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# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Thursday, October 9, 2014**

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**Chair**

**Mr. Joe Preston**



## Standing Committee on Procedure and House Affairs

Thursday, October 9, 2014

•(1100)

[*English*]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** We'll call the meeting to order, please.

In the first hour today, we're in public. We have Mr. Bosc, Mr. Vickers, and Mr. McDonell.

Mr. Bosc, I understand you have an opening statement, so we'd like you to go first. This is on the order of reference of Thursday, September 25, on a question of privilege relating to the free movement of members within the parliamentary precinct.

We'll hear an opening statement from Mr. Bosc and then we'll go to questions from members.

**Mr. Marc Bosc (Acting Clerk, House of Commons):** Thank you, Mr. Chairman.

I'd like to thank the committee for the invitation to appear today on the question of privilege raised by the member for Acadie—Bathurst regarding the free movement of members within the parliamentary precinct.

I'm accompanied by Mr. Kevin Vickers, Sergeant-at-Arms of the House of Commons, and by Mr. Patrick McDonell, Deputy Sergeant-at-Arms and director general of security services.

[*Translation*]

We are here to provide context to assist with your inquiry into the events that occurred on September 25, 2014, which then gave rise to the question of privilege.

In these opening remarks, I will outline the importance of the unimpeded access of members, describe the roles and responsibilities of our security partners, and explain how we prepare for the special events that take place within the parliamentary precinct.

The House administration takes the issue of members' access to the parliamentary precinct, as well as the issue of the safety and security of all those who come on the Hill, very seriously. A key challenge with respect to security on the Hill is to guarantee security and access for all without infringing on members' rights and privileges. This is a task that is challenging on any given day, but particularly so on days when special events take place.

[*English*]

Unfortunately, this committee has previously had to study the matter of a breach of a member's privileges during an official visit. It summarized the importance of members' unimpeded access to the

Hill in its 26th report from the last parliamentary session, and I quote:

Members of the House of Commons should not, in any case, be denied or delayed access to the Hill and the precinct when they are known to be Members. The Member's pin, the Member's House of Commons ID card and any other piece of identification, as well as the use of the booklet by the security forces, may help to establish the identity of a Member, but he or she should not be denied access when he or she has forgotten his or her ID and/or pin and the security agent recognizes him or her to be a Member of this House.

The 26th report also goes on to describe what should be done in terms of trying to identify a member of Parliament before a decision to refuse him or her access to the parliamentary precinct is taken. Its recommendations set the standard we strive to apply on an everyday basis, as well as during special events.

In terms of roles and responsibilities, security in the parliamentary precinct is a shared responsibility involving various partners, and in the vast majority of cases, these partnerships work efficiently and effectively. I would like to reiterate that the security services of the Senate and the House of Commons respectively are responsible for security inside the parliamentary buildings and within the areas occupied by their respective chambers.

The grounds of Parliament Hill, on the other hand, are under the jurisdiction of the RCMP. Notably, on the grounds, the RCMP is responsible for providing immediate armed response, monitoring daily activities, and screening vehicle access.

•(1105)

[*Translation*]

A key step towards interoperability was taken five years ago through the creation of the master security planning office, which is comprised of representatives from the Senate, House of Commons and RCMP. The mandate of this office is to provide guidance and strategic direction, and to ensure a proactive and coordinated security approach within the precinct.

[*English*]

Specifically, the House of Commons security services works closely with its security partners to help ensure that special events do not adversely affect the functioning of Parliament, including members' access to and within the precinct. As you would expect, there is a great deal of planning that goes into the preparation for the security of a VIP/state visit to Parliament Hill. The goal is to provide the appropriate level of security relative to the potential risk to the visiting VIP or head of state, while respecting the traditions and practices of our Parliament.

I can assure you that the issue of parliamentary privilege is repeatedly stressed throughout the planning of such events. Please allow me to repeat that member access to and around the parliamentary precinct is continually prioritized by the House administration.

[Translation]

House of Commons Security Services initiates its planning upon receipt of a draft scenario from the Department of Foreign Affairs, Trade and Development. Our security services representatives then typically participate in an advance visit to Centre Block along with DFATD protocol, the Prime Minister's office, parliamentary protocol and others.

Ongoing meetings with the key partners, including security and protocol representatives from the Senate, RCMP, and, for larger visits, the Ottawa police, continue leading up to the event itself. These meetings help address any ongoing changes to the itinerary and serve to finalize operational plans for the visit.

[English]

Great care is also taken to ensure that members are provided with accurate and timely advance notice of special events. This information is provided to members through communiqués from the office of the Sergeant-at-Arms and covers matters including the time and date of upcoming visits, access to Centre Block and public galleries, pedestrian and vehicle access, shuttle bus service, and tours.

These messages aim to provide information that will facilitate members' access during special events, while providing advance notice.

Needless to say, given the great care we take in preparing for these kinds of situations, we are deeply disappointed that your committee is again seized with a matter of this nature. We fully expect that the committee will wish to pursue its inquiry with those of our partners better able to explain the chain of events that took place in this case.

We're now prepared to take your questions.

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

We'll go to Mr. MacKenzie first, for seven minutes, please.

**Mr. Dave MacKenzie (Oxford, CPC):** Thank you to the panel for being here today. I guess we are in the same boat as you. We wish we weren't here today on this particular issue, but we are, and it's important that we look at it.

We dealt with this situation only a couple of years ago, and I know you're all intimately aware of this particular situation. Therefore, what would you say right now that we could look at to try to prevent this from occurring in the future? Is there something from both the member side and the security side that we could collectively work on so that these things would not come up again?

• (1110)

**Mr. Kevin Vickers (Sergeant-at-Arms, House of Commons):** Sir, I would think we're going to have to double our efforts with our partners, particularly with the Royal Canadian Mounted Police, to ensure these things don't happen.

There are a number of avenues we're already looking at. You will recall back in the 2012 incident during that visit there were controlled pedestrian access points, and we resolved that issue by having a member of the House of Commons security go out on the site with the RCMP member to identify members of Parliament. We have done that on numerous occasions since 2012, in particular for large demonstrations.

One of the ways forward, or one of the things I've seen, is that there is an operational centre that looks after these visits at St. Joseph Boulevard, which is controlled by the RCMP. We have one of our House of Commons security constables embedded within that operational centre for these visits, but I think the next step we're going to have to take is to ask for a joint management that has the overall perspective of the entire visit and would have a superintendent of House of Commons security there with the superintendent of the RCMP. That's one of the ways forward I see which hopefully could resolve this issue.

The other issue is that we continually have to educate the RCMP on the whole issue of privilege. We do that at all our meetings and pre-meetings, but evidently the message is just not reaching the front-line troops that members of Parliament enjoy a privilege and that their access to the precinct is to be unfettered. We have to continue to try to solve that problem.

**Mr. Dave MacKenzie:** Do you know if someone has spoken with the individual officer or officers who may have been involved in this particular incident? Was there a question that they either didn't understand the privilege or didn't recognize the members?

**Mr. Kevin Vickers:** I believe all of the officers who were involved have been spoken to, not by the House of Commons, but with the RCMP. As well, in this particular case, the Ottawa city police motorcycle unit was involved in stopping green buses from coming up onto the Hill. I understand that everyone who was involved in the incident has been spoken to.

**Mr. Dave MacKenzie:** Is there an issue that they did not understand the privilege?

**Mr. Kevin Vickers:** Sir, honestly, I'm not in a position to answer that question. But I can tell you that from my review of the incident, from what I see, there seems to be an absence of knowledge out there that resulted in members of Parliament being stopped coming up onto the Hill.

**Mr. Dave MacKenzie:** Okay.

I guess, when I think about it, there are actually two issues. One of them is the members' right of privilege to be on the Hill. The second might be the identification of members.

I took it from the individual who brought this forward that his other issue was that he verbally identified himself as a member of Parliament and in his mind that didn't change anything. Whether or not there's a better way that the security people can identify members of Parliament... We're talking about 308 members of Parliament, plus senators, right? It's pretty difficult for everybody to recognize every individual for their role here.

I'm wondering if there's a broader way we can identify the members and/or, in addition, the role that parliamentarians play and their rights to unfettered access.

**Mr. Kevin Vickers:** Well, I'm convinced, sir, that this incident wasn't about identification of members of Parliament. The member of Parliament in question clearly identified himself. There's no question that the members on the green buses.... I mean, it was evident that the people they were in contact with were members of Parliament.

The identification issue in this case is not whether or not the officers knew they were members of Parliament, or whether the member of Parliament in question was a member. The question is this lack of knowledge that they felt that the motorcade movement superseded the rights of the member, and members, to come up to the Hill.

• (1115)

**Mr. Dave MacKenzie:** So our next step should be to talk directly to the people in charge of the folks on the ground, to ascertain the next step going forward with them.

**Mr. Kevin Vickers:** Yes, sir. Again, I just want to point out that I, as Sergeant-at-Arms, feel that I and my team have a responsibility to assist and to help the RCMP in this process. We did ask in the past, and have been informed in the past, that all RCMP employees who come to work on the Hill are taught and instructed on parliamentary privilege.

Perhaps it would be of benefit for us to be involved in that instruction as well, and perhaps members of the law clerk's office. Obviously we'll have to improve upon the education of our security partners outside.

**The Chair:** Thank you.

We'll move to Madame Latendresse, for seven minutes, please.

[*Translation*]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Thank you, Mr. Chair.

Thank you for being here today. We have days when we feel a bit like we are in the movie *Groundhog Day*. Incidents occur, we look at the situations and try to find solutions, but things are not always simple.

You appeared here before to discuss a similar matter. But one of the major differences between the current situation and the one we dealt with last time, as my colleague has pointed out, is that there is no problem of identification here at all.

Back in the day, a number of us had just recently been elected. So there was an adjustment period, which is normal. Some guards did not recognize us. A suggested solution at the time was that members should have their identity cards with them when they came to Parliament Hill.

In this specific case, however, there is a major difference. The officer actually recognized the member. He told him that he did not deny the fact that he was a member of Parliament, but he still did not want to let him through, even though the bells were ringing for us to go to the House to vote.

Do you think there could be a more permanent solution that would remove the need for this committee to meet again in a couple of years to talk about the same problems?

The problems come up frequently. So we have to meet, but we do not seem to find a solution. You told us about the joint committee that could coordinate all these things. I am glad I found that out. That is probably why we have fewer incidents now.

Do you think there could be a more permanent solution to this problem?

**Mr. Marc Bosc:** Ms. Latendresse, I would say that the Sergeant-at-Arms and the Assistant Deputy Sergeant-at-Arms have been working hard for a very long time to ensure that our partners understand how important it is that parliamentarians have access to Parliament Hill.

That being said, the House administration has no control over the methods used by our partners who have a presence at the various access points on Parliament Hill. Those resources are not within our jurisdiction.

As the Sergeant-at-Arms indicated, if those people have not been fully trained to deal with the issues, there will be problems, of course. That is why we are redoubling our efforts to reach out to our partners in that committee and by other means in order to zero in on this aspect of the issue.

• (1120)

**Ms. Alexandrine Latendresse:** I would actually like to receive confirmation that the Commissioner of the RCMP will come to give testimony. It is very useful to have you here and you clearly play a very important role in terms of security, but the House of Commons Security Services are generally not responsible for this kind of problem. As you explained, this happens with external partners. I would therefore like to confirm that the RCMP official will in fact appear before us.

Do you think there is a way to train these people properly? The same thing happened the last time we had a problem. RCMP members are often not the ones working regularly on Parliament Hill, as you said earlier. When special events take place and the RCMP needs backup, I would imagine that the people asked to come are not necessarily assigned to Parliament Hill often.

Could the solution be to hold specific briefing sessions every time there is a similar event on Parliament Hill for the sake of those added to the forces?

**Mr. Marc Bosc:** The Sergeant-at-Arms and the Assistant Deputy Sergeant-at-Arms are doing their best to work on that with the partners. I would like to point out that our relations with our partners are great. We work very well together. We do our best to work well together at all the events. However, we are unable to tell you exactly what measures the RCMP takes to inform its members. You will have to ask them.

We know what we do and what our efforts are to address our constant fear that MPs might be prevented from having access to Parliament Hill. However, there is only so much we can say about it. We are not always aware.

**Ms. Alexandrine Latendresse:** I understand.

How much time do I have left, Mr. Chair?

[English]

**The Chair:** You have a minute and a half.

[Translation]

**Ms. Alexandrine Latendresse:** That's good.

David, you can have the remaining time.

[English]

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you very much for coming. I'll probably only get a chance to get started; I'll pick up in the next round.

I was a little disappointed that we didn't get the RCMP commissioner here. I know there was some concern about the physical ability to host everyone; at least that's what I was told. I would hope that not only are we going to have that meeting, but I had mentioned before that we should include the chief of the Ottawa police. There was, of course, the comment that it's not responsible for the precinct, but as you can see already from the Sergeant-at-Arms, we're dealing with motorcades, and I think, in fact, that was part of the problem this time.

I think we need not only the RCMP commissioner here but the chief, and we also should bring back our Sergeant-at-Arms, so that they are hearing each other and seeing each other. Then if there's a repeat, it's clearly understood that all the leadership was here and made commitments. If there is a further problem, then we can start to identify what that problem might be.

I used up most of my time. Maybe, Chair, you could just give some comments as to whether you think that meeting is going to happen and whether it can happen that way.

**The Chair:** This committee suggested last time that we would start with our Sergeant-at-Arms and we would move on to the Commissioner of the RCMP. Certainly it's always up to the committee as to who our witnesses will be.

If that's the will of this committee after today's meeting, we'll make that happen next.

**Mr. David Christopherson:** Thanks. That's excellent.

I'm probably down to just moments, so I'll end there and pick up my questioning in the next round, Chair.

**The Chair:** All right, then, we'll shift over to Mr. Lamoureux, for seven minutes.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Thank you.

If I could pick up on the idea that Mr. Christopherson made reference to, that he doesn't want it repeated, from my perspective it's not a question of "if"; it's more a question of "when". I don't believe that sometime in the next 20 years we're not going to see another incident of this nature occurring.

Are any of you of the opinion that you could actually coordinate something to a degree in which you could give assurance that it wouldn't happen again?

**Mr. Kevin Vickers:** My response is that we've had many, many visits since I've been Sergeant-at-Arms. Unfortunately, regrettably, there are two, one with Mr. Netanyahu, who visited in 2012, and this visit this time around, where this incident arose. I think all we can

do, to answer your question, is to do our best and to again redouble our efforts to get everybody on the right page, so that under no circumstances could a member of Parliament's access be interfered with in coming up to the precinct.

Again, Mr. McDonell and I have already been in contact with the RCMP on some things that may be able to help us go forward, such as, as I mentioned in my opening answer, having a senior RCMP manager collocated with the Ottawa city police and the RCMP in the operations centre that oversees, to make sure that everybody realizes that motorcades just can't come in and stop the green buses and the members of Parliament.

● (1125)

**Mr. Kevin Lamoureux:** You see, I've tried to put myself in a situation where maybe I'm at the Confederation Building and I have to get up on the Hill for a vote, or whatever the reason might be. I'm stopped and I'm told that, for whatever reason—quite frankly, it doesn't really matter to me—I can't do it. How would I personally react?

The first thing I would want to do is take some sort of action that could possibly allow me to get onto the Hill. One of the examples I used the other day was this: why not have a number that I could contact to tell someone to talk to this person? Whether it's the Speaker's office or your office, Mr. Vickers, then there's a place where a person of authority can actually make that instant contact. If it's for the grounds being patrolled by the RCMP and the gates controlled by the RCMP, is there not some sort of communication link that could be established? If anyone claims to be a member of Parliament, there should be some sort of automatic...you contact the gate or whomever. How do we ensure that an MP, if he wants access to the Hill, will get that access?

**Mr. Patrick McDonell (Deputy Sergeant-at-Arms and Director General, Security Services, House of Commons):** All the RCMP at the gates, the entrance points onto the Hill, are supposed to have a book on them. Should an MP or senator arrive without their pin or their identification card and say who they are, the RCMP member is to take the book out of their pocket—not go back into the vehicle screening facility, not go back to their cars, as they're supposed to have that book on them, and we supply them with that—and turn the page to identify the member.

Also, in the last year, the RCMP have access to our secure ID, just a certain portion, a picture of all our employees and staff, in the VSF, the vehicle screening facility, so they can confirm through that software that this person or these persons do indeed work on the Hill. Further, their vehicle screening facility has communication with our communications centre. Often they radio us and say that so-and-so is coming up to visit or whatever the case may be. When they delay a person, usually a visitor, from coming up on the Hill, they'll communicate with us. We'll quickly check and try to keep that delay as short as possible to get the person up on the Hill.

**Mr. Kevin Lamoureux:** Yes, and I guess in most part this is my point. You cannot expect every RCMP officer posted here in Ottawa to have facial memorization of all 308—soon to be 338—members of Parliament. There needs to be something in place, I would think, so that if I come up to the Hill and I say that I am an MP, but I don't have my ID on me, there is something the RCMP officer can do in a relatively timely fashion to allow me to proceed.

**Mr. Patrick McDonnell:** They're briefed upon being transferred to the Parliament Hill detachment. I was assured of this by Assistant Commissioner Michaud, with whom I've had lots of conversations. After this event, I had lots of conversations with him. He assured me they're still briefed on the procedure when MPs or senators arrive without identification or their pin, or if they have a question. If there's any doubt as to the person's identity, they go to the book.

**Mr. Kevin Lamoureux:** Each RCMP officer on the precinct actually has a book on his or her physical body.

**Mr. Patrick McDonnell:** Yes, they do. I should say they're supposed to have the book on them.

**Mr. Kevin Lamoureux:** Mr. Bosc, you made reference to the fact that you've actually put a request in—or it might have been you, Mr. Vickers—to the RCMP to see if you could be of assistance by making a presentation or something of that nature. What sort of response did you get to that?

• (1130)

**Mr. Kevin Vickers:** I'm not sure if I've ever offered for our people to be there at the presentations, but as I say, going forward, maybe that's something we can do to enhance...

I have been informed by the RCMP, as Mr. McDonnell just said, that all new incoming officers here are to be briefed on the issue of parliamentary privilege.

**Mr. Kevin Lamoureux:** Thank you, Mr. Chair.

**The Chair:** There's a bit of time left.

In this case, Monsieur Godin has given testimony to this committee that he even reached for his ID and said, "I'm an MP", but the officer said, "I don't care. Go stand over there." He could have had a book in that pocket. I don't care. If he doesn't recognize... He doesn't care that he's an MP. He's not looking in a book to make sure he is one.

Mr. Lamoureux has offered a suggestion. Is there a chance for us to put forward a hotline, or something, for an MP stuck at the outside to say, "I'm being held hostage by an RCMP officer"? Is there a way we can put some sort of procedure like that in place?

I don't ask very many questions here, but I didn't think Kevin got a very good answer in terms of what happens when he does recognize you but still says you can't go on the Hill.

**Mr. Patrick McDonnell:** One suggestion that comes to mind quickly, and it may not be the best of suggestions, is for the MPs to have a speed dial into the House of Commons operations centre. They would just press a button. We would answer it and respond within a minute. That's one solution, not the best but—

**The Chair:** Super. If that could be part of our solution, I'd like it to be.

I'll go on to Mr. Opitz. Sorry, Mr. Opitz, for stealing part of your time.

**Mr. Ted Opitz (Etobicoke Centre, CPC):** It's okay, Mr. Chair.

Thank you all for being here.

I'll try not to be overly redundant in some of these questions. I think all of you understand who has been briefed at the leader level and what they understand. The issue is how that is disseminated downward to the policeman on the ground. This is something where each individual has a different level of understanding, for whatever reason, and not all briefings are necessarily the same.

Do you have an SOP? I know it's in a book, but people don't always read that. Do you have a simple SOP? What we used to do in the army is provide soldiers with a card for rules of engagement, and things like that. This would be besides the little book with pictures of MPs, which is great.

To the chair's point, in this case the cop didn't care. He just stated that. The question is whether he was augmenting people on the Hill and whether he was familiar with the procedures on the Hill. That kind of thing needs to be addressed. Anybody who is being posted into some of these roles, even for a short time, could at least be given a little card indicating the SOPs or rules of engagement, that kind of thing, in order to address a situation very quickly—rule one, two, three, four, five, and so on.

The other issue is that the attitude of the individual involved also needs to be checked. Probably from the leader level down, there needs to be a little bit of counselling for that particular officer. He's on the Hill. He's in a different environment. He may not necessarily be in the community he was accustomed to.

We've had a lot of these visits. Right now we're talking about two incidents, but are there more incidents? How many visits do we have, major visits of VIPs and world leaders?

**Mr. Marc Bosc:** I can get those numbers for you. I don't have them with me today.

**Mr. Ted Opitz:** It's a lot.

**Mr. Marc Bosc:** There are several.

**Mr. Ted Opitz:** All we know about right now are two incidents, but we're addressing it.

How much time do I have left, Mr. Chair?

**The Chair:** You have two minutes.

**Mr. Ted Opitz:** I still have two minutes. Great.

I wanted to fire that out really quickly, in terms of the little mnemonic they may have.

Mr. McDonnell, your thought about calling right into the ops centre is the right thing to do. It could be issued to MPs. They could program in the number. Should something happen, they could hit speed dial, and then the issue would be rectified.

On the other end, obviously, briefings are good. Redundancy is good in this case. A set of standard operating procedures that is easily accessed, one or two pages that could be easily digested, I would say, is something that would be useful to have.

In your committee, who's being briefed? It's all at the leadership level, right? How does the information get disseminated down?

• (1135)

**Mr. Kevin Vickers:** Prior to each visit, usually several meetings take place. In particular, the big one that's anywhere from a month to a few weeks before is called the advance. It is at that advance meeting that all partners are together and go through everything from protocol to security.

On the day of the event, and for the day of the event for the House of Commons for example, there's a comprehensive operational order that lays out exactly the itinerary of the visit. Again, with regard to parliamentary privilege, we entrust the RCMP to communicate with their folks for each of these visits.

I just want to re-instill with the committee as well that the clerk mentioned the master security plan in his opening address. We have an office where all security partners are represented. Everything we do at that master security plan, we always discuss and always take in the issue of parliamentary privilege.

**Mr. Ted Opitz:** Since I have one last—

**The Chair:** No, you really don't, but thanks.

We'll go to Mr. Christopherson for four minutes, please.

**Mr. David Christopherson:** Again, thanks very much for being here today.

I'll pick up where I left off.

I had mentioned before, I think at a committee business meeting, that we do run the risk of looking like it's our egos that are out in front here and that we're all so important and how dare anybody stop us in the performance of our important business, but do you know what? As I said then, that's a risk we have to run here, because this is not about us as individuals; this is about the way we run our democracy and the way we govern ourselves.

This issue has been mentioned before, but it can't be underscored enough. The first time it can be traced back to was in 1773, when it was raised in Britain, and I'll read it, "the assaulting, insulting or menacing any Member of this House, in his coming to or going from the House...is an high infringement of the privilege of this House, a most outrageous and dangerous violation of the rights of Parliament and an high crime and misdemeanour" no less.

I don't have a lot of time, so I won't read them all, but they reiterated that again in 1780 and again in 1970, when they said any obstruction of members constitutes a breach of privilege and a contempt of the House of Commons. Again, as recently as 2004, there was exactly the same thing talking about access to the Hill. This was the worst case imaginable: there was a vote going on. When that member was stopped, every single one of his constituents was denied their representative rights at that moment.

I know you understand that, but I have to tell you, in your report, when you presented it, this looks like kind of an add-on thing: "Oh, by the way, while there's important security stuff going on, keep in mind that those pesky MPs can be a problem sometimes, so make sure they're taken care of". Even in your document you state, when discussing visiting VIPs or heads of state and the potential risks,

"while respecting the traditions and practices of our Parliament", and then the next sentence states, "I can assure you that the issue of parliamentary privilege is repeatedly stressed throughout the planning of such events". The rights of privilege and access are not traditions or practices, and yet that was the rubric that even you put them under. So I think we all run the risk of seeing this is as sort of something that's incidental.

Let's face it; it's a real-world problem. These officers that are on the Hill are doing their job. Their primary job is to make sure everyone is safe. At the same time, you're going to run into a clash, exactly as we did, where an officer was saying, "You need to stop there", and an MP was saying, "I have my rights", and boom, there's the clash. I submit to you that nobody needs to remind the officers that their priority is to protect the visiting VIP. That's kind of there all the time. We need to get this other priority on the Hill to be at the same level so that they understand clearly that doing this is a huge infraction.

That's why I think, Sergeant-at-Arms, it's important for you to be here when we have the police chief and the Commissioner of the RCMP here as we go through these again.

I have one question I want to ask, Chair, with regard to the current climate we're in.

Sergeant-at-Arms, you mentioned the master security plan. Everyone is accepting that there's a little bit of heightened security going on from coast to coast to coast and I would think particularly in all of the capitals, in particular the national capital. Things are going to get a little bit tighter, I would assume, given what's going on in world developments.

My question for you is this: How much more difficult will it be to maintain the rights and privileges of members of Parliament to have access to the Hill, while at the same time you're actually tightening up some other aspects of security? Not only do we have a problem in the current security climate but if the master plan gets tightened, it'll be that much more difficult. Can you give me your thoughts as to what kind of changes—and you can't speak to them in detail—those of us who serve here and people who work here, staff and others, can expect on the Hill?

• (1140)

**The Chair:** That was a four and a half minute question.

I'll allow a brief answer, please.

**Mr. Kevin Vickers:** Mr. Chair, I think it's important for everybody to know that in our whole security posture on the Hill, first and foremost the issue of parliamentary privilege, I'd like to reassure the member, is the *pierre angulaire*. That's the cornerstone of everything we do in security.

To go to the member's question, I think it's important for members to know that each and every morning the RCMP, House of Commons security services, CSIS, and Ottawa city police have a conference call. In that conference call we go over everything. We do literally a threat and risk assessment of any threats to the precinct and to members each and every day. Then our security posture is either raised or lowered, or maintained, based on that threat and risk assessment.

For example, should there be a heightened incident going on somewhere that we're concerned about, what we do is we put more plainclothes armed officers out among the precinct. That doesn't interfere with everybody else, but the security posture is raised in congruence to that threat and risk assessment that's done on a daily basis.

We've been successful, I guess, in responding to increased security threats through a discreet and measured way, which keeps Parliament open to Canadians and to everyone so that no one is unduly concerned or impeded, by doing just that: a threat and risk assessment and establishing a security posture for the day that's congruent to that threat and risk assessment.

I hope that answers your question.

**The Chair:** We'll go to Mr. Richards, for four minutes, please.

**Mr. Blake Richards (Wild Rose, CPC):** In response to Mr. MacKenzie, you mentioned that when we have these types of visits there's always a member of the House security team with the RCMP members in order to help to ensure that members are being recognized. Obviously it appears that in this case that didn't happen.

When Mr. Godin was here, he may have indicated exactly where the incident took place, but can you maybe refresh me on where exactly the incident took place and why in fact there wasn't a member of the House security there? It appears that must have been the case, or they would have intervened to indicate that this was a member of Parliament.

Can you refresh my memory on that and on why in fact that wasn't the case in this instance?

**Mr. Kevin Vickers:** The member of Parliament in question was originally walking southbound on the west side of the Bank Street extension. He came up to the general area of the main entrance into the lower drive. He walked pretty well all the way over to the east side of Bank Street, was directed back across the street by the RCMP member, and then was detained or stopped there until the motorcade passed.

All visits have different security levels, from level one to level five. This particular visit was a level four. Our practice there is to have no pedestrian access at closed points. It's at those higher-level visits, when we have designated access for pedestrians where people's IDs are being checked, that we've been putting members of Parliament.... But in this particular scenario, this particular event, there was to be no stopping of pedestrians, regardless of whether they were members of Parliament or not. Civilians, everyone, had free access to the Hill. There was no predetermination that we would be stopping people or preventing people from coming up on the Hill.

• (1145)

**Mr. Blake Richards:** That probably underscores very well, then, the next question and point I wanted to make. I fully believe that you do a very good job of planning for these types of events. We always get the e-mails that indicate what the procedures are to be, what we're to do, where we're to go. I'll confess that I don't always read them thoroughly, because I've always kind of believed that if I have either a pin or my ID card with me, I will have my access as needed. However, in this case you've indicated there wasn't supposed to be

anyone stopping that access to coming onto the Hill, and obviously in this case it did happen.

I do believe that you're doing a good job of planning. I fully appreciate what you're saying about having briefings ahead of time. Obviously in some cases that isn't filtering down. That appears quite obvious. It is a very small number, but any number is something that we need to improve on.

I'm curious. As a follow-up after an incident like this happens, or in fact after every event, what is done in terms of post-event briefings after these types of events to ensure that the procedures were all followed and to see what can be done to improve for the next time? Particularly, what is done differently when there has been an incident such as this?

**Mr. Kevin Vickers:** I think in particular for this question, I'll refer to Mr. McDonnell because he met with the RCMP. He has been following this.

**Mr. Patrick McDonnell:** On the Monday following these incidents when our members of Parliament were delayed, my staff and I met with assistant commissioner Gilles Michaud, did a post mortem on where this went wrong and how we could fix it. From the House of Commons security service perspective, we didn't expect them to come in through the Elgin gate. Our understanding of the SOPs is any time there's a motorcade level four or five or whatever level that will impede traffic and circulation on the Hill, they'll come in through the Elgin gate and that any delays will be very brief. So we were surprised to see them come in there.

The recommendation coming out of that meeting is exactly that: any motorcades in the future that will impede traffic circulation or pedestrian movement on the Hill will come in through the Elgin gate and likely exit through the Elgin gate, if possible. The options up on the Hill now as far as routes are somewhat limited because of the construction around the West Block. So the Elgin gate seems to be our best option.

Also—

**Mr. Blake Richards:** I hate to interrupt but I'm sure I have a limited amount of time.

**The Chair:** You have no time.

**Mr. Blake Richards:** Okay.

**The Chair:** I'll go to Mr. Reid. You have four minutes, please.

I'm not at all worried that you've opened the big book in front of you.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** No. All I'm going to say is that Mr. Christopherson was reading from the report, and I thought what he was saying was instructive. He was pointing out—to some degree it seemed to be from the wording he was reading—that the report was making light of the privilege to be able to go to the House of Commons particularly when a vote is under way. I just wanted to emphasize, and by no means am I attempting to chastise people here; I'm simply making an observation that I think all who were involved in this should be aware of their responsibility.

The privileges of the House are constitutionalized under section 18 of the Constitution Act, 1867. They are constitutionalized as being the same privileges which members of the House in the United Kingdom would enjoy. Those rights specifically include...in fact, the first among them is the right not to be detained on the way to the House, precisely for the purpose of participating in votes. The reason for that was that if you go back to the time of King James I and King Charles I, the king was in the habit of arranging to have people be unable to get to the House in time for critical votes. The fact that there was a vote under way just adds to the importance of the whole problem.

I'm not trying to lay blame. I'm simply observing that this is the nub of what is ultimately the foundational privilege of all privileges, the one with the most ancient history, and it does have constitutional protection.

That's all I wanted to say. Thank you.

• (1150)

**The Chair:** Thank you very much.

I have no one else on my list. I would like to thank our witnesses for coming today and sharing with us. You know this committee has done this before. We're looking at exactly the same problem, but again maybe with a new light toward a new solution.

We'll also have the Commissioner of the RCMP come to explain, and the City of Ottawa police will also try to come.

**Mr. David Christopherson:** No substitutes: the chief and the commissioner.

**The Chair:** Thank you. I'll go to their houses and pick them up, David.

**Mr. David Christopherson:** Good. You do that.

**The Chair:** And bring them.

**Mr. David Christopherson:** Seeing you have nothing else to do, you could do that.

**The Chair:** Mr. Vickers, I don't want to touch any place that may be security related, but it's our understanding that the incident was captured on some of our cameras. Would it be a security problem for this committee to see that?

**Mr. Kevin Vickers:** As Sergeant-at-Arms, my preference would be that such films that are critical to the—not the films themselves but the instruments that we have and the angles and all that, I would prefer to be able to give you that evidence or have a member of my team give it to you. It is a concern for me and for security. We would like to keep the different shots from different areas as confidential as we can.

**The Chair:** If we get to the point where this committee wants to see it, we may have to do an in camera meeting. Can we see it? Let's leave that at the moment where we are.

We will suspend for a couple of minutes.

We'll thank our witnesses for coming today, and we'll go in camera for some committee business.

*[Proceedings continue in camera]*

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