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Chair

Mr. Garry Breitkreuz

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•(1115)

[English]

The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)): I would like to call this meeting to order. This is the 34th meeting of the Standing Committee on Public Safety and National Security. The first part of the meeting is in public, and we are dealing with a motion from the government side, from Mr. Dave MacKenzie, regarding Bill C-286.

Mr. MacKenzie, would you like to refresh our memory, or can we deal with that right now?

Mr. Dave MacKenzie (Oxford, CPC): I'd be happy to, Mr. Chair.

What we're asking is that the standing committee extend by 30 days the study on Bill C-286. Just for a little bit of background, I'd be pleased to share with the committee a press release that went out. It perhaps will explain some of why we've had this delay. It's not what we wanted, but it's what has developed.

This was a press release of March 16:

The Honourable Monte Solberg, Minister of Human Resources and Social Development and the Honourable Stockwell Day, Minister of Public Safety Canada, today announced the beginning of consultations for a proposed new service for victims of abuse.

The consultations will focus on how to effectively integrate programs from a number of federal departments to form a service delivery network for victims at risk. Service Canada will engage in discussions with federal government departments, provincial and territorial partners and stakeholder and advocacy groups in the development of this comprehensive approach to assist victims at risk of serious injury or death in changing their identities while respecting jurisdictional authorities.

In the proposed new service, Service Canada will be responsible for coordinating access to all required federal government services and will work with provincial and territorial government partners. The proposed new service is being developed in consultation with Public Safety Canada.

"Support for this most vulnerable group requires a coordinated response from all levels of government. My department will work with provincial and territorial counterparts so that the process is seamless and secure for victims of abuse," said Minister Solberg.

What we're trying to do is take this away from the victim witness program operated by the RCMP to give domestic victims of abuse the protection of providing them with new identities. It's a service that's been there for a good number of years, but we're trying to make it more available and more accessible for those victims so that there's not the huge cost, and there's also not the need for victims then to essentially lose all their contact with family and friends back home. It just simply will give them the opportunity to assume new identities in some other community of their choice. That proposal is

satisfactory to the proposer, and once it's done I think it will satisfy everybody. Then the bill need not pass in the House.

The Chair: And we have to deal with this today because I have to report it to the House before Thursday.

Mr. Dave MacKenzie: That's right.

The Chair: Ms. Barnes.

Hon. Sue Barnes (London West, Lib.): The only concern on this side is the fact that just because we do the motion here, it's still deemed a passed bill by Thursday. So the only way we'd support this is with the assurance that if this is not passed...to get an extension in the House, we have to deal with it before Thursday, and that's a problem.

The Chair: Let me refer that to the procedural experts here, but I believe if we deal with this today and refer it to the House and I report it before Thursday, the House doesn't have to vote on the acceptance of our motion at that point. The vote can take place at a later time, I believe.

Is that correct?

Hon. Sue Barnes: My information is that according to the Standing Orders of the House, it's deemed passed by this committee within 60 days. Our 60 days are up Thursday. So unless the House gives us an extension, this is deemed passed by Thursday. That's my concern, and that's not what I think we had planned to do here.

This is something that I made you aware of before the break period.

The Chair: I know we have to report it back by Thursday, but in asking for the extension, I don't think it has to be voted on before Thursday.

The Clerk of the Committee (Ms. Louise Hayes): If the request for an extension is presented in the House before the deadline for the private member's bill, that is okay for meeting the requirement for the deadline. Then, of course, the report would have to be concurred in for the extension to take effect, but that could happen after the deadline if the report has been presented to the House by the committee. That is my understanding.

Hon. Sue Barnes: What would happen if they say no in the House? Does that mean we've passed the bill at committee?

The Chair: No, that's one of those—

Hon. Sue Barnes: I believe it's deemed to be passed. That's why, if we're not going to get an extension, I would like us to have a meeting tomorrow so we can deal with this.

I think Mr. MacKenzie is saying this is not the appropriate vehicle; there is another appropriate vehicle. What logically should happen is that this gets turned down at committee.

Once the House has sent the bill here, I don't believe there's a rule that allows the presenter of the bill to withdraw his own bill. He needs the consent of the House to do that.

The Chair: But I don't see how this can happen before tomorrow.

Hon. Sue Barnes: I don't want this bill going back to the House as deemed to be approved. That's the same concern that I—

The Chair: We will make that request for an extension. According to the clerk, once we make that request, as long as it's before the 60 days, we have met the requirements. If it's accepted, then the House can deal with the report from this committee. If it's not accepted, I don't know what we can do. We'll have to come back and deal with it.

Hon. Sue Barnes: On Thursday.

The Chair: Well, I'll report it before Thursday, but I don't think the House will have made a decision before Thursday.

According to this, as long as we report it back, we have met the requirements.

Hon. Sue Barnes: But we haven't reported it back. All we're going to report back is a motion to ask for an extension.

The Chair: We could try to get concurrence tomorrow, if there's all-party support for the motion.

Hon. Sue Barnes: Yes. Why don't you try to get concurrence, and if not, put it on your agenda for Thursday. I think there would be some change in how people would deal with this on Thursday if you don't get this.

The Chair: Okay. We have all parties represented here. Can everybody on this committee talk to their whips, House leaders, and make sure that nobody throws sand in the gears tomorrow when I report on this to the House?

Yes, Mr. Comartin.

• (1120)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): I don't have the bill number in front of me.

The Chair: It's Bill C-286.

Mr. Joe Comartin: I'm a bit concerned about the timing. Is the deemed acceptance date on Thursday?

The Chair: Apparently it is.

Mr. Joe Comartin: If we meet on Thursday, is it not too late? We'd have to meet tomorrow.

I just want to say that I'm adamantly opposed to this bill, and I don't want it on the record that we've in any way expressed support of it by doing nothing.

I would want to vote that we defeat the bill, because it's just totally inappropriate for what has been—

The Chair: But would you not support an extension?

Mr. Joe Comartin: I would support the extension, no problem.

The Chair: That's basically what we're doing right now.

Mr. Joe Comartin: I understand that, Mr. Chair, but what I'm concerned about is that we leave it until Thursday and it's already deemed approved on Thursday.

The Chair: I give my assurance that I will do my best to get it done tomorrow.

Mr. Joe Comartin: I'm not questioning that; I'm questioning the timing. As of midnight on Wednesday, is it deemed approved, or is it deemed approved, I suppose, at 4:30 or 5 o'clock on Thursday?

Hon. Sue Barnes: Can I make a suggestion to have a meeting of this committee to deal with the bill tomorrow? That can be cancelled if we—

The Chair: Tomorrow is Wednesday. I wouldn't have an opportunity to table this until after 3 o'clock, so we'd have to schedule our meeting for 3:30 in the afternoon.

Hon. Sue Barnes: That's fine with me.

Mr. Joe Comartin: There's already a meeting scheduled from 3:30 to 5:30.

The Chair: Where do you want to go? I'm pretty sure everybody wants to put this bill off. I think we're dealing with scenarios here that really are very unlikely.

Hon. Sue Barnes: Can I ask the clerk whether it's a standing rule of the House that says it's deemed approved?

The Chair: Yes, we can't change that.

Hon. Sue Barnes: So if it's a standing rule of the House, it doesn't matter what motion we put forward, does it?

The Chair: Louise will call a table officer—

Hon. Sue Barnes: I think we have to have this clarified, because I don't think we want to deem this as an approved bill.

Mr. Dave MacKenzie: Do you think we could stand this down to the end of the meeting?

The Chair: Okay. Yes.

Hon. Sue Barnes: Sure.

The Chair: Mr. Comartin.

Mr. Joe Comartin: Mr. Chair, apparently the more efficient way of dealing with this is dealing with it with the House leaders this afternoon at 3:30. We would then know, if we can each speak to our House leaders before then, whether we're going to get all-party support, and that should satisfy it.

The Chair: Yes, it should, as long as there are no independents who have any concerns here.

Hon. Sue Barnes: We're getting some information right now from our clerk that we should be able to have by the end of this meeting anyway, right?

The Chair: Yes. Right.

Hon. Sue Barnes: Okay, thank you.

The Chair: We will pause for a moment to go in camera and consider....

Phil has just reminded me that there was a request here for Mr. Ian Macdonald.

Hon. Sue Barnes: Is this future business?

The Chair: This was future business. They suggested it.

Shall we deal with it later?

Some hon. members: Yes.

The Chair: Okay.

Let's go in camera then. Let's pause for a moment.

[*Proceedings continue in camera*]

- _____ (Pause) _____
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[*Public proceedings resume*]

- (1305)

The Chair: We are now in public, and I will ask Mr. MacKenzie to bring forth the proposal he has in regard to Bill C-286.

Mr. Dave MacKenzie: Mr. Chair, discussions have been ongoing for some time with the proposer of Bill C-286, Mr. Blaney, from my own party, with respect to utilizing the information available through Human Resources in providing new identities to victims of abuse. The proposer of the bill is quite satisfied and pleased with that. He has indicated, through a number of sources, that it is quite acceptable to him that Bill C-286 not go forward in view of the fact that there is another provision that will do what he had hoped to accomplish in the bill.

Having said that, I would ask that the committee consider removing all but the number and title from that bill and report back to the House.

The Chair: You have heard this recommendation. Is there any further discussion before we vote on the bill?

Ms. Barnes.

Hon. Sue Barnes: My understanding is that we have to give a reason for turning down a private member's bill. Essentially this is turning down the bill without even hearing the witnesses.

I take you at your word that he is consenting to this. I suggest we use quotes from Mr. MacKenzie stating the parliamentarian's happiness in the reasons we table. It's a recognition that this was an inappropriate vehicle and that the appropriate vehicle is being contemplated now. With that, I'll consent.

I would draw your attention to the fact that there is no notice on the meeting, so we would have to get unanimous consent on this.

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. MacKenzie, you said you heard from a number of different sources, but I'd like the assurance that you have spoken to the proponent of the bill and that he is happy with the course of action we are proposing today.

Mr. Dave MacKenzie: I could not say that I have directly spoken to him. That would not be accurate, and I honestly couldn't say that.

Hon. Roy Cullen: You are telling the committee in total confidence that he will accept this decision and that he will be happy.

Mr. Dave MacKenzie: I'm told from a number of sources that he is very happy. I have spoken to him a number of times about the fact that it was going this way. He was very satisfied with that. But as of yesterday I have not spoken to him about where this is. I know that he was very satisfied that it was going to be taken care of in this manner and that it is being done.

The Chair: To clarify then, Mr. MacKenzie, he was satisfied that the government is going to deal with this issue—

Mr. Dave MacKenzie: I am very confident that he is satisfied with this.

The Chair: —and that his bill will not go forward.

We are suggesting that we take all the provisions out of the bill and send it to the House as one of the ways of satisfying what he has agreed to.

Mr. Dave MacKenzie: Yes.

The Chair: We are going to wait for Ms. Hayes to tell us.... She's not quite ready. We want to make sure that everything we're doing is procedurally sound.

The Clerk: With regard to Mr. MacKenzie's recommendation that we remove everything but the number and title of the bill and report back to the House, we can certainly do that. I would recommend we actually proceed to clause-by-clause consideration of Bill C-286 to propose that.

That said, because it's a clause-by-clause report of a bill, Ms. Barnes' suggestion that we include reasoning would not be included. If the intention is to not proceed any further with the bill and you wish to include your reasoning, you would do that under Standing Order 97.1.

We can certainly do that either today or at a meeting on Wednesday to get that in on time for Thursday.

Those are the two options.

- (1310)

The Chair: I would suggest we go with the first option, go clause by clause, and deal with it that way.

Are you all in agreement with that?

Mr. Joe Comartin: How long is it going to take?

The Chair: The bill has seven.... How many clauses does it have? Now the numbering is....

Hon. Roy Cullen: We can group these clauses, right?

The Chair: Okay.

Hon. Sue Barnes: Could somebody take the cellphone from that guy? He hasn't even had a chance. I'd feel so much more comfortable. It's not that I distrust you, but I just don't want to be criticized for....

The Chair: Okay. We're going to suspend for a moment.

- _____ (Pause) _____
-
- (1320)

Mr. Dave MacKenzie: I have spoken with Mr. Blaney, the proposer of the bill. He says it's just great, and from his perspective, he's pleased that Mr. Solberg's ministry is now in charge of it. To remove these 12 clauses meets with his approval.

Hon. Sue Barnes: Can I clarify the procedure if we do that?

Thank you very much, Mr. MacKenzie, for getting those assurances for us.

If we remove it and send it back to the House, it goes no further and it just sits there. Is that right? It's a private member's bill, so it just sits there. It's effectively returned to the House with no content, and it's a dead bill. There's no voting on it.

The Clerk: I would have to triple-check that. I suppose it would go back on the order of precedence as per any other private member's bill. But I will double-check that one more time.

The Chair: At this point, I don't think it's our problem. We'll simply do what we're doing, and the House can then decide whatever happens there.

I'm going to take my authority as the chair and group clauses.

Do you have something else to add, Mr. MacKenzie?

Mr. Dave MacKenzie: Do you want it on the record that there's unanimous consent to do it?

The Chair: Yes, we need to have it on the record. Thank you, Mr. MacKenzie.

Do you all agree to deal with this bill in this committee at this time?

Some hon. members: Agreed.

The Chair: Okay. We have unanimous consent.

I will then group all 12 clauses together and we will have a vote on it. The proposal here is to remove these clauses from Bill C-286. This is pursuant to Standing Order 75(1).

We'll stand the title and remove clauses 2 to 12. The vote will now be on removing clauses 2 to 12.

Some hon. members: Agreed.

The Chair: It is unanimous.

Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Thank you.

Do you then agree that the bill be reprinted and reported to the House?

Some hon. members: Agreed.

The Chair: Thank you very much.

Is there anything else?

Hon. Sue Barnes: Are we meeting on Thursday?

The Chair: No, we have nothing on our agenda for Thursday. The next meeting is on Tuesday and it's with officials from the department. We'll then meet with the three groups on Thursday, if that's okay with all of you.

I don't think we have time to do anything else to make a meaningful meeting.

Hon. Sue Barnes: Can we at least check to see whether or not some of these people would be available on Thursday?

The Chair: I wouldn't want to have them come before the officials.

Hon. Sue Barnes: Why not?

The Chair: Well, we usually have the officials from the department. The usual way we do things is to have officials from the department, and then we know something about the issues.

Hon. Sue Barnes: Well, make your best effort. I would prefer that we not waste meetings.

Hon. Roy Cullen: Make sure they're properly prepared.

The Chair: I agree with you. It's the way things are unfolding at this point.

Hon. Sue Barnes: Okay. Thank you.

The Chair: This meeting stands adjourned.

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