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# Standing Committee on Justice and Human Rights

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Chair: Mr. Randeep Sarai





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• (1305)

[English]

**The Chair (Mr. Randeep Sarai (Surrey Centre, Lib.)):** I call this meeting to order.

Welcome to meeting number 15 of the House of Commons Standing Committee on Justice and Human Rights. Pursuant to the order of reference of Thursday, March 31, the committee is meeting to study Bill C-5, an act to amend the Criminal Code and the Controlled Drugs and Substances Act.

Today's meeting is taking place in a hybrid format, pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely, using the Zoom application. The proceedings will be made available via the House of Commons website.

I would now like to welcome all the witnesses.

Before I begin, I want to let you know that I'll be waving a green folder when 30 seconds of your time remain. Today, I also have a black card that I'll wave to tell you that your time has ended. Hopefully, I won't have to interrupt you, but be mindful of that. The same goes for the members.

Each witness will have five minutes for their opening statement, and then there will be a round of questions.

I'll begin with Mr. Stéphane Wall, retired supervisor from the Service de police de la Ville de Montréal.

It's over to you, Mr. Wall. You have five minutes.

[Translation]

**Mr. Stéphane Wall (Supervisor (Retired), Service de police de la Ville de Montréal (SPVM), As an Individual):** Thank you, Mr. Chair.

I'm one of the founding members of the CCACV, the Communauté de citoyens et de citoyennes en action contre les criminels violents. You've already heard from two of our other members, Mr. André Gélinas and Ms. Anie Samson.

On January 26, 2022, the CCACV proposed 16 measures to the various levels of government to fight gun violence. Letters appeared in two media outlets. We invite you to read those letters, particularly the measures that we are recommending to the federal government.

On February 21, 2022, Montreal city council adopted a first measure proposed by CCACV. The opposition and the elected officials

agreed to implement a helpline for parents who see their children falling into violence.

Victims of violent crimes and their loved ones are our inspiration. Most of us are responsible parents who feel that a child needs as much love as discipline to develop. Discipline should take the form of punishments that gradually increase in severity, based on what was done. The vast majority of parents are like this in Canada, including racialized, Black, indigenous and underprivileged communities.

Responsible lawmakers should also adopt laws and sentences that gradually increase in severity and that are appropriate to what was done, particularly with respect to serious crimes, such as the possession of illegal firearms, a scourge that is decimating Canadian cities.

Unfortunately, there are also entitled, lax and indulgent parents, who overprotect their spoiled children. Those children grow up with no respect for others and live with a feeling of impunity and a sense that they are all-powerful.

Lawmakers who are indulgent when it comes to serious crimes committed by people in possession of illegal weapons can rest assured that there will be a sharp increase in victims from the same communities as the suspects. Those communities already have a disproportionately high number of victims.

There is absolutely a dichotomy between Bill C-5 and the social context of gun violence.

A first fact: All major Canadian cities are dealing with shootings, attributed primarily to members of street gangs. The number of shootings doubles each year almost everywhere. Several reports in the media have highlighted the extent to which these criminals have a feeling of absolute impunity, which Bill C-5 would exacerbate. On social media, they laugh at the justice system and the often lenient prison sentences given to them by an indulgent justice system. They show off their illegal weapons with defiance and pride.

A second fact: On March 7, 2018, the Minister of Public Safety and Emergency Preparedness organized the Summit on Gun and Gang Violence, held in Ottawa. Four years later, there are three main questions. First, what arose from the findings and the solutions proposed at the summit? Then, has the situation related to violence improved or significantly deteriorated in four years in Canada? Finally, are there fewer illegal firearms in circulation than in 2018?

A third fact: Community members don't all think alike. Many members of diverse communities think like Murielle Chatelier, who was born in Haiti and is a member of the CCACV. I invite you to read her letter, co-signed by other members from diverse populations, which speaks about being accountable rather than wallowing in victimization.

A fourth fact: In Toronto, ideologists have been in control of public safety for the past 10 years. The result is revealing. Indeed, there are over 450 shootings and hundreds of victims each year. Faced with amalgamations, police are disengaged. They do less and less prevention and stops. They put tape around the victims' bodies. Street gang members are so not afraid of being arrested that they now keep their firearms on them, ready for the next shooting. Street gang members also have the criminal speciality of procuring and have no respect for the bodies of girls and women, who they see as merchandise.

In Montreal, the ideologists are doing the same thing as in Toronto. The number of shootings is on the rise, as is the number of victims, and the police are increasingly disengaged.

Residents concerned about the violence are demanding a change in paradigm.

According to them, Canadian lawmakers should place the victims of violent crime and their loved ones at the centre of any legislative considerations; focus more on victims of violent crime in racialized communities, whether Black or indigenous, and in underprivileged communities, by ensuring that the people committing these crimes are arrested, detained and rightfully convicted by the justice system; value and trust the people who wear a police uniform; place less importance on lobby groups, which are divisive and include those opposed to the police, the so-called woke and racists, who in no way represent the pragmatic and moderate opinion of Canadians; listen more to members of diverse communities, who, like Murielle Chatelier, disagree with the attitude of victimization but instead promote accountability; hold criminals responsible for their actions and their decisions, regardless of the community, the way responsible parents do with their children, instead of overprotecting criminals as though they were spoiled children; and refocus the principles of justice by implementing a new charter of duties and responsibilities.

• (1310)

[English]

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

[Translation]

**Mr. Stéphane Wall:** In conclusion, Parliament must better protect victims, who are overrepresented in racialized communities. In Canada, victims should have rights and freedoms, such as the right to life, the right to health and the right to safety, which take precedence over the rights of suspects.

Thank you, Mr. Chair.

[English]

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

Next we'll go to Michele Skalusat, manager of indigenous relations at British Columbia Infrastructure Benefits.

It's over to you for five minutes.

**Ms. J. Michele Guerin Skalusat (Manager, Indigenous Relations, British Columbia Infrastructure Benefits, As an Individual):** Thank you.

[Witness spoke in *hən̓q̓əmin̓əm̓*]

[English]

Respected ones and friends, my traditional name is Skalusat Michele Guerin. I'm from the Musqueam Indian Band and I'm honoured to be here today.

The name "Skalusat" was given to me by my elders and my family in our longhouse. Skalus was a warrior who guarded Howe Sound and, according to our stories, he was also the first of our people who learned how to write. They chose this name for me because I was the first lawyer in the Guerin family. I often get asked, "Why did you become a lawyer?" I usually respond, "I became a lawyer because I'm an indigenous woman in Canada and I wanted to be able to protect myself, my children and my grandchildren."

I testified publicly as a survivor in the Missing and Murdered Indigenous Women, Girls and Two-Spirit inquiry because I was apprehended, and my first son was apprehended from the hospital, spent one month in care, was returned to me, then died of AIDS at three months old. I was robbed of a month with him, and later my three kids were apprehended for three days. When the ministry came for my granddaughter decades later, I was a lawyer and could say, "Back up."

It's important to me to tell you that my mother, Bev Guerin, graduated from day school with her grade 12, served in the Canadian navy, and was a secretary in an engineering firm. My biological father was willing to marry her, but I was still apprehended. I lived in one foster home for 14 years. At 14 years old, I was approached by my social worker and told I had the choice to be adopted by the foster family or to meet my family in Musqueam. I always say I did what any normal 14-year-old would do: I ran away and lived on the streets for a year. The main basis of my testimony—why I wanted to testify—is to share with lawmakers the kind of extreme violence I experienced on the streets in one year, and thankfully survived, as an example of what our women and girls go through.

I have a couple of points about your bill that I want to link to the testimony I made.

When I was reunited with my mother at 14, we didn't reconcile. I think the pain of losing me, then suddenly being faced with a real, live, high-risk teenager, was very hard for her. I lived with her for one month, then was placed in several different foster homes on the reserve. I've had the unique experience of being placed in several foster homes on and off reserve, and I can attest to the fact that I felt much safer and more loved and nurtured on reserve.

On the point of racism in courts, I'll go back to my first experience of identifying my children when they were apprehended. My children were apprehended when I left town to go to a church thing. My husband was in charge. I came home and my kids were gone. I was to go to court to identify my children. I was in family court. The courtroom was called to order, the judge came in, and before he sat down, he turned to me and asked, "What are you going to do about your drinking problem, Mrs. Sparrow?" I replied, "I don't drink, Your Honour." Then he opened the file.

I want to make a couple of points about policing. I was married to a Vancouver police officer for 30 years. I've always been very supportive of the police. However, I have personally seen and experienced racism through the police. Most of the issues I've had have been with the RCMP.

One of the points I raised during my testimony was to ask that the inquiry use their researchers—perhaps you have researchers. The issue I'm particularly interested in is knowing how many indigenous women are arrested when they are victims of domestic violence versus how many non-indigenous women are arrested when they are victims of domestic violence. I'd like the statistics. It seems to me, from what I have seen in my communities, that it's standard operating procedure to arrest indigenous women when they are victims of domestic violence. It might be called "over-policing", but I call it "inherent racism".

I was also a 911 operator for the RCMP. One day in the radio room, as I sat working, a group of officers were sitting and talking behind me. One of them said, "I don't arrest Indians. I shoot Indians." It was a very shocking and disheartening statement to hear. I think it's just another signal of some of that systemic racism.

• (1315)

On another point, after I returned to the reserve, sadly, my late mother, Beverly—a single mother—was convicted of fraud for writing bad cheques. She was sentenced to several months in jail in the Oakalla Penitentiary. I remember being in court and watching them sentence her. I sat in the back of the courtroom in disbelief as they sentenced her to serve her time in Oakalla, which I thought was a pretty hard-core institution to serve time in for a non-violent crime.

**The Chair:** Ms. Skalusat, your time is up. If you want to wrap up in the next 10 seconds, you can hopefully finish off before we go to questions.

**Ms. J. Michele Guerin Skalusat:** Okay. I have just one more point. There are two points in one.

I read with interest the proposed legislation that amends the CD-SA to require police and prosecutors to consider referring people to treatment programs and other support services. I am a big advocate of this. My first husband was pulled over. He had four or five convictions for drunk driving, but when he was pulled over at the U.S.-Canada border and charged in the States, the U.S. court ordered him to attend a treatment centre, which proved to be life changing. He became sober. He studied to become a drug and alcohol counsellor on a reserve, and was very effective in helping others in our community because he brought credibility to the issue.

The last point I want to make is that in my current profession, my job is to recruit indigenous skilled trades workers to become part of our workforce to build large public infrastructure projects in B.C. under a community benefits agreement. One of the best organizations in B.C. that is aimed at helping youth, either living on the street or aging out of care, is a program called BladeRunners. I've met with several youth at friendship centres and talked to them. Their excitement about this program is enormous, because they see their peers, who are either living on the streets or aging out the system, going into this BladeRunners program that takes youth and builds their training and skills up to get them into the skilled trades.

However, those who have a criminal record can't access the program—

**The Chair:** Thank you. I'm sorry, Ms. Skalusat. We're over time and I'm going to have to—

**Ms. J. Michele Guerin Skalusat:** Yes, no problem.

**The Chair:** I hope somebody will be able to give you some time to finish up.

The member for the first six-minute round will be Mr. Moore.

**Hon. Rob Moore (Fundy Royal, CPC):** Thank you, Mr. Chair.

Thank you to both of the witnesses for appearing today on this important piece of legislation that could have a profound affect on our communities.

I'd like to ask my first question of Mr. Wall. Thank you for your testimony, sir.

The government would sometimes have people believe that these are non-serious offences somehow and, therefore, not deserving of jail time. Some of these offences have been on the books since the seventies. The minimum penalty, certainly through reforms to the Criminal Code, remained intact and many have been upheld in court cases.

I want to bring your attention to a few. We have robbery with a firearm, extortion with a firearm, weapons trafficking, using a firearm in the commission of an offence and possession for the purpose of weapons trafficking. These sound like serious offences to me that are at the root of some of the gun and gang problems that we have in this country. What message do you think it sends to the criminal element?

You mentioned the word "impunity". I thank you also, sir, for mentioning a word we don't hear often enough, which is "victims". Too often, victims have lost their voice on how they would react to this legislation. We've been hearing a bit from victims, but thank you for mentioning them.

What message do you think it sends to criminals to soften the offences for gun crimes?

• (1320)

[*Translation*]

**Mr. Stéphane Wall:** Thank you for your question, Mr. Moore.

At this time, most shootings in major Canadian cities are committed by street gang members, who are fairly young. Some gang members give small contracts to younger members to intimidate people, threaten them and so forth. We can see that impunity reigns at this time. Several media have done multiple reports on this. On social media, we see young people laughing at the justice system. They proudly display their firearms, the vast majority of which are illegal. We are already in this situation.

The passage of Bill C-5 would lead to lower standards and trivialize the possession of firearms for a criminal purpose. It would send the wrong message to criminals. In a way, we would be telling them that maybe society is being a bit too hard on them and that we'll be giving them more lenient sentences. We are therefore trivializing the possession of firearms.

It must be remembered that possession of a firearm by young people, who have easy access to such weapons, is followed in most cases by a criminal act. It's not just possession; the next step is shooting at enemies or people from the same backgrounds, including racialized and diverse communities or similar socio-economic backgrounds. Indeed, victims from the same background as the suspects are overrepresented.

By releasing criminals who were in possession of a firearm sooner—and parole also factors into that—we are allowing them to victimize more people in their own community or in an enemy community. This is a very bad signal to be sending. Passing such a bill is not appropriate given the reality on the ground.

[*English*]

**Hon. Rob Moore:** Thank you.

There is some misconception that's been perpetrated that somehow this is dealing with minor drug offences. But when we look at the legislation, the mandatory minimums that are being eliminated from the Controlled Drugs and Substances Act are trafficking or possession for the purpose of trafficking, importing and exporting for the purpose of exporting and production of a schedule I or schedule II drug. That includes heroin, cocaine, fentanyl and crystal meth.

You've already commented on the guns crimes, but from the perspective of those who are trafficking, we have a crisis in Canada around drug use in both rural and urban areas. Canadians are dying and suffering. Crystal meth is a crisis. This bill would eliminate mandatory jail time not for those just in possession; there is no mandatory minimum for possession. What it does is it eliminates mandatory jail time for traffickers and producers and exporters and importers.

Can you comment on that?

• (1325)

[*Translation*]

**Mr. Stéphane Wall:** I'll comment quickly, Mr. Moore.

We know full well that organized crime has the upper hand in terms of narcotics. Various intermediaries are involved before those products reach the street. They live off and depend on crime. They don't care that the health of hundreds of thousands of victims will be ruined. Prison sentences must therefore be significant for those who traffic narcotics.

[*English*]

**Hon. Rob Moore:** Thank you.

**The Chair:** Thank you, Mr. Moore and Mr. Wall.

We now have Ms. Brière for a six-minute round.

[*Translation*]

**Mrs. Élisabeth Brière (Sherbrooke, Lib.):** Thank you, Mr. Chair.

I want to welcome all the witnesses and thank them for being with us this afternoon.

Bill C-5 is not intended to reduce sentences. It seeks to reduce the overrepresentation of certain marginalized communities and to give judges back discretion to consider restorative justice options, among other things.

My question is for Ms. Skalusat. First, I thank you for sharing your experience with us. You've gone through some very difficult times. Your experience in life reveals some gaps in the system.

Can you explain how house arrest can have a positive impact not only on offenders, but also on the people around them?

What is the impact on the child of an offender in terms of the balance in their life?

Thank you.

[*English*]

**The Chair:** Ms. Skalusat, I think that was for you.

**Ms. J. Michele Guerin Skalusat:** I'm sorry. I didn't hear it. I'm having a hard time with this.

[*Translation*]

**Mrs. Élisabeth Brière:** Can you hear me, Ms. Skalusat?

[*English*]

**Ms. J. Michele Guerin Skalusat:** Very faintly. I apologize.

[*Translation*]

**Mrs. Élisabeth Brière:** Is it better now?

[*English*]

**Ms. J. Michele Guerin Skalusat:** I can hear it now. Thank you.

[*Translation*]

**Mrs. Élisabeth Brière:** I thank you for sharing your experience with us. You've gone through some very difficult times. Your experience in life reveals some gaps in the system.

I would therefore like you to explain how sentences that are served at home can have a positive impact not only on offenders, but also on the people around them.

What is the impact on the balance in the life of an offender's child of having their parent at home instead of in prison?

[*English*]

**Ms. J. Michele Guerin Skalusat:** Thank you for the question.

What comes to mind when you ask the question is the growing problem we have in indigenous communities with gangs. It's really difficult when some of our community members belong to gangs. There are a lot of firearms and a lot of issues around that.

I don't think it would be appropriate to have a conditional sentence for a firearms offence or something like that if there were a victim within the community especially. I've been involved in situations where I've been asked to help mediate when there's.... If someone reports a gang member for something and then they go to jail, that person is then scared that the gang member is going to get out and scared about getting killed for reporting. These are people who live two blocks away from each other, so it's such a tight community that, I think, it's dependent on the crime.

With sexual assault, I think there would have to be a really full-some plan put in place for how to deal with that. Maybe if there were preventative and support services there for women and children and anyone else who's been sexually abused or sexually assaulted....

I think there's a real effort in communities to try to put more consequences on our members when they commit crimes. If they want to remain in the community, the community are always looking for solutions to do that, so I think that's possible.

• (1330)

**Mrs. Élisabeth Brière:** Thank you.

[*Translation*]

In your work, you help people find jobs.

What burden do indigenous offenders bear when looking for work? What barriers or obstacles can they encounter?

[*English*]

**Ms. J. Michele Guerin Skalusat:** Like I said, some of these programs really are targeting high-risk youth, those living on the streets and those coming out of care. There are some really good programs. There's one called BladeRunners. I always described it as one that's run on the streets. It's really embraced by the youth on the street because they see their friends who have gone into it be successful, get a life and get a career. I've actually had a lot of young people come up to me during the course of my work and ask if we could help them, how we could we remove these criminal records, because they say they can't access the program with a criminal record. They've got to wait for a pardon and all of that.

I just read with interest.... What's that line you have in here? It's something like, "Would prison do more harm than good?"

[*Translation*]

**Mrs. Élisabeth Brière:** Do you believe that abolishing mandatory minimum sentences will improve access to employment for indigenous offenders?

[*English*]

**Ms. J. Michele Guerin Skalusat:** I think it could, yes, for sure. I really like the alternative to jail time that is addressed in there, referring to the alternatives to jail time. If we could try to keep our people out of jail, but get them the help they need, because so much of the social issues that we face in our communities are.... Well, you know what they are. They do shift a bit with each generation. Now we've got gangs infiltrating our communities, so that's an issue that a lot of communities are dealing with.

[*Translation*]

**Mrs. Élisabeth Brière:** You feel, then, that it might be better to have adequate services in place, social services and such.

[*English*]

**Ms. J. Michele Guerin Skalusat:** Yes, I think preventative support services or treatment programs would be well resourced.

I read some background information on this bill, and I'm sorry if I can't remember from where, but it talked about there perhaps being the possibility of developing an action plan with indigenous groups to provide well-resourced preventative community-based services and alternatives. I think that's fabulous.

My work as a lawyer has been primarily at treaty negotiation tables, watching communities get to self-government. We've got enough communities that are capable of running these programs, and I think that if it's well resourced, it could be a real shift in their getting some autonomy or authority or jurisdiction over this issue and dealing with it in their community.

You tend to find with first nations communities that when they are part of creating the solution, it tends to work. I think the community members embrace it. It gives it more legitimacy if it's not coming from on high, because instead it's a case of, "Oh, this is our community's approach."

**Mrs. Élisabeth Brière:** Thank you very much.

**The Chair:** Thank you, Madame Brière, and thank you, Ms. Skalusat.

The next round is Monsieur Fortin's for six minutes.

[Translation]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Thank you, Mr. Chair.

I thank the witnesses who are here today, Ms. Skalusat and Mr. Wall.

I would like to put a question to Mr. Wall.

First, Mr. Wall, you are retired from the police department. You were a supervisor with the Montreal police.

For a few months, or a few years, we have seen some increase in gun violence in the Montreal area, and I am given to understand that this is a concern to many residents. Indeed, there's a lot of talk of it in my area, just north of Montreal.

According to what the police are saying, minimum sentences should be maintained because they will deter criminals. However, other people are saying that minimum sentences change nothing because, ultimately, judges will give the appropriate sentence, which should be about the same, or maybe even longer on occasion, than the minimum sentence currently set out in the Criminal Code.

I obviously have an opinion on those two positions, but I'm not here as a witness.

Correct me if I'm wrong, but you are more of the opinion that mandatory sentences should be maintained because they serve as deterrents.

I'd like to hear from you again on that.

Do you really believe that a minimum sentence will deter potential assailants from committing a criminal act and using a firearm in a bank robbery or other offences set out in the Criminal Code?

• (1335)

**Mr. Stéphane Wall:** Thank you for your question.

I'll come back to the basics. Street gang members already enjoy impunity in the current system. Minimum sentences exist and will be maintained for several types of crimes. Currently, these people enjoy impunity on social media. When we dig a bit, we find all kinds of statements and boasting by young people and members of criminal groups, who are already laughing at the justice system.

Lowering the standard for serious crimes such as possession and use of a firearm is like telling these young people that society doesn't find their actions to be particularly serious. It sugar-coats things and says to them that they'll receive just a slap on the wrist. That is already the feeling on the street.

For me, I'm a field police officer. I talk to young people. I live near the Saint-Michel neighbourhood, where there are a lot of shootings, so I can tell you that the feeling on the street is that the legal system is lenient and that adding another layer will not do anything. I don't think anyone will be opposed to abolishing minimum sentences for crimes against property. However, for serious crimes against the person, involving firearms or sexual assaults, society must send a message. The government must be responsible and make it clear that lawmakers will not tolerate such acts. It is a matter of protecting....

**Mr. Rhéal Fortin:** I agree with you. I don't want to interrupt, but unfortunately, we have very little time. I'd like to move on to another question.

That's the position of police, a position I realize is shared by many people. I'd like you to answer the next question based on your experience as a police officer on the ground and a retired police officer. I imagine that a lot of people around you know that you were a police officer. You are active, for example, by appearing before us today.

Does the opinion that minimum sentences should not be abolished originate somewhat with the police?

On the ground, what are the families of the victims and the families of the assailants who are in prison saying about possibly abolishing the minimum sentences associated with firearms?

**Mr. Stéphane Wall:** As I mentioned in my opening remarks, we have created a citizens group that includes people from diverse backgrounds. Ms. Murielle Chatelier wrote a letter to parliamentarians, which I invite you to read. It is co-signed by people from diverse backgrounds.

When residents and victims' families, particularly those we met with, come together, they demand accountability for the acts committed. These people from the community realize that some people, some suspects, are complacent. They want accountability. According to them, families are part of society, but in the communities, accountability is needed and children must be told that, while they have rights, they also have duties toward others. Not all groups from diverse backgrounds think alike. It's important to consider accountability for actions.

• (1340)

**Mr. Rhéal Fortin:** What are young members of street gangs or victims of street gangs saying about minimum sentences?

**Mr. Stéphane Wall:** I'll speak about the victims who we've met, particularly fathers who've lost a child—

[English]

**The Chair:** Unfortunately, Mr. Wall, we're out of time. Hopefully, we'll get to you in the next round.

Next, we go to Mr. Garrison for six minutes.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you very much, Mr. Chair.



I want to start by thanking Ms. Guerin for her testimony today. It is difficult to relive trauma and injustice in public, and I thank her for her bravery in appearing. It is also important that survivors make their testimony to us. Whenever we've made progress against injustice, it's almost always because survivors have been willing to make that personal sacrifice. Again, my sincere thanks to Ms. Guerin.

I'd like to ask her about the differential costs, I guess I would call them, of incarceration for indigenous and non-indigenous people. When indigenous people are sentenced to a term in prison, can you talk about the effects that has on the family and the community?

**Ms. J. Michele Guerin Skalusat:** I can speak from direct experience on that.

There were two situations in my family. It sounds like a lot to me, but then when you look at the statistics, you kind of understand how that statistic gets there.

Like I said, my mother went into Oakalla. It had a severe effect on her psychological and emotional well-being—just the stigma of it. Also, then, my ex, my first husband, served many sentences for drunk driving, like I said. I used to say that it was really strange, because as a family we have six kids and I'm at home trying to raise six kids.... I used to say to my ex, "You're in this minimum security club playing golf and I'm struggling to feed kids."

Anyway, yes, I do think that—I don't know if I'm answering the question—it definitely has an effect on the families and on the communities, right, with the trickle effect of how it affects the kids, the community and stuff.

**Mr. Randall Garrison:** In your direct experience that you've talked to us about, what you're talking about is the impact of the systemic racism, resulting in maybe repeated incarcerations for many people from indigenous communities, instead of seeing them get the treatment and support they need.

**Ms. J. Michele Guerin Skalusat:** Yes. Like I said, in Canada, he was charged four or five times with drunk driving, and it had no effect. There was a cash penalty or weekends in jail or whatever. Then, when he got charged on the U.S.-Canada border, he had to appear in Blaine court, and they ordered him to go to a treatment centre. It changed our lives, right? It didn't just change our lives: He became a drug and alcohol counsellor. Because he had been such a chronic alcoholic, his credibility in the community to help people was way up. I just think that the trickle effect from him going to a treatment centre affected our whole community, right? That was a much better outcome.

**Mr. Randall Garrison:** Just to be clear, in this bill, when it talks about making conditional sentences available, we're talking about making conditional sentences available only for sentences of less than two years. I know that sometimes there are distortions that get brought into the testimony. We're not really talking about sentences of longer than two years, which would be for the most serious violent crimes, but again, I'm just asking you, from your experience, those who go in for short periods of time, do they get rehabilitation and treatment? Did your mother get any kind of supportive treatment when she was in Oakalla?

**Ms. J. Michele Guerin Skalusat:** None that I'm aware of, and none when she got out. It had a real detrimental effect on her, I

would say, on her mental health. She had physical health issues. She had been shot in the leg at one time and....

**Mr. Randall Garrison:** I'm very interested in the BladeRunners program—it's a program I'm very familiar with—and the bar for getting into the program for those with criminal records.

In your personal experience, are there other additional penalties that people suffer when they have a criminal record in terms of access to housing or employment? Can you talk about some of those additional barriers?

• (1345)

**Ms. J. Michele Guerin Skalusat:** I don't know. I'm not familiar enough with them to know whether there are any for housing and jobs. Even in the work that I do, we've had someone we hired who had a criminal record, and then, interestingly, we had to let him go because of his criminal record, but it was the nature of his criminal record. He was working on a construction crew and facing charges of sexual assault on indigenous women, and then he was on a work crew of all indigenous people. There was a level of discomfort.

To me, I'm just so passionate about this BladeRunners thing, because I lived on the streets and I know what it's like to look ahead and think, "Oh my God, how am I going to build a life by myself?" You age out and you're alone. The young people in this program become a cohort together, you know. They just build each other up. They strengthen each other. That's why there are other kids on the street wanting to get into it.

I don't know if I answered your question properly.

**Mr. Randall Garrison:** Just very quickly, in your experience, for those who need to have the criminal records suspended or pardoned, how easy is it for them to access that process?

**Ms. J. Michele Guerin Skalusat:** We used to have a clinic. UBC had an indigenous legal clinic in the skids down in Vancouver. It was accessible for a lot of people. We often had clients come in asking us to help them fill out pardon papers and those kinds of things.

It's just kind of manoeuvring around the system and trying to find the resources. There's not a lot, at least in B.C.

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

Next in our first round of five minutes, we'll have Mr. Cooper.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Thank you, Mr. Chair, and thank you to the witnesses for your testimony.

My questions are for Mr. Wall.

Mr. Wall, you have extensive experience in law enforcement. In your testimony and your answers to questions posed by Monsieur Fortin and Mr. Moore, the questions were focused on mandatory jail time and more specifically with regard to the firearms and drug offences.

There's another component of Bill C-5 and that is the significant expansion of conditional sentencing. The bill, according to the Liberals, is just a matter of seeing that supposedly non-violent criminals can serve time at home instead of behind bars. When one looks at some of the offences that would now be eligible for house arrest, they include prison breach, criminal harassment, sexual assault, kidnapping, trafficking in persons for material benefit, abduction of a person under the age of 14, theft over \$5,000, breaking and entering a place other than a dwelling-house, being unlawfully in a dwelling-house, arson for a fraudulent purpose, assault causing bodily harm or with a weapon, and impaired driving causing death, among other serious offences.

What is your opinion of the appropriateness of expanding conditional sentencing for these offences?

[Translation]

**Mr. Stéphane Wall:** Care must be taken to not lump everyone together. For some types of crime against property, such as break and enter, a scale could be established, giving a conditional sentence for a first or second offence. This could be realistic or possible if we want to give people a chance.

Now, in my 29 years as a police officer, I've met police officers, victims, members of the general public and the silent majority, and no one understands why criminals who commit crimes against the person would be given conditional sentences. A well-informed public cannot be in favour of that because we're talking about sexual assault, assault, threats, blows and assault with a weapon. These criminals who commit violence against women, children and men cannot take priority. Priority must be given to their victims, the people who are being hit and threatened. These people should be given priority and kept safe. Criminals should therefore not be allowed to return to the community without supervision.

The reality is that, beyond the principles, there is no supervision during parole or release. Parole officers can be required to handle 250 people. There is no real supervision, and the same is true for conditional sentences. Criminals find these measures lax, and they laugh at them and take advantage of them.

• (1350)

[English]

**Mr. Michael Cooper:** Thank you for that.

I think you raise a very important point about the lack of supervision. The director of the London Abused Women's Centre, who appeared before our committee last week, said that as a result of the expansion of conditional sentencing specifically as it pertains to sexual assault, vulnerable women are going to be put at risk.

Would you agree?

[Translation]

**Mr. Stéphane Wall:** Absolutely.

I remember a particular case about five years ago. A few weeks after a man was arrested for sexual assault, the victim found herself face to face with the suspect in the same neighbourhood.

Is it normal in our society, with a goal of reintegration, to allow suspects to quickly return to society and to not protect—but rather stigmatize—victims? That's not desirable or normal in a society like Canada. We should always give priority to the rights and freedoms of the victims over those of the criminals.

We all believe in the principle of reintegration, and it works in some cases. However, if we look at the scope of crimes against property and crimes against the person, Canada clearly needs to crack down on people who physically attack others or commit sexual assault. They must suffer strict consequences based on the seriousness of their actions. That is what our citizens group is recommending.

[English]

**The Chair:** Thank you, Mr. Wall, and Mr. Cooper.

Next is Ms. Shanahan for five minutes.

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** Thank you very much, Mr. Chair.

I, too, want to thank our witnesses for appearing before us today, especially Madam Guerin Skalusat.

I was very touched by your story. Thank you for sharing that with us. I'm very sorry for the losses you suffered. Nonetheless, in your story there is empowerment that happens with time. So congratulations on being here before us today to share your expertise and ideas with us about how we tackle this very difficult problem of anti-social criminal activity within a community. You alluded to that in an earlier answer, noting that for community members who pose a danger to other community members, there need to be some boundaries around that.

I'd like to get your ideas. I'm neither a regular member of this committee nor a lawyer, but I would like to hear your expertise on that. Do you have confidence in judges being able to do the kind of sentencing that would allow for someone who needs to be in prison to actually be imprisoned for a certain length of time, or for someone to serve out their time in a community setting?

**Ms. J. Michele Guerin Skalusat:** I would say that, yes, I have confidence in the judges. I think the implementation of Gladue went pretty well. I think it's something that our community members and those who are facing the criminal justice system are very familiar with. We have lots of resources to support that process. Yes, with that same level of support, I think it would be good.

**Mrs. Brenda Shanahan:** Thank you, because I think that's what we're trying to say here. It's not that there wouldn't be any sentencing going on or that people would get off scot-free; it's trying to address the person in front of the judge.

You talk about your work in training youth with the BladeRunners program. I would like to hear more about that program. In your ideal world, what would you like to see happen in order to do the kind of preventative program work that would reduce gang violence, for example, in a community?

• (1355)

**Ms. J. Michele Guerin Skalusat:** That's a tough one.

On the gang issue and what could be done, I think something has to be done at the community level. I think there has to be buy-in of the political leadership, of our indigenous leadership—and I think at some level, there is. It's a challenge, no doubt, because some of these gang members are our family members. Right? It's hard....

Sorry, what was the first part of your question?

**Mrs. Brenda Shanahan:** What would your vision be? You've been involved with the BladeRunners program.

And by the way, talking about communities and gang members being a part of the family, all of our communities, all of us from every heritage background, have had our own problems. I'm Irish. I have seen a bit in my time. But I like your approach.

**Ms. J. Michele Guerin Skalusat:** This is kind of a new phenomenon on Indian reserves. Well, at least it is in mine, just from seeing the growth of it over the last maybe 10 years.

Yes, it's definitely an issue that needs to be dealt with. There are firearms involved. There are guys kidnapping each other. Some of the issues that you're addressing in this bill would target some of those individuals.

**Mrs. Brenda Shanahan:** Would you have any ideas around the police forces on reserve? I live near the reserve of Kahnawake. The peacekeepers, from what I have seen, do an excellent job, but there could always be more reinforcement. What do you think?

**Ms. J. Michele Guerin Skalusat:** You know, I sat at a lot of treaty negotiation tables and there was a lot of discussion about whether to take over some of these areas of jurisdiction. It would take a lot of political will and a lot of resources to do it, for the communities to have what they need to support the work, but I think it could be done.

**Mrs. Brenda Shanahan:** All right. Very good.

Chair, do I have more—

**Ms. J. Michele Guerin Skalusat:** I would honestly recommend using the.... I shouldn't, but because of the work I've done—I've worked with self-governing communities—I just think they have momentum to build new processes and systems and to address their issues. They often have the revenue as well. I think if you wanted to pilot them or something, it might be through some of those communities that really have their political house in order, as I always say, and have self-government.

**Mrs. Brenda Shanahan:** Very good.

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

Next we have two two-and-a-half-minute rounds, beginning with Monsieur Fortin.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you, Mr. Chair.

I have another question for Mr. Wall.

Mr. Wall, I understand your position on mandatory minimum sentences. I would now like to hear from you on the other aspect of Bill C-5, diversion.

I imagine that you read the bill before appearing today. You understand that part of the bill is about diversion, or allowing the police to make decisions in some cases. For example, should individuals be brought before justice or should alternatives instead be considered to help them more?

Finally, what the bill proposes is to deal with drug addiction problems as health issues rather than criminal issues. Thus, instead of initiating a process that would send someone to prison, the system seeks to treat or heal their addiction. Obviously, we're talking not about trafficking here, but about personal use.

What do you think about that? In your opinion, are the police being given too much power?

Should a judge or prosecutor be the one to make those decisions, or in your opinion, are the police able to make that assessment about whether or not to use diversion?

**Mr. Stéphane Wall:** What I can say about that is that the principles of diversion have existed for many years in the Young Offenders Act, so discretion is already being used with young offenders.

As I've said since the beginning, when the crime is not a crime against the person, there should be more openness to alternatives.

In the case of substance use or narcotics possession, the police could, with the help of a social worker or joint team, decide not to tie up the courts with all these situations.

There could be the possibility of having joint teams to assess the situation, the individual's past and the objectives of certain programs to see whether remedial action can be used. I'm not completely opposed to that possibility.

The important thing is to be rational and to use a scale for the different situations. Indeed, it may be a public health problem, but limits also need to be set at some point. For someone who's using narcotics and who has a family, for example, the decision could have repercussions on the family.

● (1400)

[English]

**The Chair:** Thank you, Monsieur Fortin.

Mr. Garrison, you have two and a half minutes.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I want to go back to Ms. Guerin, where Ms. Shanahan left off.

I want to talk about the interesting idea you've proposed here. As a result of Bill C-5, we might see ourselves ending up in negotiations with first nations to provide more services like overseeing conditional sentences. You talked about being at treaty tables and seeing growing capacity.

Could you say some more about that? Again, recognizing that conditional sentences only apply for those under two years, do you believe there are a lot of communities that could take up this challenge and provide effective conditional sentencing programs?

**Ms. J. Michele Guerin Skalusat:** In my view, yes, I think there is. I've worked with a number of nations, not just self-governing nations in B.C. but also those who are on the path toward that. I always call it a spectrum, so they're somewhere along that spectrum of self-government. Most of them are closer. Self-government isn't some moment that you just achieve and then it's all euphoric.

There's a lot of capacity in many of the nations to do this work. There would be interest in doing the work. The only caution I would have is if it were a conditional sentence for sexual assault, and both the victim and perpetrator were from the same community, it would require some circles to kind of work through the victim's feelings, I would expect. We've got many strong processes with elders in the courts over in B.C. that deal with all of these kinds of sentencing matters.

**Mr. Randall Garrison:** To your earlier comment about trusting judges, judges rarely apply sentences of less than two years in cases of sexual assault, or other crimes involving violence directly.

Could I be a little more personal here at the end? Obviously, you went through traumatic experiences caused by systemic racism, and you managed to find your way through and out of those.

What do you think the critical factors are for young people who face those challenges in finding more positive paths, and how could we enhance those?

**Ms. J. Michele Guerin Skalusat:** Oh, wow, I would say probably that we need an action plan for the inquiry into missing and murdered indigenous women and girls. There are many recommendations made in there that would probably be very helpful if they were implemented. I don't know.

What did help me in the long run is that I became part of a project called 49 children project, and I learned this through freedom of information request. I did an FOI request for my file from the ministry, which was mind-blowing. I learned through that pro-

cess that I had become part of a master's thesis project, where a social worker took 49 children and returned them to their biological parents. He said he was going to monitor them to see what happened. I always wanted to say to him, "Here I am. I'm still killing it." It's those kinds of things that are very offensive to indigenous people, especially if you grow up in care, and then you find out you became part of these experiments.

**The Chair:** Thank you.

I want to thank Mr. Garrison and all of the witnesses. It's always tough reflecting on your experiences and sharing those in a public forum. Our hearts go out to you for doing that in such a great manner.

I'm going to suspend for a few minutes while we do a sound check. Other witnesses will tap back in, and the others can leave.

We'll resume in a few minutes.

● (1405)

**The Chair:** We'll now resume.

To the new witnesses who just came in, I have some quick housekeeping to do. When you have 30 seconds left, I'll raise a green folder. When your time is up, I'll raise a red folder. Please try to watch for those, so I don't have to interrupt you. I'll do the same for members when they're speaking.

Each group will have five minutes to present an opening statement, followed by rounds of questions. If there's something you haven't been able to get out in your opening statement, please do so in the round of questions.

From the Brantford Police Service, we have Robert Davis, chief of police. From the Canadian Association of Chiefs of Police, we have Rachel Huggins, deputy director and co-chair drug advisory committee, along with Michael Rowe, inspector, and member of law amendments committee. We also have, from the National Police Federation, Brian Sauvé, president.

Welcome to all of you.

We'll begin with Chief Robert Davis, for five minutes.

**Chief Robert A. Davis (Chief of Police, Brantford Police Service):** Good afternoon, members of the committee. Thank you for the opportunity to be here before you today. My name is Rob Davis and I am the chief of police for the Brantford Police Service. I'm proud to be a Mohawk from the Six Nations of Grand River Territory on which the city of Brantford sits. We are located on the western edge of the Greater Toronto Golden Horseshoe area. I'm proud to be the only indigenous leader of a municipal police service in Ontario, and I've been in policing since 1990. I have served over half of my career in indigenous communities, with the majority of that time being with my home community of Six Nations, where I served with the Six Nations Police Service as well as with the Nishnawbe Aski Police Service in Ontario's far north. I've been the chief of police for over a decade, having led a small municipal service in Ontario's northwest—Dryden—prior to leading Alberta's third-largest municipal police service in Lethbridge, and now serving in the city of Brantford, a mid-size city with approximately 100,000 people.

I have witnessed first-hand throughout my career and especially over the last five years the lack of deterrence bail reform has created, specifically since 2019 when we saw bail reform implemented, and it will only be amplified if Bill C-5 is passed and allows for even weaker sentences. Victims of communities will live in fear of gun violence and fearful of retaliation by armed criminals, and people will continue to overdose, many of whom will die from fentanyl and other drugs laced with fentanyl that continue to be trafficked with impunity.

Certain crimes must result in the removal of the perpetrators from society so that the masses, the law-abiding masses, have a reprieve. Specifically for crimes committed using firearms; trafficking, production and importation of drugs, and many of the offences listed in paragraph 742.1(f), they're calling for conditional sentences.

My observation has been that crimes committed using firearms are prolific and ever-increasing. The victims of crime live in fear. We are seeing the scourge of trafficking, importation and production of drugs in our cities. Conditional sentences as suggested clearly will not work.

With that, I will take any questions.

• (1410)

**The Chair:** Thank you.

Next we will go over to Rachel Huggins.

**Ms. Rachel Huggins (Deputy Director and Co-Chair, Drug Advisory Committee, Canadian Association of Chiefs of Police):** Good afternoon and thank you for the opportunity to address this committee on behalf of the Canadian Association of Chiefs of Police.

The CACP applauds the government's effort to modernize Canadian legislation to help address the disproportionate representation of indigenous and racialized communities in Canada's justice system. As stated in our July 2020 report, we support the decriminalization of simple possession of illicit drugs as an effective way to reduce the public health and public safety harms associated with substance use.

While there is support to divert substance users away from the criminal justice system, police across the country have maintained the pursuit of individuals associated with organized crime and criminal networks making large profits trafficking and producing dangerous illicit drugs. Currently under the CDSA, mandatory minimum sentences apply only to serious drug trafficking, production and import/export offences from which public safety is at risk. The use of mandatory minimum sentences is considered when there are aggravating health and safety factors, such as for offences involving the use of a weapon or threat of violence and production operations that constitute a potential security, health or safety hazard to persons under the age of 18. We believe the use of aggravating factors applied to mandatory minimum sentences allows police and the court system to focus on those driven by monetary gains who are putting communities in harm's way, rather than those who commit drug offences to support their drug use.

Therefore, diversion is an important theme of our submission today. Diversion means ensuring that the unique circumstances of a specific offence and offender are considered by a judge when determining an appropriate sentence. It means distinguishing between vulnerable people committing minor offences who need to be oriented towards pathways of care and criminals committing serious offences. Diversion also provides opportunities to reduce recidivism and ancillary crimes.

It's important to note that for diversion at the police or court level to be successful, there must be an investment in community capacity and resources to support the availability and integration of health and social programs. The basic principles of this modernized approach of aggravating factor guidelines that have been adopted for serious drug-related offences could conceivably be applied to other crimes such as those involving firearms.

To speak more about this, I now invite my colleague Michael Rowe to address the committee.

**Staff Sergeant Michael Rowe (Inspector and Member, Law Amendments Committee, Canadian Association of Chiefs of Police):** Good afternoon.

The police in Canada support the primary objectives of mandatory minimum penalties to ensure consistency in sentencing, to protect the public and to discourage others from engaging in similar conduct.

For police officers, victims of crime, members of the public and even the offenders themselves, the circumstances that result in a criminal charge for most firearms offences often result in a real threat to public safety, exposure to stress and trauma that has a lasting impact on mental health and the erosion of public safety.

In my experience as a police officer, the following firearms offences, for which the mandatory minimum penalties are recommended to be repealed, hold significant value when addressing public safety and gang-related violence: the use of a firearm or imitation firearm in the commission of an offence, possession of a prohibited or restricted firearm with ammunition and discharging a firearm with intent or recklessly.

The mandatory minimum penalties assigned to these sections of the Criminal Code create a meaningful legal condemnation of the decision to unlawfully pick up a firearm and reflect the important distinction between offences involving firearms and those that do not. Rather than repealing mandatory minimum penalties for serious offences that have a direct impact on public safety, Parliament could provide the judiciary with additional powers via a legislated clause or safety valve, which is something other countries with mandatory minimum penalties have but which is currently absent in Canada.

This remedy would allow for the objectives of mandatory minimum penalties to be met, especially for firearms offences that present a real threat to public safety. It would also establish judicial discretion to individually assess each offence and offender to determine if the mandatory minimum penalties are appropriate. Finally, this approach would reduce the need to rely on a reasonable hypothetical to test the impact of mandatory minimum penalties on outlying cases. Imagined offenders and reasonable hypothetical arguments often reduce the significance of firearms offences to regulatory infractions.

This can be frustrating for police officers who see the very real impact of the unlawful possession of loaded handguns, the use of firearms and imitation firearms to commit crimes and the discharge of live ammunition, and the impact that these have on the perception of safety within our communities across Canada.

In conclusion, the Canadian Association of Chiefs of Police recommends proceeding with the decriminalization for possession of illicit drugs. We also support maintaining mandatory minimum penalties for serious crimes that warrant them, and we support adding a legislated safety valve that provides sentencing judges with an opportunity to consider the individual circumstances of the offence and the offender to determine if the mandatory minimum penalty is appropriate or if an individual could be diverted away from the justice system toward an alternative pathway.

Thank you very much.

• (1415)

**The Chair:** Thank you to both of you.

Next, we have Brian Sauvé from the National Police Federation in Surrey, B.C.

**Mr. Brian Sauvé (President, National Police Federation):** Good afternoon. Thank you for inviting me to appear today.

I'm Brian Sauvé, a sergeant in the RCMP and current president of the National Police Federation, which is the certified bargaining agent representing close to 20,000 members of the RCMP.

I'd like to begin by acknowledging that I'm speaking today from the traditional unceded territory of the Algonquin Anishinabe people.

Bill C-5 takes several important steps in the right direction. This legislation acknowledges and supports practices that are happening today, such as the discretion of police officers to refer offenders to diversion and treatment programs. Legislative support for these practices means enforcement across Canada will become more con-

sistent. However, the legislation lacks clarity in many areas. I'd like to address three main areas of concern.

The first is police resources and discretion. We support the use of police discretion and alternatives to incarceration for lower-risk offenders who would benefit from treatment and rehabilitation. Diversion to these programs is a valuable tool for police. Our members acknowledge this key role, but government must provide the necessary support and resources to make sure that police officers can do it effectively.

Even after this bill is passed, police officers will still need to enforce laws against those involved in drug smuggling, drug trafficking and drug production. The link between weapons and drug trafficking still needs to be addressed. Drug trafficking exacerbates the opioid epidemic, which continues to impact Canada's health network and police services.

For perspective, in 2020 the opioid crisis claimed the lives of 6,306 people in Canada. That's equivalent to 17 deaths per day. The government has invested hundreds of thousands of dollars to combat this crisis, but the numbers continue to rise. To address these important issues, we will need a whole-of-government approach.

The second area of concern is program availability. Bill C-5 needs to be accompanied by an expansion of investments in programs such as addictions treatment, rehabilitation and diversion. The need for greater support for social programs exists across Canada, however the gap that police officers and community members face in rural and remote areas needs to be urgently addressed.

According to a Justice Canada report, 48% of surveyed police agencies have a pre-charge diversion program for youth offenders. However, 66% of rural and small-town police agencies have no pre-charge diversion program. This gap is further exacerbated in indigenous communities where the lack of diversion programs aggravates overrepresentation in the justice system. Successful diversion programs need consistent, ongoing funding and meaningful evidence-based oversight to ensure effectiveness. Meanwhile, police officers require the time, the staff and the resources to be able to refer cases to these treatment programs.

The third is border integrity. Bill C-5 strikes down some mandatory minimum penalties related to weapons trafficking and firearms offences. This is inconsistent with the expressed intent of the government to reduce firearms violence in Canada. The legislation maintains mandatory minimum penalties for offences such as weapons trafficking, the production of automatic firearms and murder or manslaughter involving the use of a firearm. However, tackling criminal activity requires strong measures against criminals who threaten vulnerable communities, especially criminal activity that funds and empowers gangs and organized crime. Bill C-5, unfortunately, does not address these problems.

The removal of mandatory minimum penalties requires additional deterrence measures to address criminal activity, such as providing more resources to stop the import of illegal drugs and firearms at the border. The NPF calls for increased funding for the RCMP border integrity program and the creation of an investigative firearms smuggling unit.

In conclusion, to achieve its primary goal, this legislation needs to be backed by increased funding in three areas. It is needed for evidence-based and effective social programs to ensure that the root causes of drug use and firearms trafficking are being adequately addressed; for sufficient police resources to ensure that members have the personnel and resources to meet the increased workload created by this legislation; and for support for border enforcement to address the import of illicit drugs and firearms.

Thank you. I'm happy to answer any questions.

• (1420)

**The Chair:** Thank you, Mr. Sauv e.

Now we'll go to our first round of questions.

For clarity, for any of the witnesses who don't have interpretation, I'll just let you know there's an interpretation function on the bottom of your screen if you're doing it remotely. In the House, you can set the headset that's in front of you to the floor, which is whatever language is being spoken, or English or French. You can turn up the volume and use those. I know you've probably been advised already. I'm just letting you know in case there is any issue.

We'll go to Mr. Brock for six minutes.

**Mr. Larry Brock (Brantford—Brant, CPC):** Thank you, Mr. Chair.

Thank you, witnesses, for your attendance today.

To Chief Davis, given your decades of police service in numerous cities and towns in various provinces and indigenous reserves in both southern and in northern Ontario, I would like to hear your opening thoughts on the impact of policing and community safety if the current version of Bill C-5 passes without amendment.

**Chief Robert A. Davis:** Thank you for the question, Mr. Brock.

As I mentioned in my opening remarks, victims of crime are already frustrated with bail reform. The perception of the victims is that the criminals' rights supersede those of citizens. With Bill C-5 and the proposed changes now, we are going to see sentencing become a joke, to be quite candid. The perception of the victims of crime will be, once again, that their rights have been given to the criminals.

I am very concerned that what we're seeing with indigenous populations.... In my experience on reserve and off reserve, with urban, indigenous populations, there is already a layer of distrust of the police and the justice system. We have to work really hard to get people to co-operate with us. I experienced this when the justice system was perceived to fail them, because the criminals' rights supersede those of the victim—

• (1425)

**Mr. Larry Brock:** Thank you, Chief. We have to move on, because my time is limited.

Bill C-5 removes limitations placed on the use of conditional sentences of imprisonment. Offences such as sexual assault, arson, criminal harassment, kidnapping, trafficking of persons, abduction of persons under 14 and prison breach are now open for consideration.

Can you comment on how this will impact community safety in the context of the offences I just read out? I would also like to hear your opinion on the deterrent impact of conditional sentences and the reality on the street when it comes to the compliance and enforcement of those orders.

**Chief Robert A. Davis:** I'll reiterate that the criminals are going to operate with impunity. We already have weak bail conditions. They will be exacerbated by weak sentences. Essentially, conditional sentences are so that they can serve in the comfort of their homes. That is not a sentence. They will be able to operate.

When you look at the list in paragraph 742.1(f), it's perplexing. There's criminal harassment. We heard the earlier speakers talk about the intimidation and harassment that goes on by the criminals. There are sexual assaults and kidnapping that we see tied to the drug industry with firearms being involved. There's trafficking in persons. If we're serious about human trafficking, are we going to allow house arrest for a human trafficker? It makes no sense.

**Mr. Larry Brock:** Opponents of mandatory minimum penalties argue that they unjustly limit judicial discretion, have little or no deterrent effect and can result in disproportionate sentencing. The government argues that we should trust our judges across our country to do the right thing and hold offenders accountable, while at the same time promoting community safety.

I'd like to hear your thoughts based on your experience, both on the judicial issue and the deterrent impact of eliminating mandatory minimum penalties, particularly within the firearm context.

**Chief Robert A. Davis:** First, with the judicial impact and the question about trusting the judges and there will be consistency, there is no consistency. My experience from southern Ontario to northern Ontario was night and day. My experience from Ontario to western Ontario, when I was serving in Alberta, was night and day. The belief that there would be consistency among judges is not founded in the reality I've observed throughout my career.

With respect to the impact of turning sentences into conditional sentences, again, I think the justice system is being brought into disrepute. People will operate with impunity and the victims' rights are going to be given away in favour of the rights of the criminal.

I'm sorry. I have one last point. The enforcement of conditions requires police resources to do those compliance checks, which we're not funded for. If we're going to have house arrests, there has to be a rigorous compliance program. At this point, most police services would struggle to have the resources to do an effective job of that compliance.

**Mr. Larry Brock:** Thank you, Chief.

I've got a minute and a half.

The government has argued since introducing the bill that mandatory minimum penalties have the disproportionate impact of the over-incarceration of indigenous offenders—males, and especially females—and other marginalized populations. Given my prior legal career as a Crown attorney, I am particularly cognizant of the over-incarceration issue.

I would like to hear your thoughts on this and the efforts, particularly in Ontario, and impact of indigenous peoples courts, commonly known as “Gladue courts”, in under one minute, please.

**Chief Robert A. Davis:** There's a time and place for Gladue. Gladue considerations do make sense. I support Gladue considerations for the offences that are lower in nature. But when we're talking about using firearms in the commission of an offence, the trafficking of drugs, the importation of drugs or the production of drugs that impact communities, those are crimes for which it makes no sense to apply Gladue, especially when the victims are indigenous as well.

So there is a time and place for Gladue, but for the offences that are suggested to have the minimums removed, it makes no sense.

**Mr. Larry Brock:** Very quickly, what is the perception of law-abiding indigenous residents on the Six Nations of the Grand River as it applies to Gladue courts?

**Chief Robert A. Davis:** Again, I don't speak for Six Nations. It's the largest community base of population, so there are varying opinions. My experience when I worked there, in dealing with indigenous people from Six Nations in Brantford, was much like I said. There is a time and place for Gladue, but if the people committing the crimes are indigenous and it's impacting our people, then the Gladue considerations are moot, because they're harming our own people.

**Mr. Larry Brock:** Thank you, Chief.

**The Chair:** Thank you, Mr. Brock, and thank you to our witness.

Ms. Diab, you have six minutes.

**Ms. Lena Metlege Diab (Halifax West, Lib.):** Thank you very much, Chair.

Thank you to all of our witnesses for coming to be with us this Friday afternoon as we continue to hear testimony on Bill C-5.

Mr. Sauv , I am going to direct my first question to you. I met this week, as part of Lobby Week, with two sergeants from the Halifax police association. We had a great discussion. The conversation included a discussion of mandatory minimum sentences. They gave me a pamphlet—I'm not sure how many MPs met with them too—with three recommendations, one of which, when I read it, tied ex-

actly into Bill C-5, and I told them that. It dealt with mandatory minimum sentences.

The sergeants I was meeting with didn't know anything about Bill C-5. They were lobbying us in government—obviously, as it's called Lobby Week—to exempt officers and to allow the mandatory minimum sentences that allow judicial discretion when officers discharge their service weapon in the line of duty. Would you argue for that same change? Can you discuss the importance of flexibility for judges to craft sentences that fit whatever unique circumstances?

Given what we're doing, I found this one very important, so I'll ask you that question.

• (1430)

**Mr. Brian Sauv :** Thank you for the question. I am familiar with the position they have lobbied you on. Essentially, what we're talking about is that we entrust police officers with a lot of power and authority in Canada. Section 25 of the Criminal Code gives them essentially the ability to take a life if the situation warrants it. Unfortunately, that life may be taken with the use of a firearm.

Right now judges have very little discretion. If a member of a police service takes a life using a firearm, that is the use of a firearm in the commission of an offence. Should that interaction be deemed criminal in nature by any civilian oversight body, and you go to a judicial proceeding and that member of that police service is found guilty, there is no discretion. A mandatory minimum must be imposed.

The ask to impose some judicial discretion for police officers or corrections officers or those working at the border who are armed, should they end up in a lethal interaction and ultimately end up in a proceeding where they're found guilty, is for the judiciary to have some discretion to not impose a mandatory minimum sentence on that member of that police service. That's what they're asking for.

Yes, I would support that 100%.

**Ms. Lena Metlege Diab:** To take that a bit further, I think I may have heard this, but I just want to double-check. Would you support, then, more flexibility for judges to use their discretion in other offences, depending on the unique situation?

Remember, we're talking mandatory minimums for offences that generally we're trying to...and for conditional sentence orders as well, where, again, the term is less than two years of imprisonment for those who don't pose a threat to public safety, whether it's police officers or any members of society, whether it's an indigenous individual, somebody from the African community, or a white or Black man or woman or whoever.

That's what I'd like to know.



**Mr. Brian Sauv :** I think we have to delineate the two.

On the one hand, we're talking about police officers who are trained and highly regulated within their use of force continuum, and we're talking about specifics—and they are rare—where a police officer may get convicted or charged for a use of force incident using deadly force such as a firearm.

That is where that particular lobby perspective is: to allow the judiciary to use discretion, because we trust them to use that authority on a very, very rare basis, and it is extremely rare that it is used in Canada.

When you start talking about broader perspectives, it is a bigger discussion and, as I mentioned in my opening remarks, we really are opening up a can of worms that touches on many of the social safety networks that our communities across Canada—both large and small—rely upon.

Whether it's overrepresentation within the justice system or whether it's treatment programs, there needs to be a consistent approach in every community across Canada if we're going to look at the elimination of mandatory minimum penalties.

• (1435)

**Ms. Lena Metlege Diab:** I hear you on resources, and I hear you on the need for effective social programs. I think we hear that and we agree with that. Thank you.

Does that green folder mean my time is up, Mr. Chair?

Thank you very much.

**The Chair:** No. You have 30 seconds.

**Ms. Lena Metlege Diab:** Okay.

For my final question, can you talk about diversion in appropriate circumstances? Do you think that's good for the individual, their family members and their community?

**Mr. Brian Sauv :** In my experience, when we're not talking about violence and we're not talking about firearms, diversionary programs and treatment programs are extremely effective, and they are supportive of the rehabilitative nature of Canada's justice system.

**Ms. Lena Metlege Diab:** Thank you very much.

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

Now we have Monsieur Fortin for six minutes.

[*Translation*]

**Mr. Rh al Fortin:** Thank you, Mr. Chair.

I thank the witnesses for being here today. We thank them very much. This is an important bill, and all viewpoints are important to us.

I want to let the witnesses know that they can listen to my comments through the interpretation. I'll be speaking in French, so I hope my questions will be understood.

Mr. Davis, I'm interested in your views, and you said something at the end of your comments that caught my attention. According to you, the way Bill C-5 is drafted right now could give victims of

crime the impression that they are being left out in the cold to some extent. That struck me.

In general, I have confidence in our legal system. I think judges have sound judgment—if not all the time, in 99.9% of cases—and they hand down the appropriate sentences. What's more, when necessary, decisions can be appealed. I have quite a bit of confidence in the legal system, but the perception that society has of the legal system worries me. I think it's important for people to feel that they are heard and that they be aware that lawmakers are concerned about their point of view. That's our job.

I would like to know whether I've understood your remarks correctly and whether I'm interpreting them correctly. For example, judges could be given some flexibility. Mandatory minimum sentences could be maintained for crimes committed with a firearm, and judges could be given the possibility of waiving the maximum minimum sentence in exceptional circumstances.

In your opinion, could that meet the requirements regarding the public perception, or do we really need to take a hard line and maintain mandatory minimum sentences?

[*English*]

**Chief Robert A. Davis:** Could you repeat just the tail end of your question, please? There was a gap in the translation.

[*Translation*]

**Mr. Rh al Fortin:** Bill C-5 could be passed with a few amendments, and judges could be allowed to waive mandatory minimum sentences in exceptional cases. Minimum mandatory sentences would be maintained for crimes involving a firearm, but judges would be allowed to waive mandatory minimum sentences in exceptional circumstances.

In your opinion, and based on what you've seen in your work, could that meet the public's need for justice?

[*English*]

**Chief Robert A. Davis:** If the situations were exceptional, and if what makes them exceptional were conveyed clearly to the Canadian public and the victims of crime, I believe that's reasonable.

[*Translation*]

**Mr. Rh al Fortin:** Thank you, Mr. Davis.

I would like to ask the same question of Ms. Huggins or Mr. Rowe. I don't know which one would be best able to answer my question.

Based on what you have seen on the ground, would a provision like that provide the flexibility needed for judges to hand down a sound judgment, while maintaining the public's confidence in our legal system and our laws?

• (1440)

[English]

**S/Sgt Michael Rowe:** Thank you.

As I suggested, the use of a legislative clause or safety valve, as it's known, to allow judges in exceptional circumstances to examine the offender and offence in question would allow the establishing of a fit and proper sentence for serious crimes—specifically, those with firearms. It would let the public know that the government has set a fit and proper sentence but also allowed exceptional circumstances to be considered. This would provide judges with the legislative discretion to examine the individual offender in those exceptional circumstances.

[Translation]

**Mr. Rhéal Fortin:** Thank you.

I'll continue along the same lines.

At this time, there's a lot of talk about firearms trafficking through indigenous reserves, and attempts are being made to reassure the public. At one point, we proposed a joint squad made up of officers from the RCMP and provincial police from Ontario and Quebec, peacekeepers and U.S. police officers to try to truly address the issue of firearms trafficking.

Mr. Davis, in your opinion, could that reassure the public and reduce the negative impact or the negative perception of Bill C-5?

[English]

**Chief Robert A. Davis:** I think it would definitely help. One of the struggles I've experienced in my time in indigenous policing, as well as in municipal policing, is task forces typically being administered and run by the RCMP because of their multi-jurisdictional, cross-border or interprovincial nature. It goes in ebbs and flows—this lack of funding to allow municipal police services to second members.

Through my previous experience and my current work—I work very closely, daily, with the Six Nations Police Service—I feel indigenous policing is still treated as a program in this country. There needs to be a commitment from the government to make indigenous policing more than a program, so those services know they have the resources to take part in such task forces.

[Translation]

**Mr. Rhéal Fortin:** Thank you, Mr. Davis.

Since I have 30 seconds left, I'll close—

[English]

**The Chair:** Unfortunately, your time is up.

[Translation]

**Mr. Rhéal Fortin:** Do I not have 30 seconds left?

[English]

**The Chair:** It's been six minutes, yes. You have maybe 10 seconds, to be exact.

I'll go now to Mr. Garrison for six minutes.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I want to thank Chief Davis and the National Police Federation for bringing the resource question to the table. It's simply not enough to pass law. We have to make sure programs are properly resourced.

I want to start with a question for Mr. Rowe from the Canadian Association of Chiefs of Police. It's about the idea of a safety valve for mandatory minimums—something I personally favour. It's difficult for me to see how that could be added into Bill C-5.

Have you had any discussions, either among yourselves or with the government, about how we might get such a safety valve into Bill C-5? It would deal with overall judicial discretion, and the bill's a bit narrower than that.

**S/Sgt Michael Rowe:** Thank you, sir.

I did note that the United Kingdom has had mandatory minimum penalties for firearm offences for quite a while. Their mandatory minimum penalties are, in fact, more severe and strict than what Canada is proposing, but they have been successfully upheld in courts. They have been successful in using this idea of a safety valve or legislative clause. I believe there is precedent for it to be applied and to function well in the courts.

As I mentioned in my statement, the other benefit is that it would allow the individual offenders and offences to be examined, rather than having to rely on the reasonable hypothetical or imagined offender, in order to challenge compliance with current mandatory minimum penalties against the charter.

**Mr. Randall Garrison:** Thanks for that.

It is, of course, very persuasive for me, but—again—we have a narrower bill in front of us, so it's difficult to imagine how we'd get there from here.

I want to turn to Mr. Sauvé and talk about that gap he noted in the existence of diversion programs in rural, remote and indigenous communities.

Mr. Sauvé, how will we fill that gap? Who now funds most of those programs? Having noted the lack of programming, do you have any suggestions about how the government could make sure that gap gets filled?

**Mr. Brian Sauvé:** This is a big discussion. When I mentioned in my opening remarks the whole of government, we're not talking about just federal, obviously, because your health care systems are run provincially. All of those challenges are with respect to federal and provincial funding, not to mention access municipally.

Just yesterday I was talking to some legislators up in one of the territories. There we were talking about the challenges for health care simply just in rural and remote communities, without even broaching the subject of treatment and diversionary programs. For us, what our members are seeing—and the majority of our members in uniform out in Canada are in smaller communities outside of the Burnabys or the Surreys and the Edmonton areas—is exactly that. The government representatives on the ground might be Canada Post and the RCMP. If you're lucky, you have both.

Our members actually end up working with the community. We had a story from one of our members who was a chef before they joined the RCMP, and they started cooking classes for underprivileged youth. They brought in food and showed them how to sustain themselves. That kind of example is there. It's just off the cuff, off the side of a desk. It has an impact for the community ahead of time.

How do we get there, so that everyone in Canada has access to the same types of programs? That's a really big discussion. I'd love to be a part of it, but I think it involves more than just this table.

• (1445)

**Mr. Randall Garrison:** Just following along on that, in the experience of your members, is there a differential impact in the sense of incarceration when it comes to those in rural, remote and indigeneous communities versus those in urban communities?

**Mr. Brian Sauvé:** Yes. That's why in the opening remarks we mentioned how in different smaller communities there is sometimes a lack of access to precharged diversionary programs or treatment and diversionary programs. Just in terms of mental health act apprehensions, sometimes for our members that means an apprehension and a flight to the closest health care centre that has a psychiatric nurse. We could be talking about hours of police resources just to bring someone to the care they need.

Now you have to think about other precharged or charged diversionary programs and funding in those rural and remote communities. Eventually, you get to a point—and I think that's where we are now—where the systemic problem is that we're ending up with overrepresentation of those underfunded or neglected communities in Canada in the justice system.

We need to do better at the front end versus at the back end.

**Mr. Randall Garrison:** I guess you would say that the same thing applies when it comes to those who have been released from custodial sentences, that there really aren't appropriate facilities in smaller communities to help reintegrate them into the community.

**Mr. Brian Sauvé:** The conversation goes even further when we start talking about rehabilitation post-incarceration—whether we are looking at job training or education or vocational training—in terms of how we are funding that to make that person, who has served their sentence, a productive, happy member of whatever community they're a part of.

**Mr. Randall Garrison:** Thank you very much. I think we're just about out of time.

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

Just in the interest of time, so we can have a couple of minutes at the end, I'm just going to condense the next ones to two four-minute rounds, and the last two to two-minute rounds, if that's okay.

Next we'll have Mr. Morrison for four minutes.

**Mr. Rob Morrison (Kootenay—Columbia, CPC):** Thank you, Mr. Chair.

I want to thank all the witnesses for being here today.

I do have one question, I think for Mr. Sauvé, who represents 20,000 police across Canada, many in rural and really remote areas, which are, in some cases, are understaffed.

One of the clauses in the expansion of conditional sentences is that someone could get a conditional sentence order if they assaulted a police officer and caused bodily harm or used a weapon. I'm just wondering how it would resonate throughout the Royal Canadian Mounted Police across Canada if in fact Bill C-5 approved that.

**Mr. Brian Sauvé:** I think our membership, first off, would, say, try to find a Crown prosecutor who would lay the charge of assault of a police officer on the one hand. There is that.

Second, as for actually going to trial and having that, in today's underfunded and over-taxed judicial system, I don't even know if we would ever get to a trial. I don't even know if we would ever get to the point of sentencing.

However, yes, on the morale issue, just the perception of removing that would not go over well.

• (1450)

**Mr. Rob Morrison:** There's maybe one other thing too. I know from your policing experience and your representing of a large group of diverse police officers that lots of times, and even on this Bill C-5, we seem to focus a little bit on offenders when, in fact, really our priority and our focus, especially as representatives for Canadians, whether in my riding or across Canada, should be on victims.

I know that you, as a former police officer, always see the aftermath because you're dealing with the victim first and, of course, your job is to investigate and charge if charges are possible and arrest someone. From the people you have spoken to, if you have talked to them about Bill C-5 or about removing mandatory minimum penalties, if you've talked to the victims, have they given you any opinion on where they stand?

**Mr. Brian Sauvé:** I think from a global perspective we have to look at where Canada's justice system is focused. I did mention it in one of my other responses. Canada's justice system is focused on a rehabilitative set-up. It is not based on incarceration. It's based on rehabilitation, so if we're going to look an incarceration-based system, then, okay, we're going to have one person's rights exceed the other person's rights.

What we have to remember is that up until a point where a person is found guilty in a court of law, they have the same rights as everyone else, because they are only accused of a crime. I'm not a lawyer. I'm not a constitutional expert or anything, but the judiciary is there to impose fair sentencing based on the facts of the crime, so can we draft legislation that empowers one party to have greater rights than the other party?

I don't know. I can't give you an answer on that one.

**Mr. Rob Morrison:** That's no problems at all.

I probably have 30 seconds left.

I know that the RCMP has worked with restorative justice, and so have I, so I'm just wondering about the following. Don't you really think that we should be focusing on crime prevention—not so much crime reduction, but crime prevention? We talked about BladeRunners, another program that we have in Canada. Should we not, especially in law enforcement, be focusing on that and putting resources into that?

**Mr. Brian Sauv :** I agree with you. I did spend a lot of time with restorative justice folks in the early years of my career and I support it 100%. I think it's a fantastic program, whether it's a pre-charge diversion program or a post-charge diversion program, or even just restorative justice to eliminate the charge and sit down and have that discussion.

However, they have been unequally applied all across different jurisdictions with inadequate funding and with no effective mechanism to ensure they are effective.

**The Chair:** I'm going to have to stop you there as the time is up.

Next, I have Mr. Naqvi, for four minutes.

**Mr. Yasir Naqvi (Ottawa Centre, Lib.):** Thank you very much, Chair.

I'm going to go to Ms. Huggins and talk a little bit about what she was speaking of in terms of diversion. I believe it was in CACP's July 2020 statement addressing the opioid crisis that the organization called for alternatives to criminal sanctions for simple possession of illicit drugs and the adoption of a more health-based diversionary approach.

In your view, does Bill C-5 answer that call? Will it help address the opioid crisis that Canada is going through?

**Ms. Rachel Huggins:** With regard to Bill C-5 and the drug piece, it's very much reflective, so that the aggravating factors that are associated to the mandatory minimum penalties actually align with the CACP's perspective, in that it allows both the police and the courts to focus on the more serious factors when it comes to trafficking, importing, exporting and production. The way the aggravating factors line up, and looking at things like when there is violence or the use of weapons or the fact of its production when there is a child involved, those are the kinds of aspects that make the current state, that modernized approach, of the bill much more effective.

Mandatory minimums are there, but they are being used in a very specific way, and so we really do support the way it is currently, right now, with those aggravating factors versus just having no

mandatory minimums. We think the way it is articulated actually matches with the need to allow both the courts and police to divert individuals into pathways of care.

• (1455)

**Mr. Yasir Naqvi:** I was quite pleased when I saw CACP's position on diversion and its making the point that the government should look into passing a law that would allow for more discretion for police and prosecutors to divert people out of the criminal justice system, those who have been found to have simple possession of drugs.

What led CACP to come up with that position? That position is not one associated with policing partners, and I thought it was quite progressive. Can you speak a little to the research and analysis that went into making that recommendation?

**Ms. Rachel Huggins:** It's very much based on the fact we have been in an opioid crisis for the last four to five years. We are seeing a large number of deaths, and enforcement has not effectively addressed the issue.

From the opioid crisis, we recognize that these individuals who are dying, who use drugs or have to be resuscitated using naloxone by police, need other opportunities to find the right pathway and the right kind of health care and support services they need.

These are not going to come from the policing perspective, so that really encouraged the CACP to recognize that this is a health crisis and that police are there to support, but it needs a health focus.

**Mr. Yasir Naqvi:** Do you think—

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

**Mr. Yasir Naqvi:** Thank you, Chair.

**The Chair:** I apologize.

Next we'll go to our last two-minute round, beginning with Mr. Fortin for two minutes.

[*Translation*]

**Mr. Rh al Fortin:** Thank you, Mr. Chair.

I have only two minutes, so I won't repeat my statement but, if you'll permit, I'll continue to ask my series of questions.

Ms. Huggins, if you heard what I explained earlier, I would like to ask you a question about sentences for crimes committed with firearms. I'm not talking about other crimes.

Would a potential and useful compromise be to maintain minimum sentences while adding a provision that would allow judges or courts to waive them in exceptional circumstances?

[*English*]

**Ms. Rachel Huggins:** I do think that would be acceptable. We've used it with regard to drug offences. Similar provisions could be provided for certain firearm offences—not necessarily all, but I think that is a discussion that should happen.

[*Translation*]

**Mr. Rhéal Fortin:** Thank you.

I would like to ask another question, Ms. Huggins, in the few seconds I have left.

Earlier, I spoke with Mr. Davis about the fight against organized crime and firearms trafficking on reserves in particular. We proposed the creation of a joint squad to address firearms, which often pass through indigenous reserves that straddle the border between Canada and the United States and between Ontario and Quebec.

In your opinion, would such a joint squad with officers from the RCMP, the Ontario Provincial Police, the Sûreté du Québec, peacekeepers and U.S. authorities be useful in the fight against weapons trafficking?

In particular, would it help reassure the public by showing that the problem is being addressed?

[*English*]

**Ms. Rachel Huggins:** I'll have to ask my colleague to answer that question.

**The Chair:** Be very brief.

**S/Sgt Michael Rowe:** Very briefly, sir, that's what I've done for the majority of my career, namely, to lead joint task forces for gang violence, violent crimes and firearms offences. Basically, that's where my experience lies. It is an extremely effective way to deal with complex crimes such as cross-border drug trafficking. If you bring together multiple people from multiple agencies, you get a variety of experience. It's a very effective way of dealing with complex crime.

• (1500)

[*Translation*]

**Mr. Rhéal Fortin:** Thank you very much.

[*English*]

**The Chair:** Thank you, Monsieur Fortin.

The last two minutes go to Mr. Garrison.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I'll just quickly ask a question similar to Mr. Sauvé's.

When it comes to fighting the import of illegal weapons at the border, is the problem really sentencing, or legislation, or is the lack of resources applied to this problem?

**Mr. Brian Sauvé:** Bluntly put, it's lack of resources applied to this problem. I mean, we share the longest undefended border in the world with the largest manufacturer of small arms. If we're going to take gun safety and gun trafficking seriously, we need to look at how we're resourcing that particular border.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair. I'm prepared to end my questions now in the interest of time.

**The Chair:** Thank you.

I want to thank Mr. Garrison, who's always mindful of the time, and probably our best member when it comes to giving away time to others.

I want to thank all of the witnesses who have come today. You've given very valid and important testimony. You're free to go. If you want to stay around, you're more than welcome to stay.

We have a couple of minutes of committee business to do. Those who want to log-off are more than welcome to log-off.

Members, it's about member travel. We have to submit our request to the Liaison Committee today. It's been shared with everyone. I believe that first up is providing information as to where we want to travel. It's better to be broader than narrower. That is what I've been told. Once the Liaison Committee decides, if it decides, that this travel will be considered, we have to produce a budget for it and get that back.

Am I right, Mr. Clerk? Is that how it works?

**The Clerk of the Committee (Mr. Jean-François Pagé):** Yes.

**The Chair:** Do I see any debate on this or any raised hands? I've canvassed mostly the vice-chairs and Mr. Garrison on this.

(Motion agreed to)

**The Chair:** Thank you, Mr. Clerk. Do you need anything else from us?

**The Clerk:** No.

**The Chair:** Perfect. Have a good weekend, and we'll see you back next week. Take care.

The meeting is adjourned.





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