect, I have stood by—

The Chair: Mr. Holland, you're not showing much respect.

Mr. Mark Holland: —while I have been attacked. I asked a simple question. There was a question posed of me about what was moved and what was before this committee.

Mrs. Shelly Glover: It was a question posed to the chair.

Mr. Mark Holland: It was a question asked of me about what I moved.

Mrs. Shelly Glover: Mr. Chair, are we not suspended?

Mr. Mark Holland: I tried to provide clarification, and you're going to attack me over providing clarification. I think everybody needs to take a step back and take a deep breath.

Mrs. Shelly Glover: Mr. Holland, you're being rude.

Mr. Mark Holland: No.

Mrs. Shelly Glover: You're being entirely rude.

The Chair: I'm going to reconvene this meeting so that what is happening here can be on the record.

Mr. Holland, you are being very disrespectful to the chair. We were suspended. I was discussing something with the clerk, and you all of a sudden decided that you're going to take over the meeting, raise a point of order, completely disrupt the order we have here, and then be upset because I didn't recognize you, because we were suspended.

You're not even listening now. You continually talk over everybody. You do not pay any respect. Somebody else is talking, and you continue to interrupt. I cannot accept this. I wish that as chair of the committee I could do something to get you to follow the rules of this committee. This is completely absurd.

I'm going to suspend now, and I'm going to discuss your motion with the clerk to see how we proceed. If the motion you moved is not the same as the motion we have before us, I have to find out from the clerk how we proceed. That's what I was trying to do. You continually interrupt. Please. I suspend again.

• (1645) _____ (Pause) _____

• (1645)

The Chair: Let me reconvene.

The clerk has clarified that if Mr. Holland wants to clarify his motion, he can say that the motion he has distributed to the committee is the one we are to debate. Or does he want the one that he verbally put on the record? What do you wish to have?

Mr. Mark Holland: Ms. Glover posed a question about what I had moved. I tried to respond, and I appreciate now having the opportunity to respond. Why I wasn't initially, I don't know.

My point was very simple. What I read and what is before you are the same. I can read the motion so that we're 100% clear. Mr. Chair, the motion you read and the motion I read are the same motions. I'm being admonished for trying to make that clarification. I simply was trying to answer the question posed by Ms. Glover, stating that what I read orally into the record was exactly the same as what you, Mr. Chair, read and what is before the committee in print right now.

The Chair: We have made that clarification.

Ms. Glover, you may proceed.

Mrs. Shelly Glover: Thank you.

Mr. Chair, I'm in a bit of a dilemma, because in fact Mr. Holland is wrong. Many of the members on this side did hear him use the word "expert" in the motion he made orally. There is no word "expert" within the motion that is written. I would submit to the chair that an oral motion, a verbal motion, is acceptable. But a written motion must be in both official languages and must be raised with 48 hours' notice.

At this point, we're in a dilemma. I am wanting to address the verbal motion he put forward that included the word "expert". However, without fixing this mistake, I'm at a loss as to how to proceed. I ask for your indulgence again, Mr. Chair. How would you like us to proceed?

Mr. Mark Holland: A point of order.

The Chair: Before I take that point of order, let me just consult for a moment.

Okay, just to clarify, the motion can be tabled. Because we're in clause-by-clause, it does not have to be translated. It can be brought to the meeting, and it is in order.

You had a point of order.

Mr. Mark Holland: The only point of order I would make is that the motion I read into the record continued with me making verbal statements. That might have been the source of the confusion. I was making comments supporting my motion. They were not part of the motion.

The Chair: That's clarified.

Ms. Glover.

Mrs. Shelly Glover: I appreciate that. I think I'm understanding now.

The point I would like to make with regard to this motion is, first and foremost, that the added information Mr. Holland now claims he made, which included the word "expert", is in contention with what we heard.

First and foremost, the experts who appeared here supported the repeal, clearly supported the repeal, of the long-gun registry. I don't know who Mr. Holland is referring to, but the only experts who are declared experts.... For the purposes of being an expert, there is a lengthy process involved in being declared an expert witness, and there are very few declared expert witnesses in this country. The experts who appeared here, who have legitimately been declared and followed the process, were not in agreement with keeping the long-gun registry.

If you would allow me, sir, please let me refer to the experts who spoke here.

I'll refer to the first expert who spoke here. That expert was Mr. Jack Tinsley. I'll read from the blues of his testimony. He stated: "I have been declared an expert in the area of illegal street drugs and drug trafficking at all levels of Manitoba courts. These experiences and many others in a progression of higher ranks over the span of my career have led me to three conclusions...". He then goes on. I'm not going to continue to read the whole thing. But Mr. Tinsley, who was a 30-plus year member of the Winnipeg Police Service, has followed the process, is an expert witness, and stated clearly that he does not believe in the long-gun registry, seeks a repeal of the long-gun registry, and completely agrees with our side with regard to that and with the bill put forward by Ms. Candice Hoepfner.

The second witness who is a declared expert is Mr. Grismer. Let me flip my page to Mr. Grismer's testimony, so that I might read into evidence as well the fact that he is an expert witness. Here's what he said in his brief:

The Courts in Saskatchewan have qualified me as an Expert Witness, able to give opinion evidence on firearms. I have provided assistance to both Federal and Provincial prosecutions in the area of firearms related crime. I am Master Instructor for the Canadian Firearms Safety Courses (Non-restricted and Restricted) and an Approved Verifier, certified by the Registrar of the Canadian Firearm Registry since September 2001.

So I would say that this is contrary to what Mr. Holland has led this committee to believe. The experts who are declared experts do not agree with Mr. Holland's statement. Again, Mr. Grismer goes on to side with Ms. Candice Hoepfner's bill in asking to repeal the long-gun registry.

So we now have Mr. Tinsley, who is a retired police officer, and we have Mr. Murray Grismer, who is an active police officer, and both are declared expert witnesses, through a lengthy process that not many officers get in their lifetime career.

Now I'll go to the third expert witness, if I may. We had another fellow who indicated he was—and he used the words—an "expert witness". That was a Mr. Bernardo. I would cite a letter sent to all committee members and submitted through our clerk, Mr. Roger Préfontaine. In that submission to this committee, Mr. Bernardo indicates:

I am a member of the Public Safety Minister's Firearms Advisory Committee and a previous member of the Justice Minister's Firearms Experts Technical Committee. I have also served as an Expert Witness in court trials regarding firearms and have addressed the United Nations four times on behalf of Canadian firearms owners.

● (1650)

As far as I can recall—and I may be wrong—there may have been other people who are designated expert witnesses, but these are the three that came to my mind immediately. When Mr. Holland used that word to describe, in bulk, that experts side with him, he misled the committee. He completely misled the committee.

I take offence to that. The testimony that was provided by these experts was clear. Mr. Bernardo agrees. He believes there should be a repeal of the long-gun registry. Again, I've only brought up three that came to mind.

Mr. Holland has completely misled this committee, which continues to happen, and it's shameful. It is shameful.

I would submit, Mr. Chair, that the experts agree. They agree with Ms. Hoepfner that the long-gun registry is not doing what it was intended to do.

Unfortunately, the statements made by Mr. Holland were made in an effort, I believe.... Well, it is possible he made a mistake. It is possible. But there have been a number of mistakes, then, and we've got to stop this. We've got to clearly cite the experts. We've got to clearly state what happened in committee, and what happened is that the witnesses who came before us were not unanimously in agreement. Parliamentarians are not unanimously in agreement. So any motion that is put forward that would suggest in any way that there is unanimity I would be completely against. It would not be truthful. It would not in fact be serving Canadians to do something that was dishonest.

I wouldn't suggest that any of us are trying to do that. But making misleading comments like the ones Mr. Holland just made is not fair to Canadians, because they may not have had the benefit of sitting through all the testimony. The experts clearly said they believe we ought to repeal the long-gun registry, and anyone who says different is misleading.

From here on out, since I've made these comments publicly, should they dispute that or claim that experts said otherwise, I would suggest it would be an outright lie and a disservice to Canadians. It would be a disservice to every expert who appeared here with their credentials and a disservice to every single one of these witnesses who came here of their own goodwill to do the right thing, to make sure we look at this bill in an effective manner and in a fair manner. I think what's missing sometimes is the fairness in all of this.

I will not vote for this motion because it is not reflective of what happened here. I am going to vote with the experts, and I am going to vote to repeal the long-gun registry.

Thank you, Mr. Chair.

•(1655)

The Chair: Thank you, Ms. Glover.

Mr. Rathgeber, please.

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

Firstly, I must say I'm disappointed with the motion. I came here prepared to debate the merits of Ms. Hoeppner's bill, but the member for Ajax—Pickering is using this motion, as he is fond of doing, to basically sidestep any sort of meaningful or intelligent debate. This motion, as I understand it, if passed, would send the bill back to the House and let the House decide. So I guess he doesn't trust this committee to actually have a thorough and meaningful debate regarding the merits of Bill C-391, the merits of the firearm registry and firearm and gun control generally, and the long-gun registry in particular.

Now, of course we know that his leader is on the media record as stating he's going to whip his members to vote against Bill C-391 if and when—well, not if—this bill returns to the House. We do have to report it back at some point. Of course, Mr. Chair, we know that puts many members of the Liberal caucus in a very precarious position.

In my region of the country, western Canada, Alberta to be specific, of course the long-gun registry is pretty much universally despised. You know that, Mr. Chair. You represent the territory where I was born, actually, Melville, Saskatchewan. Saskatchewanians and Albertans don't differ when it comes to the effectiveness and the efficiency of this type of alleged crime control.

When I look at the motion, it's quite obvious to me that this motion was written before the member for Ajax—Pickering tried to stack the witness list. If he had been successful in stacking the witness list, I think we probably would have heard sufficient testimony that the bill would dismantle a tool that promoted and enhanced public safety and the safety of Canadian police officers. Thankfully, this committee, through its wisdom and through its debate, decided not to let Mr. Holland stack the witness list. As a result, we heard a balanced list of witnesses. We heard good evidence for the bill, and I'll admit we heard some compelling testimony—not a lot, but some—that Bill C-391 was perhaps not a meritorious piece of proposed legislation.

Under no fair analysis of the evidence that's been put forward or that this committee has heard could one possibly come to the conclusion that the committee has heard sufficient testimony that the

bill would dismantle a tool that promotes and enhances the public security and the safety of Canadian police officers. In fact, I would submit to you, Mr. Chair, that it's quite the opposite.

I would consider proposing an amendment to this motion, but of course I don't want to recommend that the House of Commons not proceed further. I think an amendment would actually be in order if we were going to be factually accurate, because I think the committee has heard sufficient testimony that the long-gun registry does nothing to promote and enhance public security, and does nothing or very little to promote the safety of Canadian police officers.

We've heard from many witnesses. We heard from, for example, Chief Rick Hanson of the Calgary Police Service, a very fine officer. I got to know him a little bit. He came to Edmonton in March and appeared before the justice committee when we were doing our organized crime study. He was very thoughtful and methodical in his advice to the justice committee. I thought he was similar when he appeared before this committee. He told us that the long-gun registry is of no benefit to his officers, in one of Canada's largest and sadly, from time to time, most violent cities. His basis for coming to that conclusion was that criminals simply do not register their guns.

Most of the violence.... And there's considerable gang violence in the city of Calgary. It's very unfortunate. I think all metropolitan cities, my city of Edmonton included, are plagued by gang violence from time to time. I would say that the compelling evidence I have heard is unequivocal on this point. Those weapons used in gang-land warfare are not registered; they're smuggled into Canada. We heard this on the justice committee as well when we did our organized crime study.

•(1700)

You have these grow operations in B.C. and Alberta and elsewhere. B.C. bud, as it's locally known, is smuggled into Washington State or Oregon. The payment for the B.C. bud, which I understand is fine-grade marijuana—I wouldn't know anything about those types of things.... But I understand that it's valuable in the black market, and often the payment for those drug shipments is illegal hand-guns and assault rifles, and those come back onto our city streets—Vancouver, Edmonton, and certainly Calgary, as Chief Hanson so eloquently pointed out. And it's those unregistered illegal assault rifles and hand-guns that are used both in the commission of violent offences and to provide insecurity to Canadian police officers.

Mr. Holland's motion specifically mentions the safety of Canadian police officers as one of the reasons why he thinks we should invoke Standing Order 97.1 and recommend to the House that this bill not proceed.

Well, we heard from other police officers besides Chief Hanson, and we heard from the chief in Abbotsford. It's not a big city, but certainly a medium-sized city close to a large metropolitan area, which has been absolutely plagued by horrible gang-land warfare. That's the city of Abbotsford, which as you know, Mr. Chair, is conveniently located in the lower mainland close to the city of Vancouver. And then tucked in there and sort of in between but a little bit north—Mr. Davies can help me with the geography—is the city of Surrey. Surrey also has had significant problems over the past couple of years with respect to gangs.

I remember Chief Rich from the Abbotsford Police Department saying that the gun registry is, and I quote, “horribly inaccurate”. So that caused me to ask some questions, both to.... Well, I don't think I asked any questions of Chief Rich, but I certainly asked some questions of Charles Momy, who is the president of the Canadian Police Association, when they appeared on the same panel. I asked if he truly believed that the gun registry was reliable, and it took a little bit of prodding but I eventually got him to concede that the long-gun registry simply was not reliable, and eventually he did agree with Chief Rich that the gun registry is horribly unreliable.

And then you will recall—not in a question that I asked, but I wish I had asked it, because it was so brilliant; it was asked by Mr. Wrzesnwsy from the Liberals. Charles Momy could not think of a single life, could not name a single incident where a life was saved by the long-gun registry. And then Mr. Wrzesnwsy, who is very clever, changed the subject and said he meant to ask more metaphorically whether it saves lives. But the point is and the testimony would reveal that the president of the Canadian Police Association stated categorically that he didn't know of a single incident where the long-gun registry had saved a life.

So with that kind of compelling testimony—and I have more, but I thought I would come back to the motion we're voting on—how could I possibly, Mr. Chair, support a motion that has in it “enhances public security and the safety of Canadian police officers” when in fact it's quite the opposite? We've heard evidence that it does nothing to do any of that.

Now, I thought Mr. Momy was a very interesting witness, because he wasn't called by our side, but I think we probably should have called him, because his evidence was really that helpful to us.

Ms. Candice Heoppner: We were so limited; that was the problem.

Mr. Brent Rathgeber: This is a figure that the proponents of defeating Ms. Heoppner's bill like to flout around, that 92% of front-line officers have access to the registry on a regular basis. But then when I asked him about that, he was very candid with me, and I appreciated that. He has some 41,000 members who belong to the Canadian Police Association. But when they did that survey.... In fact they didn't even do the survey; I understand the RCMP did the survey, but that's really not relevant. When the survey was done, only 408 members of the CPA responded to the question “Do you use the long-gun registry?” Now, that's less than 1%. So of the 408 who actually took the time to respond.... And remember, Mr. Chair, this is not some random survey, with people who are chosen at random and therefore are representative of the larger population.

This is a survey that, as I understand, was distributed to every member of law enforcement who is a member of the CPA.

• (1705)

Only 408 bothered to respond to the survey, and of those, 92 said they had access to the long-gun registry. So that's well less than 1%. I can manipulate statistics as well as the opposition, so from that analysis I guess I'm free to conclude that over 99% of front-line police officers don't access the long-gun registry, because there is certainly no evidence in opposition to my supposition.

Mr. Momy was not one of the witnesses Mr. Holland put in his motion that would indicate there was sufficient testimony that the bill will dismantle a tool that promotes and enhances public security and the safety of Canadian police officers—much to the contrary, actually.

You will recall, Mr. Chair, that three weeks ago from this Thursday I gave Mr. Momy a couple of hypothetical situations. We keep hearing that the long-gun registry gets 11,000 hits a day. Again, statistics can be manipulated, and although that's probably true, Mr. Momy did tell me that 45% of those hits were automatically generated through CPIC inquiries.

You can't use that to support anything. That's a simple situation where a car has a burnt-out tail light and the police pull it over. They run the plates through CPIC, and that automatically generates a firearm registry search through CPIC. So it's not a specific case of an officer actually accessing the Canadian firearm registry. It's just an automatic computer-generated search.

Nonetheless, according to Charles Momy, the president of the Canadian Police Association, 55% of those 11,000 hits per day—or a big chunk of them—are as a result of police responding to domestic situations. I gave him a couple of hypotheticals. The cops show up at a house and do a search of the owner or a search of the address. If it comes up negative, that there are no registered weapons, do the police officers rely on that search? Do they go in unarmed, walking in backwards? Of course not. Police need to be vigilant. So any time you have a search that shows there are no registered weapons at that residence, you automatically assume it to be wrong. He told me that. You go in there expecting the worse. You go in there expecting that the occupants are going to be armed. You're prepared and ready for that. So a negative search is not reliable, don't rely on it.

Then I posed a second hypothetical to Mr. Momy. What if the registry search shows there is one registered weapon at the residence? Would you rely on it then? Then I carried my hypothetical to the next level. What if you go in, there's a domestic dispute, and the assailant—not to be sexist, but it's typically a man, at least statistically—had a firearm? So you neutralize that firearm and take it out of play. At that point, do you assume that you have a safe crime scene and there are no more registered weapons at that residence? Mr. Momy's response was, “Of course not. We expect there to be more.”

As many of the witnesses said—and I think Ms. Glover acknowledged that some of these witnesses have been declared experts in criminal trials—all the registry really does is count weapons. But I digress.

So the search shows that there is one firearm. They neutralize it. Do they stop? Do they think they have a safe crime scene? Of course not. They continue to be vigilant. They continue to stand on guard for thee. They continue to operate as if they have more weapons until the scene is neutralized, based on some other action than their reliance on a unreliable long-gun registry.

So we have two situations. One is positive and one is negative. They don't rely on either one of them. So it's not reliable. They don't rely on it and they can't rely on it.

It really bothers me when proponents of gutting or killing Bill C-391 say that somehow the long-gun registry promotes the safety of Canadian police officers, because it just ain't so, folks. It's quite the opposite, as my hypothetical situation has just outlined. You cannot rely on that registry.

• (1710)

When Bill Blair was here last week, I asked him about Mayerthorpe. As all the members of this committee will know, I live in Edmonton, Alberta, and Mayerthorpe is a city about two and a half hours northwest of my city. It was a tragic day in March 2005 when four of Canada's finest Mounties were gunned down by a man, Mr. Roszko, who had absolutely no respect for law, no respect for order, no respect for the police, and no respect for public safety.

But Mayerthorpe cannot in any way, shape, or form be used to support the proposition that the long-gun registry enhances the safety of front-line police officers. Quite the opposite. And let me tell you why, Mr. Chair. And this is all on the public record; I'm not making this stuff up. Roszko did not register his firearms. He had two weapons that he used when he was holed up in that Quonset hut on that March morning. One was a nine-millimetre Beretta, not registered; the other one was a Heckler & Koch assault rifle. It is a semi-automatic, so it's a restricted weapon. It also was not registered. And this is what Mr. Blair talked about.

He's really stretching it when he says the gun registry somehow helped in that investigation. It is true that there was a third weapon that wasn't fired that day in Mayerthorpe, and that was a shotgun registered to Shawn Hennessey's grandfather. Roszko pulled the

nine-millimetre Beretta on Shawn Hennessey, and as a result, Hennessey lent him his grandfather's registered shotgun. And it is quite true that the gun, which was not fired, was recovered at the crime scene, and therefore led to this elaborate and expensive "Mr. Big" sting operation where Hennessey and his brother-in-law Dennis Cheeseman were ultimately convicted of being accessories to Roszko. And they are spending some pretty considerable periods of time in federal institutions as a result of their involvement in the Mayerthorpe massacre. They did nothing to enhance the public safety of the very brave police officers who were gunned down by a man who did not register his assault rifle and who did not register his nine-millimetre Beretta.

Some of the facts about Mayerthorpe are still in dispute, but locals will tell you that one of the four officers who went into that Quonset that morning was not armed. And none of them had flak jackets; none of them had protective equipment. It is sad, but the reality is that the four RCMP officers were lightly armoured—

• (1715)

The Chair: I heard a point of order. Mr. Wrzesnewskyj.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Yes, I have a point of order, Mr. Chair.

Normally and typically what would happen is that if there's been notice of a motion two days in advance of a meeting, we would reserve the last 15 minutes of a committee meeting to deal with that particular motion. And then if the particular matter at hand was not dealt with sufficiently within the timeframe of the meeting, we'd return to that particular issue, but we would allow for that motion to be discussed. So I was hoping we could deal with the motion that I had submitted.

The Chair: It's too late to do that today. Maybe that would be an option for Thursday. Let me look into that. We can't do that today.

Mr. Borys Wrzesnewskyj: Because...?

The Chair: Because the meeting is going to be adjourned here in about ten seconds.

Mr. Borys Wrzesnewskyj: Okay, thank you, Mr. Chair.

The Chair: I'm sorry, Mr. Rathgeber, you'll have to continue on Thursday.

Mr. Brent Rathgeber: Thank you.

The Chair: This meeting stands adjourned.

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