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# Standing Committee on Justice and Human Rights

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**Monday, March 9, 2009**

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**Chair**

**Mr. Ed Fast**

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## Standing Committee on Justice and Human Rights

Monday, March 9, 2009

• (1530)

[English]

**The Chair (Mr. Ed Fast (Abbotsford, CPC)):** Order, please.

I call the meeting to order. This is meeting number eight of the Standing Committee on Justice and Human Rights, on Monday, March 9, 2009. I just want to note that this meeting is televised.

You have before you the agenda for today. We are reviewing the supplementary estimates C, which have been referred to this committee.

The second half of this meeting will be in camera. We'll continue our work on providing drafting instructions to our analysts on the impaired driving study. Also at that time, we'll deal with a motion that's still on the floor, Mr. Ménard's motion regarding the organized crime study, and some travel related to that.

Today we welcome back three individuals who have been before us earlier: Justice Minister Rob Nicholson, as well as Mr. John Sims and Mr. Brian Saunders.

Gentlemen, welcome back. As is customary, you have an opportunity to make a ten-minute presentation. After that time, we'll open up the floor to questions.

Minister, I open the floor to you.

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada):** Thank you very much, Mr. Chairman, and thank you to all of your fellow members.

I am pleased to be here to discuss the supplementary estimates C before you. As you indicated, I am appearing here with the Deputy Minister of Justice, John Sims, and I am pleased to have with me as well Brian Saunders, director of public prosecutions.

Of course, any time I appear it is in my dual capacity as Minister of Justice and Attorney General, roles that have been united ever since Sir John A. Macdonald came up with the idea that both of these positions should be together. We have continued that tradition, and I am pleased to fill that role at the present time.

As you know, Mr. Chairman, our government in unwavering in its commitment to fighting crime and to ensuring the safety and security of Canadians. I'd like to acknowledge the invaluable contributions made every day on the front lines of our fight against crime by police officers, prosecutors, community workers and volunteers who day in and day out devote themselves to the communities they serve.

Our government has made great strides in protecting Canadians and cracking down on crime. You will remember the comprehensive

Tackling Violent Crime Act, which increases penalties for those convicted of a whole series of crimes. In addition we increased penalties for those convicted of street racing, and we established the national anti-drug strategy to curb illicit drug use in Canada.

I am proud to do my part in working with you and members of the House of Commons and Senate in continuing this important work.

Most recently I have introduced legislation in the House of Commons to amend the Criminal Code in the areas of gang violence and organized crime. Specifically, this legislation would make murders that are connected to organized crime activity automatically first degree murders. That would mean an individual would be looking at 25 years in a federal penitentiary before being eligible for parole. So this legislation would put murders connected to organized crime into that category. I think most people who look at this agree this is a reasonable step forward. It also creates a broad-based offence to target drive-by and other intentional shootings. As well, we are increasing the penalties for those who intimidate police officers, prosecutors, and judges.

I will also reintroduce legislation from the previous session regarding mandatory minimum penalties for serious drug offences, specifically those involving violence or weapons, or which involve trafficking drugs to young people, or importing or exporting of drugs.

In the coming days I look forward to continuing this work by introducing other legislation consistent with our promise to protect Canadians.

Mr. Chairman, the protections we seek to provide Canadians extend to their financial security as well. Canadians are not immune to the effects of the growing economic instability around the globe. Government departments and agencies are doing their part to ensure that the funds allocated to them are spent wisely. Over and above that obligation, the justice portfolio has a more specific role in fighting capital market fraud and white collar crime. The RCMP, the Public Prosecution Service of Canada, and the Department of Justice, as well as the Departments of Finance and Public Safety, are all partners in the integrated market enforcement teams program. The IMET program's goal is to effectively enforce the law against serious criminal capital market fraud offences in Canada. The IMET units based in Vancouver, Calgary, Toronto, and Montreal investigate serious Criminal Code offences that are of regional or national significance, and that threaten investor confidence or economic stability.

I am sure, Mr. Chairman, you can understand the importance of that in the present economic context.

•(1535)

As is the case for many of our government's programs, the collaboration of IMET units with our provincial and territorial partners accounts for much of the success in responding to the needs of Canadians. For example, to investigate these offences, members of the RCMP and Public Prosecution Service legal advisers often work closely with investigators from provincial or municipal police forces, as well as experts seconded from provincial securities regulators. In addition to its prosecution role, the PPSC provides legal advice to the IMET units.

The Department of Justice provides support to these units with respect to mutual legal assistance requests to foreign governments, as well as handling any related extradition requests. The justice department also manages and administers the IMET reserve fund to reimburse our provincial partners for extraordinary expenses related to IMET prosecutions, working with the Public Prosecution Service officials to review and approve requests from provinces for access to this contribution fund.

In the coming year, we will continue to work on making IMETs more effective. These efforts include our officials, other levels of governments, and other departments and agencies.

To conclude, Mr. Chairman, I would like to reiterate that the Public Prosecution Service of Canada and the Department of Justice are playing key roles in the government's work to respond to the needs of Canadians. We will continue to do our utmost to ensure that funds are spent wisely in the service of Canadians.

Thank you.

I look forward to any questions you may have.

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

We'll move now to questions.

First off, we have Mr. Dosanjh. You have seven minutes.

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Thank you.

My questions are going to be brief. I would ask that the minister be brief in response, because I have three questions that I'm going to ask.

The first question is with respect to Bill C-14. Attorney General Wally Oppal and Solicitor General van Dongen from British Columbia came and met with you, Minister, and met with the opposition, including us. They indicated that they wanted the lawful access law changed so that the law enforcement people are allowed to lawfully intercept a wider range of communications between gangsters and gang members. As well, they want to make sure that we cut back on the two-for-one remand sentencing deals, which of course disproportionately reduce prison sentences for some violent offenders.

These two issues aren't new. These two issues have been on the table at attorneys general conferences for some time. I want to ask you, the minister, why did you not move on these as part of Bill

C-14? Obviously, from Minister Oppal's remarks, it appears that he didn't think you were very enthusiastic about doing it very soon.

•(1540)

**Hon. Rob Nicholson:** There are a couple of things, Mr. Dosanjh. A number of the issues that we have placed before Parliament have been on the desks of the attorneys general across this country, not just Bill C-14, which you opened up your remarks with and which is one of them, but Bill C-15, the drug bill, as well.

I had a very good conversation with both the attorney general and the public safety minister from British Columbia. I explained to them the contents of the two bills that we have before Parliament. I'm confident that I will have their support and I'll have the support of attorneys general right across this country. I have indicated to them, and I will indicate to you, as I have to Parliament, that we are taking these bills one step at a time.

You will remember when we introduced five bills in the first session of the last Parliament. You will remember as well that, when we adjourned in the summer of 2007, not one of those bills was actually passed into law. If I sound a bit frustrated thinking about that, I was very frustrated to have to deal with that.

I think it's best to introduce these bills one step at a time. I'm trying to garner public opinion on these. As you can tell from people like you and others who have followed this government's agenda for fighting crime, we're moving ahead. We'll continue to move ahead, but I'm taking them one step at a time.

**Hon. Ujjal Dosanjh:** I don't want to be partisan, but we've actually offered to expedite these two bills rather quickly. You could actually introduce the measures sought by British Columbia very soon and we would expedite those as well. They aren't very complicated. They can be done very quickly.

**Hon. Rob Nicholson:** Good. I'm glad to hear you say that. That's a beautiful thought, Mr. Dosanjh. I hope you've spoken with your other colleagues here from the Bloc and the NDP, because nothing would make me happier than to get these things through.

You know very well the frustration and the difficulties that my colleagues and I had in getting anything passed. Even the bill to protect 14-year-olds and 15-year-olds from adult sexual predators took much longer than I would have liked.

I'm happy that you are prepared to push these things, because I have news for you, Mr. Dosanjh: we have other pieces of legislation that we'll be bringing forward. I hope this enthusiasm keeps up, because it's exactly what Canadians need.

**Hon. Ujjal Dosanjh:** It seems to me you're more interested in politicking than giving me the answer.

Let me move on to the next question, on the drug courts. Bill C-15 dealing with drug offences and sentences therein indicates there will be more expansive use of the drug courts. The drug courts funding will continue for a year from today. The decision to renew that funding isn't going to be made this month. It takes one year for any addict to go through a program in a drug court. Why are we jeopardizing treatment of those people who are attending drug courts by not making a decision more quickly, particularly if Bill C-15 anticipates that these courts are here to stay?

**Hon. Rob Nicholson:** I can tell you, Mr. Dosanjh, that the drug courts you're referring to got started a number of years ago. They were done on a pilot-project basis. We have ensured that funding is in place and will continue for the next year. You're quite correct that we make reference to that in Bill C-15 that we have before Parliament.

Very soon after becoming Minister of Justice in January 2007 I was particularly interested in this and what we were doing to help individuals who weren't violent but found themselves addicted or caught up in the court system. I think up to this point the program is working quite well. The funding is in place for the next year, and I thank you for any representations you'd like to make for the future of that program.

**Hon. Ujjal Dosanjh:** I would ask you to expedite funding approval for future years more quickly. But let me go on to my last question, about a couple of articles in the paper today that indicate the justice brass is to receive anti-racism training—about 600 managers, I believe. This is not a partisan comment.

Our previous governments didn't have stellar records in integrating visible minorities into the public service. Whether it's provincial or federal, the number of visible minorities is disproportionately lower in the federal civil service and the provincial civil service, at least in British Columbia, where I come from—and we made efforts.

It's not really a question; it's a comment. First of all, I want to thank the department for trying to do what they're doing. But I want to express some shame and embarrassment as a Canadian. We don't think of aboriginal Canadians as visible minorities, but they've been here for hundreds of years. Chinese Canadians and blacks have been here for a long time. Chinese Canadians actually came to this country 165 years ago. Indo-Canadians have been around for over 100 years. The argument that there aren't qualified people in those communities doesn't wash any more. While I thank the department for trying to make the effort to deal with this issue upfront, I am embarrassed as a Canadian that we are so far behind, particularly in the civil service, both federal and provincial.

Minister, I want to encourage you to do more and to do it more quickly.

• (1545)

**The Chair:** Give a very short answer, Minister.

**Hon. Rob Nicholson:** As a government we've only been involved for the last three years. I can't speak for what took place before that. It's everyone's responsibility to see that all Canadians from whatever walk of life, race, or ethnic group are completely integrated into Canadian society.

You mentioned the Department of Justice. I think it would be appropriate if the deputy minister commented as well.

**The Chair:** Mr. Sims.

**Mr. John Sims (Deputy Minister and Deputy Attorney General, Department of Justice):** Thank you.

Mr. Dosanjh, we take the situation very seriously. We've done quite a few things. We are indeed, as the newspaper article said this morning, making sure that all senior managers have sensitivity training, but we're doing far more than that.

We have more visible minority employees in the department than the labour availability numbers would suggest, but we don't have enough visible minorities at the senior level. We are making efforts to see what we can do to accelerate the advancement of qualified visible minorities in the department. We have a national diversity program for training possible managers. There's a pilot called the leadership development program that is going to equip people to compete and accede to the higher levels. We have performance measures for management to monitor the progress of people in the department.

I think I'm proudest of the relationship we have in the department today with the advisory committee on visible minorities and the advisory committee on aboriginal people, with whom we're working very closely and cooperatively to try to make progress in this regard. We aren't there yet. We're not happy with where we are, but we think we've made a great deal of progress since the moment in history that was described in that article this morning, which was about a year ago.

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

We'll move on to Monsieur Ménard.

[*Translation*]

**Mr. Réal Ménard (Hochelaga, BQ):** Thank you, Mr. Chair.

I would like to talk about the Criminal Conviction Review Group. I have heard that since the Conservative government took office, the group has been a little dysfunctional. Concerns have been expressed. People who are quite concerned about how this group is run have made some representations to me.

I have been informed that of the five lawyers who work for the Criminal Conviction Review Group in accordance with section 696 of the Criminal Code, two have gone on sick leave because their professional independence was not respected, primarily by your director, Mr. Scullion. The professional independence of these employees is not being respected. How many lawyers work for the CCRG? Can you get that information to me?

Can you confirm for me that since the Conservatives came to power, the professional independence of lawyers, who in accordance with a process established in 2002, must follow a four-stage process, has always been respected? Have you knowledge of any operational problems or ill-advised interventions by your director, Mr. Scullion?

• (1550)

[English]

**Hon. Rob Nicholson:** I'm not going to comment specifically on some of the internal matters within the Department of Justice. Perhaps the deputy minister might want to do that.

But I can tell you, Monsieur Ménard, that the whole question of wrongful convictions is something that is quite apart from any political or ideological considerations for anybody. I'm quite certain that over the years this has been the case, not just in the government of which I am a member, but I believe in previous governments as well. We have an obligation under our Constitution and our system of government that when information is brought to us that an individual may have been wrongfully convicted we will move forward on it.

You're quite correct. A number of changes have taken place since the Milgaard report, quite frankly. I have an independent individual, Judge Grenier, who advises me. He is completely at arm's length and independent. He advises me with respect to applications. I know that within the Department of Justice they take this very seriously as well, and they work very hard on that, Monsieur Ménard.

[Translation]

**Mr. Réal Ménard:** Let's get back to Judge Grenier. Let me ask you the question again. As minister, were you informed that of the five lawyers working for the Criminal Conviction Review Group, two apparently requested to be put on sick leave after the director called into question their professional independence? As minister, it is your responsibility to know if this group is dysfunctional.

Representations were made to me in my capacity of member of Parliament and I did my duty as an enlightened opposition member and put the question to you. As minister, was this matter brought to your attention? We'll get back to how the process works. I'm familiar with that. What I want to know right now is whether or not you stepped in and whether you continue to have confidence in Mr. Scullion and in the professional independence of his team of lawyers.

[English]

**Hon. Rob Nicholson:** I am completely confident that this has worked very well over the couple of years that I have been Minister of Justice. I believe that people have acted in a professional manner and have moved forward on the applications and the files.

I don't know if you have anything you want to add, Deputy Minister Sims.

[Translation]

**Mr. John Sims:** I have complete faith in Mr. Scullion's professionalism. I am not aware of any inappropriate interference on his part in the work of the lawyers.

**Mr. Réal Ménard:** Are they on sick leave, yes or no? Are you aware that two of the five lawyers requested to be put on sick leave?

Please keep your answer brief, because I have other questions.

**Mr. John Sims:** I know that one lawyer is on leave for health reasons. I don't have any information about the other individuals.

**Mr. Réal Ménard:** I see.

Pursuant to the legislation reviewed by the Liberals in 2002, this service provides all evidentiary elements to the lawyer assigned to persons who have been the victims of a judicial error. I was informed that this process has been interrupted. In at least two instances, lawyers for victims like this were denied information. I'm not looking for an answer, but I am sounding the alarm and I do hope that some clear directives will be issued.

I have a question about the Coffin affair which was the subject of a vote in the House. Can the minister, or the deputy minister, give us a progress report on this inquiry that was given the go-ahead over a year ago? Where do matters stand? Which of your lawyers has been assigned to this inquiry?

• (1555)

**Mr. John Sims:** I didn't catch the name of the inquiry, sir.

**Mr. Réal Ménard:** I'm talking about the highly publicized Coffin affair. A film was produced about the Duplessis years and so forth. This House held a vote calling for an inquiry to determine if a judicial error had been made. This was agreed to at the preliminary stage and we are now at the inquiry stage. Who is the attorney of record on this matter?

**Mr. John Sims:** This case is currently before the CCRG, but I do not know who the counsel of record is and I don't know the status of this inquiry either.

**Mr. Réal Ménard:** Can you get back to me with an answer?

**Mr. John Sims:** Yes.

**Mr. Réal Ménard:** Mr. Chair, do I have time for one last question? I can assure you that you won't be bored and that you'll like my question. No? Then, I'll come back to this later.

[English]

**The Chair:** You're finished. It will have to be the next time around.

Mr. Comartin, you have seven minutes.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Thank you for being here, Minister and officials.

I think this question is more for Mr. Sims.

I had asked in the last round of the estimates about funds spent on defending the application of the file on Omar Khadr, a case that went all the way to the Supreme Court.

We did receive a response—and thank you, Mr. Minister, for that—indicating there's no separate line item. But internally, in terms of the work justice department lawyers did on defending that application, are there records kept of how many hours they worked, how many staff worked on it, or those kinds of thing?

**Mr. John Sims:** There might be, Mr. Comartin.

**Mr. Joe Comartin:** Is that data public or available to be made public?

**Mr. John Sims:** If the data is public and available, or could be made available, I'll certainly find it for you.

**Mr. Joe Comartin:** Please do that.

Mr. Minister, we've now gone two rounds under your government on the issue of judicial compensation. In both cases, the commission made specific recommendations, which the government rejected and appears to be imposing significant limits on them. We'll probably come back to this at some point in the future before this committee, but the question today is, given that the system, in my opinion, appears to be breaking down, is there any thought being given by your department to proposing a different system to deal with this fairly sensitive subject?

**Hon. Rob Nicholson:** I can't say there is, Mr. Comartin. And while there have been some challenges on that, I don't agree with your supposition that the system has broken down. We have to deal with it. And I have dealt with it in various capacities. When I was the government House leader, you may remember that I made efforts to try to get the legislation, or initiatives, put before Parliament and to get them passed. Years ago, as a member of this committee, I was among those who said we should move forward on these things. So I respect the whole question and I respect the process that's in place.

Again, we're faced with some realities that are inescapable. We have dealt with this in a very fair manner, I believe. Again, I've spent my time, as you can probably guess, on drugs and gangs here in the last little while. That being said, I'm open to suggestions on this, or indeed on any other issue, but I can't say that changing the system has been a focus of mine at the present time.

**Mr. Joe Comartin:** Well, would you agree with me that.... No, let me leave that.

Have you done any analysis as to why we are getting such significantly different positions being taken by the commissioners and by the government? Is it the appointments to the commission? Is it the methodology that's being used in terms of the analysis? Are we doing anything here? I'm going to suggest to you, Mr. Minister, that we can't continue to have this happen every time a review of their compensation comes up.

**Hon. Rob Nicholson:** Well, this government's only been involved with two of them, Mr. Comartin. With respect to the one with which I'm most familiar, again, I think the system worked in the sense that we had to come to a decision in terms of the economic crunch that the country and the government are facing. I think we've taken a reasonable approach to it. You or others may disagree with that, but I think it's been a reasonable approach. We're prepared to stand by that at the present time.

• (1600)

**Mr. Joe Comartin:** So there are no plans at all to change the system?

**Hon. Rob Nicholson:** Again, as I indicated to you, my focus is on the issues that I just indicated to you. I have no plans at the present time to change that system.

**Mr. Joe Comartin:** I have just one final area. On the funds that are being allocated for the Privacy Commissioner, there are no details. Can somebody tell me what that is for? It's the \$3 million figure on page 2 of the supplementary estimates that we've been given.

**Hon. Rob Nicholson:** I will get you any details on that. I know that the Privacy Commissioner already spoke to that, but in any case, we'll provide that for you, Mr. Comartin.

**Mr. Joe Comartin:** Thank you.

That's all I have, Mr. Chairman.

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

Mr. Moore, you have seven minutes.

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

Thank you, Minister, for being here.

Minister, I know that lately in the news we've been seeing a lot about crime. I guess the underlying concern that I have is what happens.... Obviously, we want those stories to go away and we want crime issues to be solved, but it takes a certain amount of resolve around this committee table, and indeed in the entire House of Commons, to pass effective justice legislation. We've seen in the past that bills have been brought forward and have ground to a halt. We've seen bills that haven't gone through the process to become law.

Can you tell us a bit about the current bills that have been introduced, Bill C-14 and Bill C-15, one dealing with drugs and the other with organized crime? What type of process goes into developing those bills? How long have those bills been on the books?

What do we do so that we don't become complacent? When I say "we", I mean Parliament, because I know that your approach has been a steadfast approach. You're constantly pushing to improve the justice system, but obviously in a minority Parliament we need partners who are also willing to advance effective justice legislation. In the past, that's been lacking, so how do we avoid these issues being just the flavour of the week and instead something where we can be steadfast and resolved in improving the justice system?

**Hon. Rob Nicholson:** Thank you, Mr. Moore, for that question, and thank you for all your efforts on this. I very much appreciate your support and that of my other parliamentary secretary, Monsieur Petit, and my other colleagues. Thank you for your support on all of our tough-on-crime agenda.

Quite a bit of thought and work goes into the preparation of any bill that we bring before Parliament. You hear about it as public officials. You hear about it during elections. You hear about it from your constituents. They want you to move forward on these issues, and I believe that's a great source of ideas for new legislation. Of course, we like to get the input of the provincial attorneys general, law enforcement agencies, and groups like the Canadian Bar Association and others. We have to get input from a lot of people, a lot of groups, before we go forward.

Many times these issues are before the public; sometimes they're not. You mentioned the gang legislation we have before Parliament. You mentioned the drug legislation. There has been quite a bit of publicity, particularly in British Columbia, in the last several weeks. But when I went across this country, I had law enforcement agencies in most of the largest communities raise the matter with me that they would like to see changes to the criminal law to zero in on this kind of activity. As you know, one of the sections we have is on drive-by shootings—people who fire into a crowd when they're trying to target a victim. That is a recurring problem in this country, and I'm pleased there are specific sections now in our “getting tough on gangs” act that specifically deal with that.

I am also told by law enforcement agencies, border services, and others, that we have a major problem with people bringing drugs into this country. But we have to be very clear who we're talking about. The people who bring drugs into this country are not those experimenting with drugs on a Saturday night, or poor individuals who have become addicted. These are the people who are involved in organized crime. These are the gangs. They are the ones bringing drugs into this country or shipping drugs out as currency for drugs coming into this country.

We know who they are and what they're all about, and that is why I'm very pleased that the bill we have before Parliament, Bill C-15 on drugs, includes mandatory jail time for somebody who brings drugs into this country, because that's who we're targeting—gangs and organized crime. If you want to break up gangs and organized crime you have to get these people off the streets, so we're sending out a very clear message on that.

I have to tell you this is not just a reaction to all the unfortunate publicity that has been received in the last few weeks; this has been ongoing. When this committee or Parliament has a close look at this drug bill, I hope they will note that it is virtually identical to the one we had in the previous Parliament that we wanted to get passed.

These things send out the right message, and this is exactly what victims and law-abiding Canadians want us to do. Yes, we are moving forward on these. We've had input from a wide range of people, and in my opinion Canadians are demanding action on these issues. I'm pleased to tell them that we are prepared to deliver.

• (1605)

**Mr. Rob Moore:** Thank you, Minister.

With bills that were previously before this committee, we heard testimony from police officers and other experts in the field—front-line workers—that to really combat crime you have to disrupt the criminal enterprises. It involves taking the small percentage of Canadians who are actually involved in these very serious activities and disrupting their criminal enterprises.

Can you speak a bit to that in relation to these two bills, specifically on gang violence and the importance of disrupting those activities—taking those who are the worst perpetrators off the streets?

**Hon. Rob Nicholson:** I don't think there's any question that the two bills you had before that address some of the challenges we have in this area. I'll remind you, as well, that in the Tackling Violent Crime Act we sent out the right message to people; that is, people

who want to commit serious gun crimes in this country are looking at penitentiary time. They're looking at a five-year minimum sentence, meaning the judge can increase that. And if they don't get the message the first time, they can get seven years the next time for a whole wide range of serious gun crimes in this country. Getting these people off the street does break up the criminal enterprise and it sends out the right message.

In addition, you will know, having studied it very carefully, the changes that we've made to the bail provisions so that we are reversing the onus for people who have a record of a history of violence in using guns. We're putting the onus on them as to why they should be back out on the street. I've had police officers tell me that this is exactly what has to take place in this country, because it sends out the right message. The wrong message, if you are charged with a serious gun crime and you have a history of serious gun crimes, is if you're back out on the street in a couple of hours this has the effect of intimidating the witnesses. It intimidates the neighbourhood and it completely sends out the wrong message into our communities. They are among those who were the first to welcome initiatives in that area to change the bail provisions.

I can tell you, we received widespread support with respect to our mandatory jail times for people who commit serious gun crimes. But we're adding to that. We're adding to that people who get involved with serious drug crimes in this country. Again, we want to help the addict and the poor individual who finds him or herself addicted. We want to help that individual. But we're very clear to the people who are in the business of destroying people's lives, the people who like to sell these things to children and around schools, who think that the grow operation business is a great career opportunity, people who think a smart business move is to start importing drugs into this country. We send out a very clear message to them: you're going to jail if you get caught and convicted under these new laws. I think that's exactly what Canadians have been wanting to hear and have been waiting to hear from their government in Ottawa, and I'm pleased that we're delivering on that.

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

We'll move on to Mr. LeBlanc.

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Thank you, Mr. Chairman.

Minister, thank you for your appearance.

I'll be very brief in my questions, and perhaps you can be briefer than the infomercial answers that you gave Rob Moore.

Very briefly, Minister, the B.C. government has asked for you to look at reducing the two-for-one remand time, or three to one, the time that is given when somebody is incarcerated before trial. Would you agree with the B.C. government that we could reduce the additional credit given for remand time? And do you agree with the B.C. government that we need to modernize lawful access to electronic surveillance and make it simpler for them to have access to this technology?

• (1610)

**Hon. Rob Nicholson:** Mr. LeBlanc, I never get ahead of myself, or I never advance a file until we are prepared to move on that. I can tell you, if you have a look at the Conservative Party's policy in previous elections and our justice thing there, we specifically raise those matters.

As far as what I'm wanting to do today and what I have before Parliament is concerned, I want these bills passed. I refuse to get into the situation that we had in the last Parliament where we had five bills and then nothing got passed. I will not go down that route. I appreciate the input of the attorneys general and the public safety and solicitors general and justice ministers right across this country, and I listen very carefully to what they have to say. I can assure you that they are supportive of what we are trying to do in these two bills. But I'm taking them one step at a time. I will not slip into what happened in the previous Parliament. You don't want that, either, Mr. LeBlanc. I'm hoping that you're supporting what we are trying to do in the criminal justice area and you will understand that.

Get these bills passed and I'll make you this promise: you'll see more justice legislation, just as you saw in the previous Parliament.

**Hon. Dominic LeBlanc:** I hope that's the case, Minister.

I have another brief question. With respect to judicial appointments, I'm familiar with the number in New Brunswick. I've asked you about this previously. The last three appointments you made to the Court of Queen's Bench in New Brunswick were unilingual males.

I see an increasing tendency, Minister, to replace bilingual judges in provinces like New Brunswick with judges who are unilingual. Are you sensitive to this, and do you think you could improve in fact the linguistic makeup of a court?

**Hon. Rob Nicholson:** I'm sure you couldn't have done very much of a study. I'd certainly love to see that study, Mr. LeBlanc. I watch this very carefully, and my office is in consultation with the chief justices in each of the provinces. We are very sensitive to that. I believe we have an outstanding record of appointing individuals who have dual linguistic abilities and of making sure that gender balance is represented within our court system. I have to tell you while I'm here how pleased I am at the most recent appointment of Mr. Justice Cromwell, who, as you know, has a facility in both languages, but quite apart from that is an outstanding jurist who has a wonderful record. And I can tell you how well that appointment has been received.

We're sensitive to all these issues. I can tell you, you can check out the 222 appointments that were made by this government; these are an outstanding group of Canadians about whom we can all be very proud.

**The Chair:** We'll go to Mr. Lee, for a one-minute question only.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Thank you.

Mr. Minister, you will probably agree there are many components of the criminal justice system: there is the Criminal Code; there is the crime, when it takes place; the investigation, which is a huge and expensive part of criminal law enforcement; the charging; the prosecution; the conviction; and the sentencing and the corrections components.

**Hon. Rob Nicholson:** And bills too, certainly.

**Mr. Derek Lee:** These are all different components, and I've been shocked over my several years here in Parliament by the shameless posturing and pretense of politicians. I guess that cuts through most parties, and maybe once in a while it may have included me. But there's shameless posturing. It's as though by creatively rewriting a law, we're going to make a big difference to crime, when the guys that do the crime look at it in a rather binary way: either they get caught or they don't.

So why aren't you and your ministry focusing on the components of the criminal justice system that make a difference: the investigation, the prosecution, the conviction, the sentencing, the corrections, all of these areas where you can put rubber to the road? Simply by rewriting the law for a drive-by shooting.... It's already a crime; the guy knows he's already in trouble if he gets caught.

How do you think you're making a difference there by focusing on rewriting a law?

**The Chair:** A short answer only.

**Hon. Rob Nicholson:** Under our Constitution, Mr. Lee, that is the responsibility given to us under the BNA Act, now known as the Constitution Act, 1867.

With respect to the administration of justice, it's done at the provincial level for the most part. Sometimes they ask me, why don't you tell the crown's attorney, and I tell them in return, hold on, I'm not in the business of telling the crown's attorney what to do, because the crown's attorneys are appointed by the provinces. Policing under the Criminal Code, as you know, is almost exclusively within provincial and municipal law enforcement agencies.

So I'm always very clear, Mr. Lee, that we are one component of what has to be done to fight crime in this country. If you remember, in my opening remarks I specifically thanked police officers and others, even though we're not the ones who run municipal police forces or the OPP in our province of Ontario. We don't run them at the federal level, but I'm very thankful and congratulatory to them for the wonderful job they do. Every time I see them, I always make that point, even though they're not federal employees. The same thing goes for the crown's attorneys as well.

Mr. Lee, you said you've only been here a couple of years. It's been a little bit longer than that, and you're not one for posturing. You want to see results. I want to see results as well. So we will make changes to the Criminal Code that will send out the right message and deal with the challenges we have.

• (1615)

**The Chair:** Mr. Ménard, a second question, for five minutes.

[Translation]

**Mr. Réal Ménard:** Thank you.

If I may, sir, I would like to come back to the representations that were made to me about the threat weighing on the professional integrity of the lawyers who work for the CCRG. I would like some reassurances from you and I want to hear more from you about the role of your special advisor, Judge Bernard Grenier, a person that I hold in high esteem and who has long served on the Quebec Court. I was told that your special advisor must review all applications that have been denied a review by the CCRG and that unfortunately, there have apparently been some serious oversights in this area.

Have you been made aware of these oversights? Although I may look calm on the outside, when matters like this are brought to my attention, I am troubled. I'm sure you want to put my mind at ease. Can you reassure me about the review role played by Judge Grenier and about how he is carrying out his duties? I'm familiar with his record on the Quebec bench, but I would like you to quash the rumours that are circulating.

[English]

**Hon. Rob Nicholson:** I can tell you that my relationship with Judge Grenier is at arm's length. He does his work of looking at applications for wrongful convictions, and I think it has worked very well. This is something we can all be very proud of.

You've made, I think, some allegations with respect to a working group within the Department of Justice, if that's what you're doing. Again, my understanding is that the system has worked well in the past. I'm very pleased with it. I'm unaware that somebody may be disgruntled or unhappy with that, and you've certainly brought it to the attention of the deputy minister, who administers the department on a regular basis.

But Judge Grenier is separate, even from the department. These get referred to him and he has a look at them, and then he makes recommendations to either sustain the conviction or to have the matter referred to the court of appeal, or have a new trial ordered. So I think it has worked very well.

I think we can be proud of the decisions that have been made and the wrongs that have been righted.

[Translation]

**Mr. Réal Ménard:** I'm sure you wouldn't want to appear unusually naive. I know you to be a shrewd person.

Does Judge Grenier follow through with the four stages involved in reviewing applications for a criminal conviction review? Some attorneys with groups responsible for representing innocent victims seem to think that he is not as committed as he should be to the process. You know that I always take my questions very seriously and I would like some reassurances from you.

[English]

**Hon. Rob Nicholson:** I know you are.

I believe Judge Grenier has done an outstanding job. The reports that he has given to me have led me to have every confidence in the work he has done. I'm completely satisfied with the work he has done. As I say, if you have some other information to the contrary, please let us know. I have been very pleased, and I think he works very well. But again, my relationship with him is at arm's length. I'm

not in the business of cross-examining him, or interacting with him other than to get the reports to me, and with their recommendations.

• (1620)

[Translation]

**Mr. Réal Ménard:** Mr. Chair, the committee is responsible for the integrity of the process. Therefore, I intend to move a motion to invite Mr. Scullion and all of the other officials responsible for the CCRG to appear before our committee.

Minister, are you quite convinced that all groups who work with individuals who may have been the victims of a judicial error receive all of the evidentiary elements and all of the pertinent information? For several years now, some groups have been complaining about how hard it is to get this information. If the committee is amenable to this, these officials will come and testify, but I simply want to be sure that the matter has been brought to your attention and that you will take steps to rectify this distressing, and appalling situation.

[English]

**Hon. Rob Nicholson:** You combined a couple of things there, Monsieur Ménard.

I believe the system has worked well and it continues to work well. I don't have any evidence to the contrary, that it's not working well, quite frankly. If you have evidence that somehow it's not, then by all means forward it on to us. But again, I think it has worked very well, and it has resulted in justice for a number of people who might not otherwise have experienced justice. I think we can all be very proud of the system.

**The Chair:** Mr. Norlock, you have five minutes.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Thank you very much.

Thank you very much, Minister and officials, for coming here today.

If you permit me, Mr. Minister, I would like to also say it's good to see Mr. Lee back again and to share a committee together with him. I would like to just mention for his sake that I'm also on the public safety committee, and I can tell him that, yes, there are many components to the issues we're dealing with here at the justice and public safety committee. I'm also very happy that I can say for his sake, or to him, and to those folks who are watching and listening to some of the comments he made, that this government's been spending a lot of their tax dollars on improving the investigative arm of things by investing heavily in the RCMP and other police forces, as well as making sure that there's an independence with the prosecutorial part by the appointment of Mr. Saunders, of course.

I would like, Mr. Minister, to talk about Bill C-14. In particular, what struck me was the amount of media coverage around that particular bill, and the kind of support that I know comes from the law enforcement community, with which I have a kinship. I think folks should realize that when police departments, police officers, and police associations talk to you, or you consult with them, behind that consultative process you have also community policing committees that they represent and who advise them, and also the victims of crime. I would like to ask you some questions surrounding the amount of consultation you've taken with various communities, not the least of which would be police officers, the people on the front lines who deal with these issues on a daily basis, and what kind of input they had to Bill C-14.

**Hon. Rob Nicholson:** Thank you very much, Mr. Norlock, and thank you for your support of these initiatives and your input on the public safety committee as well.

We never make these laws in a vacuum. That would be the wrong way to do it. We do get input.

You talked about a number of groups that are very, very important. Of course, victims of crime have to be at the top of anybody's list. I was pleased and proud to appoint the first federal ombudsman for victims of crime about two years ago. For the first time, we have an individual whose sole function is to stand up and have a look at the issues that surround and challenge victims in our criminal justice system.

These are all steps in the right direction. Having more money for the victims fund is another example to build on that initiative.

That being said, I've been the recipient of many, many inputs, inputs from people like you, from parliamentarians, from our constituents, and from speaking with law enforcement agencies and lawyers' groups. One of the great things about being Minister of Justice is that you do get invited to a whole host of functions where people who are dedicated to making a difference in this area gather, and you get the benefit of their advice and their input on these laws.

But this question of gangs is not something that just arose in the last three weeks. Again, I appreciate that Parliament will be focused on this. I'd appreciate any efforts to get these bills through, but part of what we are doing is just bringing the Criminal Code up to date.

The provisions with respect to police officers haven't been updated in many, many decades. We have to send out the message that if you start attacking police officers, the people who are in the business of protecting society, there have to be serious consequences, and that we are increasing those consequences.

Also, if you are in the business of pulling out a gun and shooting into a crowd, you should know that prison time awaits you.

These are steps in the right direction and they send out the right message.

Again, when I speak with groups and individuals, ordinary Canadians everywhere I go in Canada are not shy about telling me how concerned they are about some of the issues with respect to violent crime in this country. I can tell you—and I have said this in the House of Commons and I say it here—that your constituents will thank you if you help get these things through.

Our job and the job of all the members of Parliament is to keep the focus on these issues. I appreciate that we have other challenges in this country, and huge challenges with the economy, but this is part of what we have to do as parliamentarians. Believe me: the people of this country will thank us for that.

• (1625)

**The Chair:** Minister, thank you. We're at the end of our first hour.

Thank you to all three of you, Mr. Sims, Mr. Saunders, and Minister, for appearing before us. I think you've sensed from the comments you've heard at this committee table that there may be a greater degree of collaboration we can look forward to in terms of moving forward with protecting our communities, so I'm sure we'll have you back again.

Again, thanks for appearing before us.

We'll suspend for a few minutes.

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\_\_\_\_\_ (Pause) \_\_\_\_\_

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**The Chair:** Members, on your desks you have a number of suggested motions on the supplementary estimates C. If you're willing to accept them, we'll walk through each of those votes and then do a report to the House.

Do we have a motion on the first item?

Mr. LeBlanc.

**Hon. Dominic LeBlanc:** I don't know whether it's appropriate, but I move that all of these individual votes carry and you report the supplementary estimates as a group.

**The Chair:** That's appropriate.

Is there any debate on these? No.

Following this we will deal with Monsieur Ménard's motion, which is still on the table.

We have a motion before us to cover all of the supplementary estimates C together with a report to the House.

(Motion agreed to on division)

• (1630)

**The Chair:** The other item is the motion that Mr. Ménard tabled.

Mr. Comartin.

**Mr. Joe Comartin:** Could we please show the last vote as being on division?

**The Chair:** Just for clarification, did you vote against the supplementary estimates?

**Mr. Joe Comartin:** I was going to, and I don't think it got recorded. My hand was up in between.

**The Chair:** It is recorded now.

**Mr. Joe Comartin:** I'm sure the clerk was unclear as to what I was doing. She had every right to be unclear.

**The Chair:** But you are on record as opposing it.

**Mr. Joe Comartin:** If it just shows "on division" I'll be satisfied.

**The Chair:** Thank you.

Moving on to Mr. Ménard's motion, the last time we discussed whether we would be travelling to Vancouver for the organized crime study. There was also a suggestion that travel should be extended to other cities. I open the floor for debate on that issue.

Mr. Norlock.

**Mr. Rick Norlock:** I don't wish to be obstinate, but I see two sides to this. I fully understand the need for the people of this country to know that this committee is taking seriously the gang violence and the issues surrounding gang violence, such as guns, drugs, etc. I'm also cognizant of the fact that we're in some pretty tough economic times.

My original reticence has been tempered, but I'm wondering if the committee might envisage a reduced group doing this, with one person from each party. They could come back to us and we could debate what they saw and heard. That way we would get a good balance.

It's just a thought for consideration.

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

Is there anybody else?

Perhaps I should read the motion so we can refresh our minds:

Given that the violence between rival gangs in British Columbia has instilled public fear; given that this violence has led to the death of four innocent victims; it is moved that, in its study on the state of organized crime in Canada, the justice committee travel to British Columbia to hear testimony from the Solicitor General, Mr. John Van Dongen, and any other relevant witnesses.

Mr. Ménard.

[*Translation*]

**Mr. Réal Ménard:** Mr. Chair, I find my colleague's motion to be an enlightened one worthy of our consideration. Since 2004, that is since we've had a minority government, I don't believe that full committees have been travelling. The whips tend to keep track of attendance in the House, which is clearly a legitimate concern. If the committee wishes to have a reduced quorum and delegation, then I will not oppose it.

Of course, we would need to know what this would mean in actual fact, but I think our colleague's motion is reasonable. I'm not saying that we need to visit each and every city. If we visited Montreal, Toronto, one city in Atlantic Canada and one city out West, I think that would suffice in terms of keeping in touch with communities.

I will not oppose Mr. Norlock's amendment, if that is what the committee wants.

•(1635)

[*English*]

**The Chair:** Mr. Comartin.

**Mr. Joe Comartin:** I'm a bit concerned. Maybe we should hear from the Liberals on this, but there was an amendment to this and then another amendment I made. My amendment isn't necessary unless the Liberals move an amendment that we travel to other cities.

I don't know if we have some indication from them as to what they're going to be doing. I think they had a list of four or five other

cities they wanted us to travel to. They were doing that as an amendment, so it was in order, Mr. Chair. If that is going to be in order, I will want to move my subamendment that the first city we go to be Vancouver.

**The Chair:** Mr. Comartin, let me check with the clerk to see whether in fact a formal amending motion was made.

There was an amending motion made by Mr. Murphy, and that was to extend the scope of the visits to other cities.

Mr. Comartin, just to clarify, you were—

**Mr. Joe Comartin:** I had moved as a subamendment to that subamendment that the first city we go to be Vancouver.

**The Chair:** So we're clear about what's on the table right now?

Monsieur Ménard.

[*Translation*]

**Mr. Réal Ménard:** I have no objections to our going to Toronto, but shouldn't we be sending a message at this time, namely that we're concerned about the tensions reported in the media. Outbreaks of gunfire are being reported. The Quebec media are reporting on events taking place in British Columbia. Why Toronto and not British Columbia? I'd like Mr. Comartin to explain to me the rationale for his amendment. I'm not calling into question that he is a rational person.

[*English*]

**The Chair:** Mr. Comartin.

[*Translation*]

**Mr. Joe Comartin:** I already gave my explanation, Mr. Chair, but Mr. Ménard wasn't paying attention. I explained that at this stage, it was very important to let the City of Vancouver know that we are concerned about everything that is going on in that city. If it were 2005, my message would be no different, except that Toronto would be the first stop on our list.

**Mr. Réal Ménard:** But why do you want the committee to visit Toronto?

**Mr. Joe Comartin:** Toronto wasn't on the list.

**Mr. Réal Ménard:** Do you want us to start with Toronto, or with Vancouver?

**Mr. Joe Comartin:** With Vancouver.

**Mr. Réal Ménard:** Fine! I agree.

**Mr. Joe Comartin:** I'll repeat it because he isn't listening.

**Mr. Réal Ménard:** Excuse me, Mr. Comartin, but I misunderstood you. Usually you are so clear. Right away I feel guilty.

[*English*]

**The Chair:** Mr. Ménard, I think we're all on the same page on that one. The importance here is that Vancouver has been the most recent hot spot of organized and drug-related crime. I think the wish was that we go to Vancouver first and then we can go across the country and visit a number of other cities.

In terms of the cities that have been identified, we've heard Vancouver, Toronto, Montreal, and Halifax. Those are four cities. That would take up at least four of our meeting dates. The one complicating factor is that we expect shortly we're going to have Bill C-14 and Bill C-15 come before us. As you know, it's the government's preference that we deal with those bills right away. I did hear some comments when the minister was present that there was a willingness to fast-track those bills and ensure that they get passed into law.

Mr. Storseth, you had a question.

**Mr. Brian Storseth (Westlock—St. Paul, CPC):** Thank you very much, Mr. Chair.

First of all, I'm hesitant to have such an abbreviated trip in the country if that's indeed what the committee wants to do. As you know, the minister spent a great deal of time last year going all over the country talking to people. He brought forward some legislation here. I think the best thing this committee can spend its time doing is dealing with this legislation and getting it through our committee as expeditiously as possible. But if the committee does want to travel to some of these areas that have seen some very serious organized crime, and drug offences, I must insist that the committee would look at going to Edmonton and Calgary, as well as Winnipeg. These are communities that are close to my riding and that are affected by the same organized crime and the same drug issues. I think it would be pertinent for the committee to go to these communities as well.

I think it's very dangerous to only go to the latest place where we've had some serious offences. I think it's important. Edmonton is a city where we've had a lot of these issues. If the committee wishes to travel, I would recommend Edmonton as well. That's if we do it as Mr. Norlock was saying, as a smaller group, so that the larger committee can stay here in Ottawa and do the work that we need to do to get this legislation passed as expeditiously as possible so we can get on to the legislation that Mr. Dosanjh and Mr. LeBlanc were hoping to deal with as well.

• (1640)

**The Chair:** Mr. Norlock.

**Mr. Rick Norlock:** I have one suggestion. I'm very concerned that when the committee members go to these places to listen to people from the community, a lot of people work from nine to five, and if there are groups or individuals who need to be heard and who can't take a day off work, then I think the committee should be prepared to have an evening sitting and be able to be sensitive to the people who have to work nine to five, Monday to Friday.

**The Chair:** Thank you.

Monsieur Ménard.

[*Translation*]

**Mr. Réal Ménard:** I don't have a problem with sitting in the evening, if that can accommodate the needs of certain witnesses. However, I would not be comfortable with the idea that we might be doing parallel work. In my view, all members of this committee need information on Bill C-14 and C-15 and on organized crime.

If it's fine with the committee, perhaps we could consider travelling during a break week. I know this requires some effort because it's time that we don't have. I would like to move a motion to

that effect. It doesn't mean my colleagues have to agree with me. It's too late for next week, but if we have to split up and we do not all get the same information, then I cannot agree to this. I want to examine Bill C-14. I also want us to look at the whole question of organized crime. However, everyone must have the same information.

[*English*]

**The Chair:** Thank you.

Mr. LeBlanc, and then Mr. Dosanjh.

[*Translation*]

**Hon. Dominic LeBlanc:** Thank you, Mr. Chair. I agree with Réal Ménard. If the committee travels, then we must all travel together, just as we must be together to hear from witnesses on this bill. Let me reiterate the offer made by my colleague Ujjal Dosanjh when the minister was here earlier. We intend to cooperate in order to do a quick study, both in the House and in committee, of bills C-14 and C-15. We see no reason to delay the study of these bills. We have even offered to study these bills fairly quickly.

I think this is the wrong decision. We cannot examine bills if we are travelling. We believe it will be important to travel when we turn our attention to organized crime, as Réal suggested. We're open to the idea of visiting some cities, including the ones suggested by Brian Storseth, but we don't think we'll be able to travel during a break week. People plan their schedules for these weeks well in advance. The committee will have to travel when Parliament is in session. We'll simply have to try and cover as much ground as possible over five days. We could hold meetings at the same time. That is what we are suggesting. We will work in an appropriate fashion to complete the study of the bills as quickly as possible.

[*English*]

**The Chair:** Thank you.

Monsieur Petit is next, and then Mr. Moore.

[*Translation*]

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** Thank you, Mr. Chair. Regarding Mr. Ménard's motion, I think there are two or three questions that we need to ask ourselves.

First of all, I'm not comfortable with the idea of having a small group of members travel. It's not because I want to go along too, but because I would like to hear what the witnesses have to say. It's unfortunate, but when I don't have this opportunity to hear them in person, everyone tends to recount events from their own perspective, which might differ from my own. And then, I will be obliged to work on bills C-14 and C-15 without the benefit of having heard the witnesses. Therefore, I suggest that if ever it comes to this, we arrange for videoconferencing services. That way, when our colleagues are in Vancouver, we can see the witnesses from our vantage point here and perhaps ask them questions. We've already done something similar in the case of witnesses from Great Britain. I don't have a problem with videoconferencing. It's much less expensive than plane fare.

Secondly, I agree with Mr. LeBlanc. I'm not sure if that is the impression he wants to convey, but he did say that he wants to support our two bills. Do I really need to travel to Vancouver in order to study these bills? No. Do I really need to hear from witnesses? Maybe. Can they be called to Ottawa? Certainly. So then, I find Mr. LeBlanc's suggestion rather interesting. These two bills should be examined quickly. However, perhaps we shouldn't move too quickly. Haste is not always a good thing.

As for travelling to Vancouver, a lovely city where the temperature just might be more pleasant, I would point out that Montreal was the scene of the biggest police raid in recent years. At issue were drug problems and street gangs. So then, I would invite people to come to Montreal instead of Vancouver. It's much closer, travel costs would be lower and you may see some different realities. I'm willing to concede that there have been some problems recently in Vancouver, that gunshots were fired in the street, just like in the days of Al Capone. That's a whole other situation. However, the biggest police raid took place in Montreal and the main reason for it was drug problems and street gangs.

Montreal is not far from Ottawa. Neither is Toronto. I suggest then that you look no further. If you decide to make the trip and to have only one member per party accompany the committee, then I suggest you arrange for a videoconference feed so I can follow the proceedings—because I dislike flying—and even ask questions.

Thank you very much.

•(1645)

[English]

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

Before I go to Mr. Moore, could I make a suggestion?

Mr. Comartin, your subamendment appears to have been accepted by the initial mover. Could we just leave it as part of the initial motion? Is that all right?

**Mr. Joe Comartin:** That's fine, thank you.

**The Chair:** Mr. Moore.

**Mr. Rob Moore:** Thanks for that, Chair.

So Mr. Comartin's subamendment says what? Does it also say we'd travel to Toronto, Montreal, Vancouver?

**The Chair:** No, we would start with Vancouver.

**Mr. Rob Moore:** Is that the whole subamendment?

**The Chair:** We've now just made it part of Mr. LeBlanc's motion.

**Mr. Rob Moore:** Then I guess I'd be interested to know, what are we talking about in terms of a time commitment?

We just had the Minister of Justice here. My number one concern, of course, is seeing that we do the work that we need to do to have more effective legislation. We have two bills that are coming through.

For those who are promoting this, we don't have a final list of cities. I've heard Vancouver and some others mentioned. What type of time commitment are we talking about? Are we talking about doing this over the course of a number of weeks, where we'd take our regular sitting day and jet off on a Monday to Vancouver, then be

back here on Tuesday? Or are we taking a whole week to do everything in one week? I haven't heard the specifics logistically speaking.

Maybe this is something the chair or the clerk can speak to. Logistically, what are the movers intending? Because there are a number of different ways something like this could be done.

**The Chair:** I agree with Mr. Moore. We have a number of proposals, a number of cities that we want to visit, and a number of ways we could do this. I think we need to bring this discussion to a focus and find out exactly what we want to do.

**Mr. Rob Moore:** The reason I mention this is it makes a big difference. If we were to take this city list, which keeps growing over the course of our regular meetings, and just spend a day in each city over any number of weeks, it would literally take weeks.

I think it's fundamental that we know whether or not we are going to do this all in one week, or whether it's going to be on our regular meeting days that we leave for a city.

If someone wants to put forward a proposal, that would be useful.

**The Chair:** Monsieur Ménard, and then Mr. LeBlanc.

[Translation]

**Mr. Réal Ménard:** We need to clear up some confusion. As I see it, there are two issues confronting us, the first being a study of organized crime. As I understand it, once we have initiated our study on organized crime, the committee will take a full week to travel to all of the cities on the list. I don't have a problem with that. We're all mindful of the fact that Bill C-14, must be passed quickly. I remind you that the bill has not yet been referred to this committee. I am prepared to move quickly. Liberal colleagues have suggested to the House Leader that only one person be permitted to speak to the bill at second and third reading, so that we move forward quickly. We won't consent to that, because this bill provide for serious penalties for offenders. However, we are prepared to move quickly on this bill.

If, Mr. Chair, you have information to the effect that the bill is about to be referred to us this week, then I suggest we set aside the issue of organized crime—the focus of the proposed study—and get down to business right away. I think it's realistic to think that we can report back to the House in a week. Bill C-14 is a priority because of what is happening and, contrary to what Mr. Petit said, with all due respect, Montreal is not Vancouver. The two cities are not interchangeable. First, we need to know when the government intends to refer the proposed legislation to us. We've been waiting since last week and we still haven't seen the bill. The House Leader's office told us that the priority was Bill C-10. As it happens, that bill has been adopted. When the steering committee meets tomorrow, Mr. Chair, if you inform us that you have spoken to the minister or to the parliamentary secretary and we can expect the bill to be referred to us on Wednesday, then I'm prepared to make this our priority. We could begin examining the legislation as early as Thursday and next week, hold several meetings and then pass the bill. However, we cannot do two parallel studies. The two bills should be examined separately and our priority must be Bill C-14. Bill C-15 is something entirely different. But if that is what the committee wants, the Bloc Québécois will cooperate to ensure that we move quickly to study Bill C-14. Can the parliamentary secretary tell us when the House will refer the bill to committee? This hasn't yet happened.

• (1650)

[English]

**The Chair:** A point of order, Mr. Lee?

**Mr. Derek Lee:** On a point of order, it seems to be the intention of the committee to move this part of the meeting in camera.

**The Chair:** No.

**Mr. Derek Lee:** This is a public meeting?

**The Chair:** This is a public meeting. It's a motion that should be public, in my mind.

I'll move to Mr. LeBlanc and hopefully we can wrap this up.

**Hon. Dominic LeBlanc:** Sure, Mr. Chairman.

In the effort to try to arrive at some consensus, I think Réal's point is a good one. We shouldn't see this as an either/or proposition. I've accepted that the legislation should be a priority. We should take the bills separately.

My understanding—and I'm going by memory, Rob—is that they're being debated in the House as early as Wednesday of this week. That was the plan on some calendar I saw last week. So they may in fact be disposed of on Wednesday or Thursday of this week in the House and then referred to the committee.

I'm going by what Brian Murphy was telling me after the last meeting. I think the idea, to answer your question, Rob, was that we would have a one-week trip, or maybe two one-week trips, but we would start with one week. We would try to travel as a committee to as many of these cities as we can logistically. The chair and the clerk can come up with a proposal of what might work: do a five-day week, but a sitting week, where the committee would travel and the whips would allow the committee to travel while we were sitting.

That study itself is not necessarily part of the study of Bill C-14 or Bill C-15. They're complementary. They would be overlapping to

some degree, but the study of the legislation is separate, and we would work with the government and the other opposition parties to try to have a very brief study—two committee sittings or something—of Bill C-14 and not necessarily interfere with the trip.

Realistically, the earliest time that we could travel is either the week before Easter.... We're three or four weeks away from being able to do a one-week trip, so somebody should come up with a proposal of what a one-week trip might look like. Realistically, we'll be dealing with Bill C-14 in the committee in the first week we're back after the break anyway, so one doesn't necessarily replace the other.

If we're going to travel, it's going to be the week before the Easter weekend, which is only three sitting weeks from now anyway, or even when we come back from Easter. I think somebody should work on a proposal for what a five-day trip would look like.

**The Chair:** I believe Mr. LeBlanc makes a good point. Perhaps the way we could do it is simply pass the motion that we're going to do a study where we travel to a number of cities, and refer to the steering committee, which will be meeting tomorrow. I'll also get the clerk to look at times and dates and when this might work.

We'll also consult with the government and make sure this works with Bills C-14 and C-15 so that we don't neglect or delay them. Then we'll come back to you with a proposal on Wednesday, because next week, of course, we have our break. Next week there won't be any sitting of the committee unless we receive other instructions.

Does that sound good?

Monsieur Petit.

[Translation]

**Mr. Daniel Petit:** I would like to move a kind of subamendment to the subamendment. Since it's likely that only one representative per party will travel, several others will have to stay behind in Ottawa. I would like arrangements to be made for videoconferencing. I'm sorry, but I need to see the witnesses that you will be hearing from. I'm a visual person and I need to see and hear them. Several departments have videocameras that they can lend to us. Meetings will take place at the hotel, the cameras will be rolling and I will get to see the witnesses. Sightseeing isn't all that you will be doing. It's important that I be able to follow the proceedings. I'm not someone who enjoys gallivanting across the country.

What is it exactly that you, Mr. Chair, and the other committee members intend to do? If I understand correctly, one person per party will be going along on the trip. Mr. Comartin's party will have 100% representation, the Bloc Québécois, 50% and the Liberals, one third. In the case of our party, one fifth of the members on the committee will be represented.

• (1655)

[English]

**The Chair:** Monsieur Petit, you may have misunderstood. I think the understanding was that the whole committee would travel. I'm sure we'll understand if individual members have other commitments on one day or another, but I believe that so far the sentiment at this table is that the committee would travel as a whole.

I will share with you that I'm reluctant to go to the expense of travelling with the committee, but we also have a crisis in many of the cities across Canada. It's a problem with organized crime. I think they're expecting governments at all levels to respond. By actually meeting with constituents in the most affected cities, I think we're discharging our responsibilities as elected members of this House. As much as I'm reluctant to go to this expense, given the circumstances and the state of crime in some of our big cities, I think it's worthwhile to do this.

Monsieur Petit, I don't believe the understanding you had is correct. I think the understanding is for the whole committee to travel as members are able to.

Again, Mr. LeBlanc, I'm assuming that you're incorporating the suggestions about referring this to the steering committee as part of your motion.

**Hon. Dominic LeBlanc:** Absolutely.

**The Chair:** Then we don't have to deal with Mr. Comartin's subamendment or any others.

Is that acceptable?

**Some hon. members:** Agreed.

**The Chair:** It seems like we have consensus here, so I'll assume that the motion has passed.

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

**The Chair:** That's it for the public part of our meeting. We are going to go in camera.

[*Proceedings continue in camera*]

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