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Standing Committee on Public Safety and National Security

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EVIDENCE

Monday, October 4, 2010

—
Chair

Mr. Kevin Sorenson

Standing Committee on Public Safety and National Security

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•(1535)

[English]

The Clerk of the Committee (Mr. Roger Préfontaine): Honourable members, I see a quorum.

Your first item of business is the election of a chair. I'm ready to receive motions to that effect.

Mr. MacKenzie.

Mr. Dave MacKenzie (Oxford, CPC): I nominate Kevin Sorenson.

The Clerk: It is moved by Mr. MacKenzie that Kevin Sorenson be elected chair of the committee.

Are there further motions?

Madame Mourani.

[Translation]

Mrs. Maria Mourani (Ahuntsic, BQ): I nominate Mr. Davies for vice-chair.

The Clerk: We're not there yet. We're now electing the chair.

[English]

There being no other motions, I declare Mr. Sorenson duly elected chair of the committee.

(Motion agreed to)

Some hon. members: Hear, hear!

The Clerk: We'll proceed to the election of the two vice-chairs, the first one being from the official opposition. I'm ready to receive motions to that effect.

[Translation]

Mr. MacKenzie, you have the floor.

[English]

Mr. Dave MacKenzie: I nominate Mr. Holland.

[Translation]

The Clerk: Mr. MacKenzie has moved that Mr. Holland be elected first vice-chair.

[English]

Mr. Don Davies (Vancouver Kingsway, NDP): I'll second the motion, if that's required.

The Clerk: It is seconded by Mr. Davies.

Are there other motions?

There being no other motions, I declare Mr. Holland duly elected first vice-chair.

(Motion agreed to)

Some hon. members: Hear, hear!

The Clerk: The committee will proceed to the election of the second vice-chair, who must be a member from another opposition party.

Madame Mourani.

[Translation]

Mrs. Maria Mourani: I nominate Mr. Don Davies.

The Clerk: Mrs. Mourani has nominated Mr. Davies.

[English]

Are there other nominations?

There being no other nominations, I declare Mr. Davies duly elected second vice-chair of the committee.

(Motion agreed to)

Some hon. members: Hear, hear!

The Clerk: I would invite Mr. Sorenson to take the chair.

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): I want to thank you for the confidence in the election.

I want to welcome each one of you here. I am a new member of this committee, and we have a number of other new members as well: Monsieur Gaudet; Ms. Mendes, who is not here today; and Mr. Lobb. I think that would be about it. Many of you have been involved in this committee before, and you have done a lot of good work. We want to continue doing some good work.

I've had the privilege, in the past, of serving not on the public safety committee but of being the critic in opposition for the.... In those days we were called the "solicitor general" committee—Marlene will remember that—which was later basically transformed into public safety and national security. After leaving as solicitor general critic, I became vice-chair at foreign affairs and then chair for four-and-a-half years, and then, lately, chair of the Afghanistan committee.

It's kind of good to come back to prisons, parole, police, and CSIS—or at least that's what we used to have. I think Marlene served with me on the national security committee that Prime Minister Martin struck in, I believe, 2004 or 2005, or one of those years. So I've had a little bit of service on these kinds of issues, and I certainly look forward to serving as your chair.

Mr. Holland, I look forward to working with you as vice-chair, and also with Mr. Davies.

To each one of you, I would like to see a committee where there's a degree of cooperation, integrity, and getting some work done. We've been given a number of pieces of legislation that will eventually make their way to us. When you look at the Standing Orders, the job of this committee, although we are masters of our own destiny, is to do the business of what the House sends to us. So we look forward to that.

Mr. MacKenzie.

Mr. Dave MacKenzie: Thank you, Mr. Sorenson.

We do appreciate your comments, because I think they're appropriate.

I have a motion, as follows:

That the committee proceeds in the following manner; On October 6, 2010 and October 11, 2010 the committee considers its draft report on Correctional Facilities: Mental Illness—

Mr. Mark Holland (Ajax—Pickering, Lib.): I have a point of order, Mr. Chair.

The Chair: Mr. MacKenzie, as far as your motion is concerned, is this motion dealing with future business?

Mr. Dave MacKenzie: Yes, it is.

• (1540)

Mr. Mark Holland: I have two points of order.

First, in order to deal with future business, we typically deal with it in camera. So we would need a motion to go in camera. Were we to go in camera, I would have no problem having debate on setting the agenda. But you can't just jump into in camera.

The second point of order, more to the point, is that the committee had not yet agreed to move to future business. We would have to commence future business before we could hear anything. There was nothing placed on the agenda about future business. I have no problem dealing with future business, but you cannot commence future business without first getting to it.

It's not on the agenda. I don't have a problem going into future business, but if we're going to go into future business, (a) we have to agree to go there, and (b) future business is almost always done by an in camera motion.

I'd be happy to make the motion that we move to other business, if you give me that—

The Chair: Just wait; let's deal with your point of order first of all.

Mr. Mark Holland: Right. Well, when you've dealt with it, I'm just offering....

The Chair: If we are dealing with specifically future business, we would have to move into that. If it's simply committee business, there isn't a need to be in camera. You would assume that you were public unless you had a motion to go in camera.

So I see a difference between committee business and future business. We're going to be discussing only the agenda.

Has it been the practice of the committee to do that only in camera?

The Clerk: Yes.

The Chair: That's been the practice? But it's not the....

Unless there's a motion to go in camera, there is nothing in any standing order.

Mr. Mark Holland: I'll give you a motion to go in camera, Mr. Chair.

Mr. Dave MacKenzie: Well, Mr. Chair, with all due respect, I think if we went back to the beginning of the last session, we simply moved in this manner, but it came from Mr. Holland. So what we are doing is following the past practice of the committee, where Mr. Holland did exactly what we're attempting to do here—

Mr. Mark Holland: On a point of order, it was in camera, and you can't discuss the proceedings of an in camera meeting. Frankly, you're making my point.

Mr. Chair, on that same point of order, there has to be a decision to move to future business before you can deal with future business and before you can start entertaining motions. That has not occurred.

Mr. MacKenzie is now talking about things that happened in camera, which only furthers my point, and I would remind him it's not to be done.

The Chair: Mr. MacKenzie, would you choose to make a motion to go to future business?

Mr. Dave MacKenzie: I would so move, Mr. Chair.

The Chair: All right—

Mr. Mark Holland: I make a motion to go in camera.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Chair, I guess this is a point of order regarding a point of order.

The way I understand the rules is that in a point of order, you cannot make a motion.

The Chair: That's correct.

Mr. Rick Norlock: So it has to be made separately—

Mr. Mark Holland: He made a motion. I presumed we were done with it.

The Chair: He did his point of order. Mr. MacKenzie has made a motion to move to future business.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): And he can't do that.

The Chair: Why can't he?

Hon. Marlene Jennings: You just said, you can't do that.

The Chair: No, you can't do that in a point of order. Mr. Holland couldn't draw a point of order and then make a motion out of his point of order.

We do have a motion from Mr. MacKenzie to move to future business, and then, if you choose, I will make a.... You want to have a motion on going in camera.

Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, I think it's appropriate at this time that we attempt to at least deal with the country's business, with Parliament's business. So to move into future business is appropriate. We do have a lot of stuff on the agenda, and we shouldn't be wasting time today.

The Chair: Do you want to make it part of your motion that we go in camera?

Mr. Dave MacKenzie: No, I don't. I think the public should be aware of what is there.

The Chair: All right.

So we have a motion, first of all, to go to future business, and then I'll entertain Mark's motion.

Are we all in favour, or is there any debate on that?

(Motion agreed to)

The Chair: It's carried unanimously.

Mr. Holland, on the in camera.

Mr. Mark Holland: My motion is to go in camera. I just say that in order to deal with future business, which includes any discussion of witnesses, we have to be in camera. We can't just talk about the calendar without talking about future business. We have always done it this way. I don't know what the purpose is in doing it some other way.

On that basis, I give you the motion.

The Chair: Thank you.

We have a motion now to move to in camera to discuss future business.

Mr. MacKenzie.

Mr. Dave MacKenzie: I'd just like to speak to the motion, Mr. Chair.

What I have here is nothing about witnesses. I do believe it's important that the public should know that the committee has a number of items to deal with, and that we are willing to put something on the table that I think all of the members of this room should be willing to discuss quite openly and in public so that the public knows what this committee is doing and what its plans are as we move forward.

I don't see anything in what I have in that motion that any of the members would feel that they wouldn't want their voters or any other voters in the country to know about.

• (1545)

The Chair: Let me just say this. In serving on other committees....

I hate to invoke the name of someone from the past, but Svend Robinson, when he was on committees, would never go to future business in camera. He wanted everything to be public. He wanted to make sure....

So it's not parliamentary practice, or parliamentary process, that we would immediately go in camera. That's why I asked the question about whether it's something you've done in the past. To my understanding, certainly, future business may be discussed in camera or it may not be.

Mr. Davies, and then Mr. Holland.

Mr. Don Davies: Thank you, Mr. Chairman.

I actually had comments way back when about the procedure, but we're far past that now.

I've only been here two years, so I don't know what Mr. Robinson did or didn't do, but I can tell you that since I've been here, we have always gone in camera when we discussed future business. I've never heard that questioned by anybody on either side. I think there are some good policy reasons for that. When we go in camera, we could be discussing such things as potential witnesses. Names will be mentioned. Names will be proposed. Some might be rejected. This is all part and parcel.

So for Mr. MacKenzie to say that we won't be discussing witnesses—his motion, which we have not heard, will deal with future business, which will obviously involve other members perhaps proposing witnesses—is impossible for him to say.

I would support Mr. Holland's motion to go in camera. I think it's sound practice.

The Chair: All right.

Mr. Holland.

Mr. Mark Holland: Mr. Chair, very quickly, we're going in camera to talk about future business. The outcome will be the meetings we have, so the notion that somehow this will be hidden is preposterous.

Aside from the fact that I think you have to go in camera to talk about which witnesses you potentially might or might not be having, so that you can have a frank discussion around the table without using people's names who might potentially be called or not, or to use the rationale for why you might want to hear them.... Aside from that being inappropriate, the other point of going in camera, frankly, is so that we expedite the session a little in having a discussion around the organization of meetings and the witnesses.

On that basis, and given the fact that it's all going to be very public as soon as we announce the decision of what we're doing with what meetings, I continue to support my own motion.

The Chair: Thank you.

Is there anyone else?

Mr. Norlock.

Mr. Rick Norlock: Well, I guess there are two parts to this, and we've heard what they are. The first part is to basically tell folks what we're about—when I say “folks”, I'm talking about the public at large, the taxpayers—and what business we believe should come before the committee. And it's wholly appropriate, I think, to then go in camera and begin to discuss the witnesses and perhaps what order that business should take.

I don't see where the order in which we do business would deviate from any past practices. The fact is we're just simply outlining where the government intends to go. What is very public is the legislation that has come before Parliament, and the government's indication as to what legislation will be coming to this committee.

I think it is wholly appropriate for everyone to know what the intention of this committee is with regard to government business and—I think equally as important—some of the things that this committee has been studying for quite some time. As a matter of fact, I can think of one study that we're doing that is almost two years old, or at least well into a year-plus. So I don't think it's a secret that way. After that, going in camera is wholly and totally appropriate.

The Chair: You mean being in public.

Mr. Rick Norlock: No, going in camera to discuss witnesses and the order in which we're going to go about business.

The Chair: Oh, okay. Right.

This committee maybe operates a little differently, too, from others, which is fine.

My understanding is that there is no steering committee here. Is that correct?

An hon. member: Yes.

The Chair: So you do the work of the steering committee.

Is there anyone else on the motion?

Mr. Gaudet.

[*Translation*]

Mr. Roger Gaudet (Montcalm, BQ): The matter is simple: I am new here, but if I want to start learning, I would like us to vote and to dispose of the motion.

• (1550)

[*English*]

The Chair: All right. That's the kind of question we like to hear; you bet.

Is there any other debate on the motion?

Are you ready for the question?

Mr. Holland's motion is to now proceed to an in camera meeting, where we will discuss future business.

(Motion agreed to)

[*Proceedings continue in camera*]

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