



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Standing Committee on Public Safety and National Security**

---

SECU • NUMBER 001 • 1st SESSION • 41st PARLIAMENT

---

**EVIDENCE**

**Wednesday, June 15, 2011**

—  
**Chair**

**Mr. Kevin Sorenson**



## Standing Committee on Public Safety and National Security

Wednesday, June 15, 2011

•(1735)

[English]

**The Clerk of the Committee (Mr. Andrew Bartholomew Chaplin):** Honourable members of the committee, I see a quorum.

I must inform members that the clerk of the committee can only receive motions for the election of the chair. The clerk cannot receive other types of motions and cannot entertain points of order nor participate in debate.

[Translation]

So we can now move to the election of the chair. Pursuant to Standing Order 106(2), the chair must be a member of the government party.

[English]

I am ready to receive motions for the chair.

[Translation]

Ms. Hoepfner, the floor is yours.

[English]

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

I'd like to nominate Kevin Sorenson for chair.

[Translation]

**The Clerk:** Moved by Ms. Hoepfner that Kevin Sorenson be elected chair of the committee.

[English]

Is it the pleasure of the committee to adopt the motion?

**Some hon. members:** Agreed.

**The Clerk:** I declare the motion carried and Kevin Sorenson duly elected chair of the committee.

**The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)):** Do you want me to sit there?

**The Clerk:** You can vote from anywhere you prefer, sir, but I have to preside.

[Translation]

Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition. I am now ready to receive motions for the position of first vice-chair.

Mr. Sandhu, the floor is yours.

[English]

**Mr. Jasbir Sandhu (Surrey North, NDP):** I would like to nominate Randall Garrison.

**The Clerk:** It has been moved by Mr. Sandhu that Randall Garrison be elected first vice-chair of the committee.

Are there any further motions?

[Translation]

Is it the pleasure of the committee to adopt the motion?

[English]

All those in favour?

**Some hon. members:** Agreed.

**The Clerk:** I declare the motion carried and Randall Garrison duly elected first vice-chair of the committee.

**The Clerk:** Pursuant to Standing Order 106(2), the second vice-chair must be a member of an opposition party other than the official opposition.

I am now prepared to receive a motion for the second vice-chair.

**Ms. Candice Hoepfner:** I would like to nominate Francis Scarpaleggia, please.

**The Clerk:** It has been moved by Ms. Hoepfner that Francis Scarpaleggia be elected second vice-chair of the committee. Is it the pleasure of the committee to adopt the motion?

All those in favour?

**Some hon. members:** Agreed.

**The Clerk:** I declare the motion carried and Francis Scarpaleggia duly elected second vice-chair of the committee.

**The Chair:** Thank you, Andrew.

Thanks to the committee.

First of all, I want to take this opportunity to welcome each one of you to this Parliament and to the Standing Committee on Public Safety and National Security and emergency preparedness.

I was telling someone in our party that I believe anyone who has the privilege of sitting on this committee is very fortunate, because it's a committee that generally has much legislation and a lot of discussion. I've had the pleasure before of serving as the chair of this committee.

We welcome all the new members to our committee and also the new members to this Parliament. This has brought about a real change, not just in the government but also in the official opposition.

To those members, we welcome all of you.

Basically, the order of the day was to have the election of the chair; however, generally what has been happening in all these committees is that we have also been adopting the routine motions that we'll be governed by as we conduct our business throughout this Parliament.

If that is in order, Clerk, have we circulated the motions?

• (1740)

**The Clerk:** They're distributing them now.

**The Chair:** There are also the motions from the last Parliament?

**The Clerk:** There are both.

These are the typical routine motions, and they'll also have the ones from the last Parliament.

**The Chair:** Basically we have circulated what I'm told by our clerk are the typical motions that have been adopted by most committees. You also have a copy of the routine motions from the last Parliament, which again was a minority government. Typically, speaking orders change. As you're very well aware, there's at least one party that isn't represented here at the table that was here in the last Parliament. That's why we change orders, to better reflect the Parliament we have here.

If you take a look at the page that says "Routine motions, Opening of a Session" but not the ones from the last Parliament, the first motion we have deals with services of analysts from the Library of Parliament.

We can open up debate if you want debate on this, but I will read the new recommendation: that the committee retain, as needed and at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

(Motion agreed to)

**The Clerk:** Who moved that? I'm going to need a mover.

**The Chair:** We need a mover.

That came from Candice and was seconded by Jay Aspin.

Do we need a seconder on that? No, we just need a mover.

The next one is on the subcommittee on agenda and procedure: that the subcommittee on agenda and procedure be established and be composed of the chair, the two vice-chairs and a member of the other...

There is no member of the other opposition party.

**Ms. Candice Hooppner:** I have a suggestion. Do you want to move it first?

**The Chair:** No, we're just going to talk about it.

Go ahead.

**Ms. Candice Hooppner:** We did have a little bit of a discussion. I think there is agreement that the subcommittee should comprise five members, which would be the chair, one member from the official

opposition, the second vice-chair, the parliamentary secretary, and a member of the Conservative Party.

Do you want me to repeat that?

**The Chair:** Yes.

**Ms. Candice Hooppner:** The subcommittee would comprise five members. It would include the chair, one member from the official opposition, the second vice-chair, the parliamentary secretary, and a member of the Conservative Party. Instead of saying the two vice-chairs, the opposition can decide if they want their critic or their vice-chair to be on that.

**The Chair:** Okay. But you'd better be careful how you word that, because it could very easily give the official opposition two members sitting on that committee.

**Ms. Candice Hooppner:** The second vice-chair—

**The Chair:** The idea then would be the two vice-chairs but one of them could be another member of the party.

**Ms. Candice Hooppner:** I said the second vice-chair. Randall is the first vice-chair, and Francis is the second one. That was why I specifically said, "comprise the chair, one member from the official opposition, the second vice-chair, the parliamentary secretary, and one member from the Conservative Party".

**The Chair:** Gotcha. Okay.

Don.

**Mr. Don Davies (Vancouver Kingsway, NDP):** By way of explanation, in this case the critic of the official opposition is not the vice-chair. That's why it will be the official opposition critic who will sit on the steering committee. I'm wondering if it would be more proper to say, "and another member of the government", as opposed to "the Conservative Party".

• (1745)

**The Chair:** All right.

(Motion agreed to)

**The Chair:** On reduced quorum: that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three...members are present, including one member of the opposition.

Mr. Davies.

**Mr. Don Davies:** I'm just wondering, Mr. Chair, does that mean of the opposition or of the official opposition?

**The Chair:** Of the opposition.

**Mr. Don Davies:** So that could be...

**The Chair:** It doesn't have to be from the official opposition. It's a non-government member.

**Mr. Don Davies:** Okay. Thank you, Mr. Chair.

**The Chair:** Mr. Rathgeber.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Does that mean, Mr. Chair, there does not need to be a member of the government present? That would be my reading. I'm perplexed that this would be the case.

**The Chair:** Yes.

How does that differ from last time? I mean, we always had it... It's not different?

**A voice:** I think the chair is from the government.

**The Chair:** Yes, the chair is from the government.

Mr. Davies.

**Mr. Don Davies:** Mr. Chairman, there's a difference between a quorum to hear evidence from witnesses, which is what this is speaking to only, and a quorum to conduct business. This is the same as it was last time, and it's in other committees as well.

I understand Mr. Rathgeber's point, and it's a valid one, but I suspect that's why there's a difference here. The reduced quorum is only for the purposes of receiving evidence. I think that's why it's a relaxed standard.

**The Chair:** Mr. Rathgeber.

**Mr. Brent Rathgeber:** Well, my question remains: why can three opposition members receive evidence and three government members can't receive evidence?

**The Chair:** See, the difficulty here may be that if the chairperson is not here and a vice-chair takes the chair, then you can conduct meetings only as an opposition.

So I think that's a very good suggestion, Mr. Rathgeber.

Ms. Hoepfner.

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

I would suggest that we change it so that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least four members are present, including one member from each recognized party. It would ensure that...

**The Chair:** So you would have to have someone from the Liberal Party here?

**Ms. Candice Hoepfner:** Yes.

**Mr. Don Davies:** Mr. Chairman, the difficulty with it is that you could have one party who could pull quorum on you, right?

**The Chair:** Yes.

**Mr. Don Davies:** Why don't we just say "including one member of the opposition and one member of the government"?

**Ms. Candice Hoepfner:** Do we want three or four for quorum? This says three. Four would be nice.

**Mr. Don Davies:** It's up to you.

**The Chair:** Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Again, this is just to hear evidence. No voting takes place in these meetings.

Now, it does say that the chair be authorized—meaning you, chair, and not a vice-chair—so it would require your presence, would it not?

**The Chair:** Or whoever is in the chair.

**Mr. Francis Scarpaleggia:** Ah, okay.

**The Chair:** I think the problem here, Mr. Scarpaleggia, and all of you, is that as parties have other people in other committees.... I mean, I don't know; are any of you in just one committee? Most of our members are in two committees. I imagine you may be in more than one committee.

Sometimes, if you only have one member and he isn't here yet, we can hold up forever. I think that's what Ms. Hoepfner's....

**Ms. Candice Hoepfner:** We could still go with four. I think four is still a good number for quorum.

**The Chair:** Well, you moved it, so.... This is just something to start off with, so if you're making a motion here that four members must be present—

**Ms. Candice Hoepfner:** And we could say "including one member of the opposition". We want to make sure there's a member of the opposition so that the four members aren't just the government. As long as there's one member of the opposition, that's quorum.

**Mr. Don Davies:** And one member of the government, to meet Mr. Rathgeber's...?

**Ms. Candice Hoepfner:** Yes, and one member of government.

**Mr. Don Davies:** Does the chair count towards the quorum?

**Ms. Candice Hoepfner:** Yes.

**The Chair:** I mean, that's three others, so if we go with four....

It would be pretty pathetic to bring in witnesses and have all these chairs set up, and only the chairperson is here and two other people; that's the three. So if we go with four, and representation from government and from opposition—

• (1750)

**Ms. Candice Hoepfner:** We should have four.

**Mr. Don Davies:** So it's four including the chair.

**Ms. Candice Hoepfner:** Well, four would be quorum.

**Mr. Don Davies:** That sounds good.

**The Chair:** All in favour of the motion, then, as Ms. Hoepfner has suggested it?

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

**The Chair:** The next one, on the distribution of documents, I think is fairly general: that only the clerk of the committee be authorized to distribute documents to members of the committee and only when such documents exist in both official languages.

**Mr. Don Davies:** I'll move that, Mr. Chair.

**The Chair:** To our clerk, perhaps you want to give us all a reminder here.

Sometimes when witnesses appear here, they have it in one official language. Is there any way that we can be assured, maybe even in the motion here, that in the letter of invitation to witnesses it be spelled out clearly that documentation has to be in two official languages? It happened so many times in the last Parliament. Is there any way in a motion we can kind of give you the directive that each one be notified that it's required?

**The Clerk:** Yes, it can be done. It already happens. The confirmation of appearance always contains a boilerplate provision, if you will, stipulating that anything to be distributed has to be in both official languages. We offer the translation services and so forth. That is always in what we send out to witnesses.

**The Chair:** Okay. Mr. Sandhu.

**Mr. Jasbir Sandhu:** Mr. Chair, I notice that previously in routine motions from the 40th Parliament there was the paragraph, "The clerk shall advise all witnesses appearing before the committee of this requirement." That has been deleted from the new one.

**The Chair:** Yes. I should have opened my eyes. Do I have a recommendation to include that?

**An hon. member:** Yes.

**Mr. Jasbir Sandhu:** I would second it.

**The Chair:** Thank you, Mr. Sandhu, for pointing that out. I appreciate that. The old one is in order, that those witnesses do that.

All in favour?

(Motion agreed to)

**The Chair:** We will move to the next one. I notice our time on committees is from 11 until 1, so this one becomes very relevant: that the clerk of the committee be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittees.

All in favour?

(Motion agreed to)

**The Chair:** On witnesses' expenses: that, if requested, reasonable travel, accommodation, and living expenses be reimbursed to witnesses, not exceeding two representatives per organization; and that in exceptional circumstances payment for more representatives be made at the discretion of the chair.

That is fairly reasonable. All in favour?

(Motion agreed to)

**The Chair:** This is an important one for new members: that unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at an in camera meeting.

Ms. Hoepfner.

**Ms. Candice Hoepfner:** I want to introduce a different motion. I move that each committee member in attendance shall be permitted to have one staff member attend any in camera meeting. In addition, each party shall be permitted to have one staff member from a House officer attend in camera meetings.

**The Chair:** That is what we did last time too, isn't it?

Mr. Davies.

**Mr. Don Davies:** Mr. Chair and Ms. Hoepfner, that language is a little different from the last time. It said "from each party's whip's office". You would prefer House—

**Ms. Candice Hoepfner:** We are saying "House officer" just in case it is somebody else, such as the House—

**Mr. Don Davies:** You want that difference for sure.

**Ms. Candice Hoepfner:** Yes.

**The Chair:** All in favour?

(Motion agreed to)

**The Chair:** On in camera meeting transcripts: that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee.

Mr. Davies.

**Mr. Don Davies:** Mr. Chairman, I would move that the motion be amended similar to the one before that one, to broaden it to members of the committee or by one staff person. Sometimes we would send a member of our staff to review the minutes. You could even have someone from the House committee as well, or whatever Ms. Hoepfner's language was. We're using that language at different committees now.

• (1755)

**The Chair:** That could end up being a different staff member from the one who was at the in camera meeting to begin with, right?

Ms. Hoepfner, then Mr. Rathgeber.

**Ms. Candice Hoepfner:** I would suggest that it say that in camera meetings be transcribed and that the transcription be kept with the clerk of the committee for later consultation by members of Parliament.

That gives some flexibility.

**The Chair:** Would you read that again?

**Ms. Candice Hoepfner:** Yes: that in camera meetings be transcribed and that the transcription be kept with the clerk of the committee for later consultation by members of Parliament.

**The Chair:** That was not "by members of the committee"?

Mr. Rathgeber.

**Mr. Brent Rathgeber:** I am opposed to both Mr. Davies' and Ms. Hoepfner's suggestions.

The concept of having in camera hearings, as I understand it, Mr. Chair, is so the privacy of the people who were at that meeting is protected. It would be my suggestion the proposal that would be appropriate would be that only members who were at that meeting ought to be able to review those transcripts, and not staff members.

**The Chair:** I'm going to refer to the clerk on this.

How does it work when in camera meetings take place and then members are taken off a committee? Would other people have access?

**The Clerk:** Generally, if someone is named as a member of the committee and they need to know, for instance, what has happened in previous in camera sessions, they are allowed to see it. When it comes to the privacy of other members, they are bound by the seal of in camera as well. But in order for them to act as members of Parliament, they may need to know what the discussions have been. For instance, when dealing with reports and so forth, they may wish to review the debate.

I haven't often seen it done, but if you're a member of the committee you're generally allowed to see—

**The Chair:** Does the next Parliament ever have access to in camera meetings of that committee in the previous Parliament?

**The Clerk:** No, they are generally viewed as different creations. And if they're going to have access, the records belong to the House and they can give people access.

**The Chair:** Okay.

Mr. Davies.

**Mr. Don Davies:** We don't have any strong feelings one way or the other. I take Mr. Rathgeber's point.

I personally think it shouldn't be open to all members of Parliament, because that would mean people who don't sit on the committee. But how about restricting it to the people who were present at the in camera meeting? It seems a little bit odd that a staff member or a member from the House office could be in the in camera meeting and listen to everything but not be able to review the transcripts.

Again, we don't have strong feelings about it, but maybe it should be the same group. The same group that is allowed to be at the in camera meeting should be allowed to review the transcripts.

**The Chair:** Ms. Hoepfner.

**Ms. Candice Hoepfner:** I wouldn't support staff being able to see it. They can still access it if they need to later on, but I think it should just be for consultation by.... If you don't want "members of Parliament", I would say "members of the committee". I'm fine with that, but not staff.

**The Chair:** Mr. Rathgeber, and then Mr. Scarpaleggia.

**Mr. Brent Rathgeber:** I think the wording is appropriate as written; it's "members of the committee". I think the clerk makes a very good point that if a bona fide member of the committee was, for whatever reason, absent from the in camera meeting, that member might legitimately go to review the transcripts of a meeting he or she might have missed. So I think "consultation by members of the committee" is the appropriate wording and should be left as such.

**The Chair:** All right.

Did we have a motion? Did you bring it as a motion?

**Ms. Candice Hoepfner:** I did, but I'll withdraw it if I can get unanimous consent.

**Mr. Don Davies:** I'll withdraw mine as well.

**The Chair:** All right. To our clerk, I think the intent is fairly clear. It looks as though we have a consensus in that Mr. Rathgeber's suggestion is that it remain as is. So members of the committee and not staff are the ones who have access.

(Motion agreed to)

**The Chair:** Next on the routine motions is the notice of motions. In the past I think it was 48 hours' notice. The motion is that 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to business then under consideration; and that the notice of

motion be filed with the clerk of the committee and distributed to members in both official languages

Ms. Hoepfner.

• (1800)

**Ms. Candice Hoepfner:** I do have something I would like to add to that, and that would be that "completed motions that are received by close of business day would be distributed to members the same day". I can give you an explanation. Even if we want to set a time, like 4 o'clock, what concerns me—and I think what's happened before—is that sometimes if it's a Friday, then the motions aren't sent out until Monday. I think we want to try to make sure that if a motion is received by the clerk at 4 o'clock, or something to that effect, the clerk will distribute it the same day.

So I would add "completed motions that are received by close of business shall be distributed to members the same day".

**The Chair:** That way all members would have the ability to know what motions have been submitted, and not just on Monday.

**Ms. Candice Hoepfner:** And we have 48 hours' notice. Exactly.

**The Chair:** Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia:** The part I'm not clear on is where it says "unless the substantive motion relates directly to business then under consideration". What does that mean?

**The Chair:** That means that the chair has the ability.... People can bring forward a motion here at committee without notice of motion being given if it is in relation to the topic under discussion.

**Mr. Francis Scarpaleggia:** Is that the way it...?

**The Chair:** It's always the way. Yes. It's in the.... That remains the same. That's not a change at all, is it?

**Mr. Don Davies:** Mr. Chairman, we agree with Ms. Hoepfner's motion. I would put "by 4 p.m." instead of "by close of business", so that we're certain.

**Ms. Candice Hoepfner:** Exactly.

**Mr. Don Davies:** The other question is that we do have a blank in terms of the hours. We're okay with 48 hours, although an intriguing idea I'd like to throw out, which we were discussing at immigration and which was in place last Parliament, is that 42 hours' notice would allow you.... Let's say you're meeting on a Tuesday. For four hours after that meeting you can get a motion in to be considered for the Thursday. We didn't have any experience with that. Ours was always 48 hours at this committee last time, and it worked fine. But the restriction of that 48 hours is that you cannot actually get a motion from a Tuesday on the agenda for the Thursday. You would have to wait until the following week, which may be of no issue to people, but I thought I'd throw that out for consideration.

**The Clerk:** The situation Mr. Davies is describing obtains when you're meeting late in the day. For instance, citizenship and immigration used to sit late in the afternoon, sometimes into the early evening. With the 42-hour requirement, that allowed them fewer than two days, and they held fast to the 42 hours. I was clerk of the committee at the time. Where it says 48, it's understood to be the same as the 48 hours' notice required by the House. It's not truly 48 hours. It's actually.... You need two intervening midnights, *deux dors*, two sleeps, however you wish to put it. As long as you have those, if you get the motion by 1600, it could be moved at 0800 two days hence.

**The Chair:** You're starting to sound like a military man.

**Mr. Don Davies:** Could I have a translation of that, Mr. Chairman?

**The Chair:** He says, basically, to keep it at 48 and they'll be all right with it. So is it 48 hours?

**A voice:** Yes, it's 48.

**The Chair:** All right. Done.

**Mr. Don Davies:** Could I ask a question of the clerk? Does that mean if you're meeting on a Tuesday...? What time does this committee meet?

**Ms. Candice Hoepfner:** It's from 11 until 1.

**Mr. Don Davies:** So let's say you get a motion in by 4 o'clock that day. That's Tuesday. It would be in order to be dealt with on the Thursday.

**The Chair:** Yes, that's the 48 hours.

**Mr. Don Davies:** Now if you met from 3:30 to 5:30, could you get a motion in that night, that Tuesday night, because there are two intervening sleeps, that Tuesday night and Wednesday night, for the Thursday meeting, even though it's less than 48 hours? Is that what you were saying?

• (1805)

**The Clerk:** Now the real trick becomes translation.

**Mr. Don Davies:** Let's leave that aside. I mean just for timing. Okay, I understand.

**The Chair:** I'll tell you where the problem comes in. On Fridays our staff is not always here until 5:30. So if they're here until 4 o'clock on Friday and the motion comes in Friday afternoon at 5:30 and we have a Monday meeting, they say that we had 48 hours. We walk in. We get the notice of motion. And there's the motion hitting us. The two-sleep thing is good, but it doesn't include weekends. Well, I guess it would, as long as it's in by 4 o'clock. So good.

All in favour, then, of the way it is with the 48 hours in there?

**Ms. Candice Hoepfner:** You mean with that addition, Mr. Chair?

**The Chair:** Yes.

I think I only got that page. Is there any...?

**Ms. Candice Hoepfner:** We have to discuss the timing and the order for...

**The Chair:** I didn't get that page. I only got one page on this to our staff here.

**Ms. Candice Hoepfner:** I got only one page. Thank you.

**The Chair:** I think there's one more page coming.

All right. The next section from the last is as follows: that at the discretion of the chair, the witnesses from any one organization shall be allowed ten minutes—this is not from the last Parliament—to make their opening statement. During the questioning of witnesses, there shall be allocated seven minutes for the first questioner of each party, starting with the opposition parties, and that thereafter five minutes be allocated to each subsequent questioner, continuing with the opposition...and alternating between government members and opposition members until every member has spoken once.

The other thing we had on this—and I don't know if it was just a submotion we put in—was that it was different last term when there was a cabinet minister here. The opposition asked for 10 minutes in the first round. Here it's seven. So be aware of that.

Ms. Hoepfner.

**Ms. Candice Hoepfner:** If we could, we have to deal with the rounds of questioning, so the time, as you just mentioned. I think we're all in agreement with the first one being seven minutes and then the second and subsequent rounds being five minutes. We're fine with that. We can decide if we want to do something different with ministers.

But as far as the order goes, we had some agreement that the very first round would start with the government side. And the order would be as follows: government, official opposition, government, third party. Then the second round would begin with the opposition, back to government, back to opposition, back to government, and then subsequent rounds. So we would start with the government, but the second round would start with the opposition.

**The Chair:** All right.

Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia:** For the second round, I heard the opposition mentioned, but I didn't hear the third party mentioned.

**Ms. Candice Hoepfner:** I'm not sure. I think the first round would be the third party, but on the second round, I think if you look at the percentages.... I think I actually have them.

**The Chair:** It depends on what you mean by "round", I guess. If a round is.... That's what is up for debate, the three parties...does that mean every three questions, those third parties—

**Ms. Candice Hoepfner:** Sorry, Chair, but it has to be representative—

**The Chair:** Of the House.

**Ms. Candice Hoepfner:** —of our representation in the House. That actually does break down if you look at total minutes; it actually breaks down to pretty well exactly the percentage. So for the total minutes, if we did go for full rounds, the government would have about 50 minutes, and in the House we have 53%. The official opposition would have almost 36 minutes, and they're at 33%, so we've worked it out so that it does truly reflect the House.



**Mr. Francis Scarpaleggia:** I don't mean to slow this down, but I don't quite understand. In the first round, we have the government for seven minutes, the official opposition for seven minutes, the government for seven minutes, and the third party for seven minutes. Then we go—

**The Chair:** You can say the L-word.

**Mr. Francis Scarpaleggia:** Thank you.

Then it's the Liberal Party for seven minutes. In the second round, we have the opposition for five minutes, the government for five minutes, the official opposition for five minutes, and the government for five minutes...? Okay, so the percentages over the two rounds...? Because normally you get in two rounds per set of witnesses.

• (1810)

**The Chair:** Normally you get two rounds with three or four parties. In former parliaments, you'd always get two rounds and you had the Bloc in there. In the third round, then, we would come back to—

**Mr. Francis Scarpaleggia:** The original order...?

**Ms. Candice Hoepfner:** No. Normally we'd set up the rules not based on how much time we would have. We'd set up the rules so the first round goes a certain way and the second and subsequent rounds follow the same process. That's the motion I'm proposing.

I could actually read out the motion and make it a little clearer. It's moved that the order of the questions for the first round of the questioning shall be as follows: Conservative, NDP, Conservative, Liberal. Questioning during the second round shall alternate between the government members and the opposition members in the following fashion: NDP, Conservative, NDP, Conservative, NDP, Conservative, based on the principle that each committee member should have a full opportunity to question the witnesses. If time permits, further rounds shall repeat the pattern of the first two at the discretion of the chair.

That way, it gives all of our members an opportunity to ask a question.

**The Chair:** Then everyone in the committee will have asked a question.

**Ms. Candice Hoepfner:** Everyone in committee will have asked a question...in the opposition.

**The Chair:** Mr. Davies.

**Mr. Don Davies:** On the third round, the last part, Ms. Hoepfner, if you get through the first two rounds, what happens after that? Do you go back to the first round?

**Ms. Candice Hoepfner:** I would say you'd go back to the second round.

**The Chair:** Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia:** So in the three-round discussion, the Liberal Party would get seven minutes out of a total of 68?

**The Chair:** Out of a total of 68 what...? Minutes?

**Mr. Francis Scarpaleggia:** Minutes.

**The Chair:** Seventy minutes? How long are these meetings going to last? Most meetings are an hour long. There are two-hour

meetings on occasion, but generally speaking, like you say, we have the two rounds.

Go ahead.

**Mr. Francis Scarpaleggia:** But if we do go three rounds, the Liberal Party gets one question in those three rounds. That's seven minutes divided by—if my calculations are correct—68 minutes. What percentage is that?

**Mr. Don Davies:** It's over 10%.

**Ms. Candice Hoepfner:** It's 11.67% and you have 11.04% representation in the House.

**Mr. Francis Scarpaleggia:** Just asking.

**Some hon. members:** Oh, oh!

**Ms. Candice Hoepfner:** And we answered.

**The Chair:** Mr. Davies.

**Mr. Don Davies:** The way we did it the last time...and we're in agreement with the first round and the second round. I think the trick is the third round. Whether you go back to the first round or the second round, it's unlikely, to be frank, that you're going to get to the Liberal position even if you did go back to the first round, to 7, 7, and 7. That's the position we in the NDP were in the last time, and we rarely got to that position, but it did happen on occasion.

**The Chair:** I think you had some pretty good chairing—

**Mr. Don Davies:** Yes, it was outstanding chairing that would sometimes see us speak a second time.

But either way, we had 37 seats in the last Parliament. When the times were figured out, we ended up going down to 36, but we had 37. That's exactly how we had it: seven minutes in the first round. But I'm pretty sure that in the last Parliament for the third round we reverted back to the first one to go 7, 7, and 7, so...

**Ms. Candice Hoepfner:** It would end up being basically the same.

**Mr. Don Davies:** It would be pretty much the same, yes. Would you like to repeat the—

**Ms. Candice Hoepfner:** Do you know what else we could do? We could actually put it at the discretion of the chair. If it's the third round, the chair can decide.

**Mr. Don Davies:** I think you should set it out.

**The Chair:** Here's what I would want to see happen. Francis, you weren't on this committee, but Don, Brent, and some others were. I want to see that if everybody wants to ask a question, they get a chance to ask a question. If somebody doesn't have another question when we come to the third round and you're sitting there champing at the bit, generally I've been pretty lenient that way, but it is nice to have it spelled out. It's nice to have some of those things on the paper.

You're going to be drawing up this speaking list. Would it go back to the first?

**Ms. Candice Hoepfner:** Yes, it would go back to the first.

**The Chair:** That then would give you—

•(1815)

**Ms. Candice Hooppner:** Possibly.

**Mr. Francis Scarpaleggia:** Would we go back to the first with seven minutes or—

**The Chair:** No, it would be five, in the same order.

**Ms. Candice Hooppner:** That would mean we're leading it off again. If we were at third round, it would go back to the first, so we'd lead off.

**Mr. Don Davies:** It goes back to the five minutes.

**The Chair:** Okay.

Next is appending dissenting or supplementary opinions to committee reports. The motion reads as follows: that every party shall have the right to attach, as an annex, a dissenting—

**Mr. Brent Rathgeber:** I have a point of order.

We didn't vote on the last—

**The Chair:** Oh, I'm sorry. All in favour of the rounds?

(Motion agreed to)

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

**Mr. Brent Rathgeber:** Any time. I'm here for you.

**The Chair:** He is.

On appending dissenting or supplementary opinions to committee reports, the motion reads that every party shall have the right to attach, as an annex, a dissenting opinion on any report to be presented to the House of Commons by the committee; and that this dissenting opinion shall be submitted to the clerk of the committee within 72 hours of the passing of the report by the committee.

Basically this is giving you an opportunity.... It's spelled out pretty clearly.

**Mr. Ryan Leef (Yukon, CPC):** We don't need the.... We'd just tag on that.

**Mr. Don Davies:** Was this on the dissenting or supplementary opinions?

**The Chair:** Yes.

Are we all right with that, then? Ms. Hooppner, are you okay with that?

(Motion agreed to)

**The Chair:** I think that's all I have—

**Ms. Candice Hooppner:** Do we have a letter?

**The Chair:** Oh, yes, I do want to bring this out. I don't know if this is in order, Mr. Clerk, but when I arrived here, I was handed a letter from the Minister of Public Safety.

I don't know if you want me to read the letter. Ms. Hooppner, are you aware of...?

**Ms. Candice Hooppner:** I am aware of the letter.

**The Chair:** Do you want me to read this letter now?

We have to plan the meeting for next week, right?

**Ms. Candice Hooppner:** Yes.

**The Chair:** Mr. Davies and others who have been on the committee will understand what I am about to read. I'll just read it to you.

As you are aware, the Government is launching a publicly-advertised, comprehensive recruitment and selection process for the next Commissioner of the Royal Canadian Mounted Police (RCMP).

The RCMP is an iconic symbol of Canadian national unity, and its Commissioner plays an important role in law enforcement within Canada and internationally. As the head of Canada's national police service, the next Commissioner of the RCMP will need to demonstrate exemplary leadership skills, have a proven aptitude for strategic management, deal sensitively with issues relevant to the RCMP's many stakeholders and to Canada's diverse population, and be able to develop and implement a corporate vision that will be endorsed by the RCMP and its stakeholders.

With this in mind, I am writing to you to ask for the Standing Committee's input into the selection criteria (draft attached), which will serve to guide us in the selection of the next Commissioner.

I would appreciate if you would provide me with the Standing Committee's views and input on the selection criteria by June 30, 2011.

Ms. Hooppner, I think you had a motion, if it's in order. It is to give us new direction for Tuesday.

**The Clerk:** You've just adopted a notice of motion.

**Ms. Candice Hooppner:** Do we have unanimous consent?

**The Chair:** Can we have unanimous consent to give direction to look at this?

Go ahead, Mr. Davies.

**Mr. Don Davies:** Normally we would require 48 hours' notice of motion, but could we hear the motion first and then let you know if it's something we could dispense with?

**The Chair:** Yes.

**Ms. Candice Hooppner:** Notwithstanding any routine motion, I propose that the committee study the selection criteria for the new commissioner of the RCMP found in annex A of the letter from the Minister of Public Safety to the chair, and that the criteria be studied for one meeting.

That's the motion. I'd like to just speak to it for a moment.

A lot of us are new members on this committee. Because our time is short and we really don't know how long we're going to be here, whether it will be past next week, it would be good if we could get officials in or get moving on this so we can ask questions. Apart from Rick and Don, the rest of us are all new—and Brent. He's so far away I forgot about him.

That's the motion. The reason for it is that we have a very short timeframe.

**The Chair:** Then the objective here would be for the department to explain the process. He's also asked that we have input into this.

•(1820)

**Ms. Candice Hooppner:** I think all of us would welcome the opportunity to ask the officials any questions about what the criteria should be and what they see as relevant and important criteria. I think we could very easily ask them questions for a couple of hours in direct relation to appointing the new commissioner.

**Mr. Don Davies:** One question would be whether it's Tuesday or Thursday. The second thing would be whether there would be an opportunity to suggest a witness or two. I'm thinking that the last time we had some RCMP—remember Assistant Superintendent Souccar and some other people. It may be worthwhile to consider calling one of those types of people to come and give us their views.

**Ms. Candice Hoepfner:** First we have to see if there's unanimous consent that we even have this discussion.

Is that correct? We're discussing it now.

**The Chair:** We're discussing it.

Do we have unanimous consent to bring forward this motion or a motion—

**Ms. Candice Hoepfner:** —relating to the—

**The Chair:** —and deal with what we're going to do next Tuesday?

All in favour?

**Some hon. members:** Agreed.

**The Chair:** Go ahead, Ms. Hoepfner.

**Ms. Candice Hoepfner:** That would be my motion.

Notwithstanding any routine motion, I propose that the committee study the selection criteria for the new commissioner of the RCMP found in annex A of the letter from the Minister of Public Safety to the chair, and that the criteria be studied for one meeting as soon as possible.

**The Chair:** Can I speak—I guess not off the record, but my sense is that if we opened it up to a lot of witnesses we would have to be very careful, because you would probably disqualify anyone. It could be viewed that they would be disqualified if they appeared here. It could jeopardize any discussion based on what they might say. What I understand from your motion is that this is the department explaining to everyone the process. There won't be any names. There won't be any going back to the present commissioner. It's procedural. It's how we're going to go through this. I don't know how long we're going to be around here, but this is basically putting this topic as something that is time sensitive before our committee. We can discuss anything further. Probably for the Tuesday meeting it will be the department.

**Ms. Candice Hoepfner:** I'm a little worried about waiting until Thursday. We don't know what's going to happen, but with Friday being a holiday, if all of a sudden—I'm just guessing—they decided to move Friday to a Thursday, we probably wouldn't even be meeting. That's why I'm thinking Tuesday would be good.

**The Chair:** Mr. Davies.

**Mr. Don Davies:** I don't think we have an issue with it being Tuesday if it needs to be. I understood this process to be, quoting from what the Prime Minister said, “a comprehensive selection process” to find a replacement. He said the government would consult the public safety committee on the selection criteria. It's my understanding that it's not just to have the RCMP come tell us about the process, although that would be helpful. There's no problem with that.

The committee wants to have a discussion about what the selection criteria should be and what our recommendations would be anyway. It's up to the government, the Prime Minister, and the minister. To help the committee determine what the selection criteria should be, I wouldn't have a lot of witnesses, but I'm thinking you could have two or three varied witnesses who could answer questions from the committee on what they think the selection criteria should be. I'm not sure if it's only department officials. I think you'd want to hear from some sworn officers of the RCMP and ask what they want to see in a chief and what criteria they think are helpful.

We're very sensitive about not opening up. It was a traumatic thing to go through. I can speak for the official opposition and say that we're not interested in embarrassing anybody or making any kind of hay out of Mr. Elliott's tenure. It's time to move on. What we want to do is ask what the criteria should really be to make sure the next commissioner is the best possible choice.

**The Chair:** Ms. Young.

**Ms. Wai Young (Vancouver South, CPC):** I think that's the point. But for me, anyway, being new and everything, it would be really helpful to know what it is currently, which is what I think Ms. Hoepfner is suggesting.

Who knows? That might take a long time. I don't know what it is right now, so should we start with that and see where we go?

• (1825)

**Ms. Candice Hoepfner:** I do respect what Mr. Davies is saying, but with the time constraints, with the content in that letter, my motion will stand as it is.

**The Chair:** Mr. Davies.

**Mr. Don Davies:** Just to be clear, though, I don't have any problem with going over the process, but is this the meeting that you're considering as being where the public safety committee is consulted on the selection criteria?

**Ms. Candice Hoepfner:** From my understanding, this appointment has to happen quickly, so this would be our one meeting. From my perspective, and I think from the government's perspective, that's what we'd like to see. We'd like to have this be one meeting.

**Mr. Don Davies:** Okay. If that is the case, then, if the whole meeting is taken up by officials explaining what the selection criteria are or what the process is, that doesn't give the committee any time to decide on the selection criteria. How do you see that happening, where the committee gives its recommendations...?

**Ms. Candice Hoepfner:** I see them explaining more.

**Mr. Don Davies:** What I'd be interested in hearing your views on, Ms. Hoepfner, is how you see the committee then developing its recommendations on what the selection criteria should be.

**Ms. Candice Hoepfner:** I don't see it as them just explaining the process. I see them as explaining what they believe the criteria should be. I think they are in a very good position to explain that. Obviously they've seen some of the positives and the negatives, and again, because time is of the essence and we would like to keep it to one day....

I'm not sure...this is Tuesday and we know the officials are always available very quickly. That is also why this motion was put together and why I've submitted it this way. I think they can speak to more than just the process. They can speak to the criteria. Then we don't get into any kind of talking to people who may in any way be considered or be part of the actual appointment.

**The Chair:** Mr. Rathgeber.

**Mr. Brent Rathgeber:** Just on a point of clarification, could the chair or the parliamentary secretary advise if the proposed criteria will be available and distributed prior to the proposed meeting on Tuesday?

**The Chair:** Ms. Hoepfner, the question is more for the government. Will the criteria that are currently being used be available before Tuesday?

**Ms. Candice Hoepfner:** I believe we'll have it tomorrow.

Is that correct? We'll have that distributed.

**The Chair:** Actually, it was in the letter. It was the last part. I was just handed this today. I'll leave this with the clerk and he'll circulate it.

**Mr. Brent Rathgeber:** Thank you. That clarifies it.

**The Chair:** We'll have to get this thing translated and it will get out. It's in two official languages right now. We could get it photocopied.

If you guys want to hang around, I can get these to you.

Mr. Norlock.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Chair, once this is handed around, I think the explanation is there, so let's have a vote on this.

**The Chair:** All right.

Mr. Sandhu.

**Mr. Jasbir Sandhu:** It's my understanding that the government had stated that there would be a comprehensive selection process to find a replacement and, furthermore, that the public safety committee would be consulted on the selection criteria. That's my understanding.

So on Tuesday we'll have somebody else coming in to tell us the criteria, but that's not really a consultation. That's somebody else telling us what the criteria are going to be. We'll get the criteria, but my concern is that we'll open it up for debate, where we can ask questions and debate what those selection criteria should be.

**The Chair:** You definitely will. There will be ample time. It won't be just a briefing meeting. You will have all kinds of opportunity.

I can see what we're trying to do here, which is to get this thing going. We can always have motions at that meeting, but we do have a motion on the floor here.

Mr. Davies.

**Mr. Don Davies:** Might I suggest that a good process would be to dedicate the first hour of the meeting—it's a two-hour meeting, I would imagine—to the departmental officials explaining it and to the questioning of those officials, and then dedicate the second hour to

discussion among the committee members about what the selection criteria should be? Then a motion could come at the end.

**Ms. Candice Hoepfner:** Mr. Chair, we are dealing with this motion. So if this motion passes.... This motion doesn't actually talk about that, so we could....

• (1830)

**The Chair:** That would be all right. To have the committee talk about—

**Ms. Candice Hoepfner:** I hope one hour is enough. Maybe we could do an hour and a half with the witnesses, and then the last half-hour would be for our discussion.

**The Chair:** It's so everybody would get the opportunity to ask these guys their questions.

**Ms. Candice Hoepfner:** We have a motion on the floor right now, which we probably should deal with first.

**The Chair:** The debate and the discussion are around the motion.

**Ms. Candice Hoepfner:** All right.

**Mr. Don Davies:** What I'm still not seeing coming out of this process is the public safety committee being consulted on the selection criteria. How does that emerge from that meeting?

**Ms. Candice Hoepfner:** Then why don't we do one hour of the witnesses and one hour of discussion?

**Mr. Don Davies:** And then people could make a motion or not, maybe. I still like the idea.

What is the first round? What does that take you to, Mr. Chairman, in terms of the end of...?

**The Chair:** If we do it the way we've adopted here, they will have 10 minutes to do their presentation. Then you'll have seven, seven, seven, and seven. So seven times four is 28.

**Mr. Don Davies:** So that's 38.

**The Chair:** That's half an hour.

**Ms. Candice Hoepfner:** We might have time for another five-minute and five-minute....

**The Chair:** Sometimes, too, these guys go for 10 minutes each. And if there are two departments, if there are two or three people who want to speak, that can take half an hour, and then you get....

Go ahead.

**Mr. Don Davies:** I like the idea of one hour and one hour. Or you could split it up by saying....

**Mr. Brent Rathgeber:** I have a point of order. The bells are ringing. I ask that you call the question, Mr. Chair.

**The Chair:** All right. Let's call the question.

I will try to work this thing out. I understand what you're saying. You want to have lots of time to.... We may even be able to keep these guys a little extra long.

**Mr. Don Davies:** Yes. There is no calling the question. That is not a motion that's in order. But I would suggest that you get through the first round of questions of the seven, seven, seven—that's half an hour—and then go to discussion.

**The Chair:** Okay. Can we call the question? The bells are blinking, and that means I have to ask for permission to call the question. Are we all in favour of the question?

**Some hon. members:** Agreed.

**The Chair:** All in favour of the motion on the floor that Ms. Hoepfner brought forward?

**Mr. Don Davies:** I'm sorry. I still don't understand exactly what the motion is.

**The Chair:** It's exactly as she read it, but I know what you're saying.

**Mr. Don Davies:** It's not capable of.... Do we have copies of it yet?

**The Chair:** Could you read the motion, Andrew?

**Ms. Candice Hoepfner:** The motion is that the committee study the selection criteria for the new commissioner of the RCMP, found in annex A of the letter from the Minister of Public Safety to the chair, and that the criteria be studied for one meeting.

That's the motion. Now we have gone beyond that in our discussion as to what we're doing on Tuesday. But that is the motion we are in the middle of voting on right now.

**Mr. Don Davies:** The difficulty I have with that is.... I can agree with the motion, but unless we flesh out how that's going to work on the Tuesday, it's....

**Ms. Candice Hoepfner:** I think we're in agreement.

**The Chair:** Yes, I don't see any difference here.

**Ms. Candice Hoepfner:** It's one hour and one hour. I'm fine with that.

**The Chair:** All in favour, then, of the motion? Everybody is in favour, I think.

(Motion agreed to)

**The Chair:** All right.

Mr. Clerk, that gives you the opportunity to get a hold of the departments, and they will send us witnesses.

We'll see you all on Tuesday at 11 o'clock. The notice of meeting will go out. For the new members, it'll tell you where the meeting room is. I don't know where it is right now.

**The Clerk:** I don't where it is either.

**The Chair:** No, you don't either. Maybe just get some sandwiches or something for the first meeting. Once I get to know these guys, I'll see if they want steak or chicken or sandwiches or what.

**Ms. Candice Hoepfner:** How about lasagna? It's the best.

**The Chair:** We'll just go with sandwiches for the first round.

**Ms. Candice Hoepfner:** All right.

**The Chair:** The meeting is adjourned.

---





**MAIL  POSTE**

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

**Lettermail**

**Poste-lettre**

**1782711  
Ottawa**

*If undelivered, return COVER ONLY to:*  
Publishing and Depository Services  
Public Works and Government Services Canada  
Ottawa, Ontario K1A 0S5

*En cas de non-livraison,  
retourner cette COUVERTURE SEULEMENT à :*  
Les Éditions et Services de dépôt  
Travaux publics et Services gouvernementaux Canada  
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of  
the House of Commons

### **SPEAKER'S PERMISSION**

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and  
Depository Services  
Public Works and Government Services Canada  
Ottawa, Ontario K1A 0S5  
Telephone: 613-941-5995 or 1-800-635-7943  
Fax: 613-954-5779 or 1-800-565-7757  
publications@tpsgc-pwgsc.gc.ca  
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the  
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

### **PERMISSION DU PRÉSIDENT**

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les  
Éditions et Services de dépôt  
Travaux publics et Services gouvernementaux Canada  
Ottawa (Ontario) K1A 0S5  
Téléphone : 613-941-5995 ou 1-800-635-7943  
Télécopieur : 613-954-5779 ou 1-800-565-7757  
publications@tpsgc-pwgsc.gc.ca  
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à  
l'adresse suivante : <http://www.parl.gc.ca>