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Chair

The Honourable John McKay

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• (1530)

[English]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): Ladies and gentlemen, I see it's 3:30 p.m.

We have two witnesses for the first hour: Wendy Cukier, president of Coalition for Gun Control, who is a familiar witness before this committee, and Fred Priestley-Wright, who is coming in from Edmonton via video conference.

Welcome to you both.

For this meeting, my intention is to go through the first hour in a normal fashion, then suspend and go to committee business for about five minutes—I'm thinking it should be in camera—and then hear the second hour of testimony. I'm assuming that's an agreeable way to order our affairs here.

With that, Ms. Cukier, welcome once again to the committee. You have 10 minutes, please.

Professor Wendy Cukier (President, Coalition for Gun Control): Thanks very much for including me.

I apologize for not submitting a written brief, but time did not allow us to pull it together and get it translated, so we're happy to provide a written backup to arguments that I'm going to be presenting today.

I want to quickly touch on the issues of firearm gun death and injury in rural communities, why the Coalition for Gun Control thinks this is something that needs to be addressed, and touch on some of the data, some of the solutions.

As many of you around the committee table have heard, there is a lot of talk about problems of urban violence, and a lot of focus on issues related to gangs in the cities.

The irony, of course, as you have probably heard from previous witnesses, is that rates per 100,000 of violent crimes, particularly involving firearms, are actually higher in rural communities. In fact, if you look at victims of police-reported firearm-related violent crime by province and territory, broken down by urban and rural areas, you see that in spite of all the attention that's focused on places like Toronto, Yukon, Northwest Territories, Nunavut and so on, they are much higher than the Canadian average. Manitoba, Saskatchewan and Alberta have twice the rates of firearm-related violent crime as Ontario does.

We also know from reports that have come recently from StatsCan that while approximately 17% of Canadians are in rural communities and policed by police there, and while about 18% of property crime, i.e., theft of automobiles and so on, occurs in rural communities, it's roughly proportionate to the population and not significantly higher than in urban centres.

We see 25% of violent crime occurring in those very communities. For those of you who have looked at issues like domestic violence, you will know that rural communities have much higher rates per 100,000 of domestic violence incidents, including firearms in particular, than large cities. If you look at specific phenomena, like the murders of police officers, very few in fact are killed, particularly with guns, in large urban centres. The vast majority are killed in the line of duty in smaller communities, again, in part because of the prevalence of firearms.

The same thing is true if we look at suicide. Why would we talk about suicide in a discussion focused on rural crime? We would talk about suicide in this context, because if you take a public health perspective on violence, violence against the self is considered a form of violence. If you look at the factors that influence suicide rates, if you look at the root causes and so on, the risk of suicide and the risk of homicide, particularly among young men, are very similar.

The same kinds of factors, such as inequality, exclusion, mental health issues, substance abuse and critical events in the life cycle, can precipitate suicide or homicide. Many of you are familiar with suicide by cop and other phenomena that show this to be the case, or domestic violence incidents, which, when firearms are involved, end in suicide half the time. The links between suicide and homicide are particularly interwoven when we look at rural communities.

That's why when we think about how to prevent violence framed in a public health model, we look first at the root causes. We look at what the precipitating factors are that lead people to engage in criminal or violent acts. We know that gender is a factor. We know, as I said, inequality, lack of opportunity, mental health issues, substance abuse, addictions and so on are certainly things that have to be addressed at a community level.

• (1535)

We also know, from both public health and criminology literature, that access to means plays a big role. That can mean access to the keys of an automobile, for instance. If people do not lock their cars, they're more likely to be stolen than if they had locked their cars or there are anti-theft devices in place or there are video surveillance tools.

It also means that access to firearms increases the lethality of violent encounters. Guns don't cause violence or crime, but they make it more likely that it will end with dead people.

Finally, the third dimension we look at is the response after the fact, which can affect the severity of the consequences. We know that in rural communities, access to emergency response services, whether it's firefighters, police or ambulances, is reduced and the time to respond is longer.

We know that in rural communities there is less access to things like shelters and other kinds of supports that have been shown to reduce the likelihood, for example, that women will be killed.

We know that mental health supports are much less readily available in rural communities. There are huge lineups, even in large centres, but it gets worse and worse the further and more removed you are. Support for victims, to prevent revictimization, is also lessened.

It's important to look at all of those issues when we are trying to come up with a solution.

The final point, which is a bit self-interested but I think needs to be said, is that we also know that increasingly a large proportion of firearms recovered in crime are sourced from domestic firearms owners. This is not just true in Toronto, or from the recent study that was conducted in British Columbia, but also in smaller communities. We've seen the reports from police. The availability of firearms in smaller communities cannot only increase lethal violence in those communities, particularly when appropriate controls are not in place, but it can also fuel violence in other places.

I am not sure if MP Dabrusin is there or not, but certainly when it came to the Danforth shooting, it appears that the gun was stolen from somewhere in Saskatchewan.

From our perspective, in the context of a crime prevention strategy, whether we're looking at urban or rural communities, we need to consider reducing access to firearms for dangerous people. Certainly we have many cases of small communities where this has been reinforced. For example, we have Judge Marlene Graham, who ruled that in the investigation associated with the death of Corey Lewis in Okotoks, a big problem was the lack of screening around firearms. We have lots of evidence to show that controls on firearms reduce lethality.

We know that firearms have a gender dimension. A study that was done in New Brunswick, for example, showed that of the one-quarter of women living with firearms in that community, 66% said that knowing firearms were present made them more fearful for their safety and well-being. They said it affected their decision on whether to tell others or to seek help for abuse that they received. We have to recognize that there is a need in rural communities, as in urban centres, to break the code of silence around domestic violence.

I want to end by saying that we know firearms serve legitimate purposes, particularly in rural communities. We have to respect hunting, pest controls, and indigenous rights, but that doesn't mean we shouldn't have rigorous controls. It certainly doesn't mean that we shouldn't be considering a ban on handguns and assault weapons,

which don't serve a useful purpose in rural communities anymore than in urban communities.

We really have to fight the highly gendered notion that having more guns makes us safer, because, in fact, having more guns in people's homes often makes them more at risk.

I want to quote Barbara Frey, the UN special rapporteur on human rights, who said:

Male-dominated societies often justify arms possession through the alleged need to protect vulnerable women, though women actually face greater danger of violence when their families and communities are armed.

Thank you very much.

• (1540)

The Chair: Thank you very much. We'll have to leave it there.

Mr. Priestley-Wright, you have 10 minutes, please.

Mr. Fredrick Priestley-Wright (As an Individual): Thank you very much. Good afternoon to everybody.

My name is Fred Priestley-Wright. I'm 83 years old. I live in rural west central Alberta. I am a professional. I am an aeronautical engineer by profession. I worked as an aerodynamicist on the Avro Arrow and then under contract to the U.S. Air Force doing aerodynamic analysis of some of their aircraft. That contract was up in three years and I returned to Alberta and worked in the oil and gas industry, and then went into ranching where I presently live.

My incident occurred on November 4. I'll go through it quickly. I had finished lunch. It was a -20°C day, with some snow. I worked in the office all morning. I was going to my small sawmill after lunch to saw logs, to make lumber. I went out to my truck, which is 162 feet from my house. I started my truck. It was -20°C. I left it running. Yes, the keys were in it. Yes, that is theoretically a no-no. In reality, we all do it, for very good reasons. I had forgotten my cellphone, so I went back to the house, 162 feet. The cellphone was on the shelf just inside the door. I picked it up and went back.

There was a strange white truck in my yard. I hadn't seen it before. My truck was leaving the driveway, leaving the premises. I looked at the white truck. It wasn't a local truck; nobody was playing games. I took my cellphone out and started to phone 911, and my truck reappeared across the lawn and almost ran me down, and stopped beside the white truck. The passenger got out and was retrieving something that they had left from the white truck, which turned out to be stolen. I went to the driver's side and I opened the door and I said, "What is going on?" The driver put it in gear, backed up—the door was open and knocked me down—and then closed and locked the door. So I went to the other side, to the passenger side where the individual was removing whatever it was from the white truck, the stolen truck. I asked him the same question, "What is doing on?" He grabbed me, and the other fellow got me from behind, and they put me down. When they were putting me down, they said, "We're scared. The RCMP are after us, and the mafia is after us." Right away, I thought, "I'm facing a drug case here."

They put me down on the ground. The driver got back in the truck. My guard dog chased him back to the truck. The other one cut my throat, kicked my head continually—I would suggest, if I can guess properly, about six times. The first kick was to my right eye, damaging it severely. There were several kicks to my jaw, which did significant damage to my jaw. Another one or two were to my neck, and I have a neck problem now. Then finally he kicked me in the chest, causing me excruciating pain. All the time he was doing this, he was waving a knife in front of me.

I guess I more or less passed out from the extreme pain from the kick to the chest, and I just barely remember him nudging me with his foot like a hunter would do with a deer to see if it was dead or not. Then he proceeded to get into the truck. He was taking his time about it, and my wife had come out because she had heard a commotion, and from the corner of the garage said, “What is going on?” Then they both hurried up and left the area.

She phoned 911, and the RCMP appeared and called an ambulance and whatnot. What has happened to me? I'm just going to read some of my impact statements I made to the court.

• (1545)

In terms of the physical trauma, the knife slash to the neck was a clean cut and bled heavily. There is right-eye damage. Sight is severely distorted. I can't read a book without frustration due to horizontal double-vision. I have to read with one eye closed now, which is hard for an 83-year-old who has used both eyes for most of his life. I have serious jaw fractures and no feeling in my lower lip and right side of my face due to significant nerve damage. I can't chew properly; food falls out of my mouth when I eat because of the numbness of my lip and face. During the healing process, my jaws were wired shut for four weeks. I required considerable dental work. Teeth had to be removed and so on. The pain in my neck will never go away.

I guess I was close to dying. This happened on November 4. On October 31, I had finished 18 or 20 years as a municipal councillor in the fourth-largest rural municipality in Alberta. I was euphoric. I had no more responsibilities. I had time to work on my bucket list, so to speak. On November 4, this accident or intrusion, or whatever you want to call it, happened. That took care of my bucket list, so to speak.

At this point in time, as of today, the knife slash has healed satisfactorily, but my right eye is permanently damaged. I have to close my right eye in order to read. I'm an avid reader, but I can't do that anymore. The jaw fractures have healed more or less okay. The right side of my face is partially distorted and it is obvious, especially to me every time I look in the mirror. It required four titanium plates to reconstruct my jaw: one on each side, one down here.... I had two jaw fractures.

The nerve damage to the right side of my face has not repaired. I'm stuck with this for the rest of my life, and it results in terrible difficulties eating. I'm very reluctant to eat in public because the food drools down my face and I can't feel it. I can't chew properly, so we don't go out for dinner anymore.

The left—

The Chair: You have just two minutes.

Mr. Fredrick Priestley-Wright: Fine and dandy.

My problem right now is the mental trauma. I'm having a terrible time with PTSD. Since that time, I've only been able to have four sessions with the specialist. I'm 83 years old and at a loss to rationalize the vindictiveness of this assault. I'm embarrassed to admit that my problems resulting from this incident are so overwhelming that there are times when I wish the assailants would have killed me. I still feel that way.

Thank you, sir.

The Chair: Thank you, Mr. Priestley-Wright, for sharing that story. I can't imagine that any of us would not moved by it.

I'm going to go to the rounds of questions.

The first questioner is Mr. Picard, please, for seven minutes.

[*Translation*]

Mr. Michel Picard (Montarville, Lib.): Thank you, Mr. Chair.

Ms. Cukier, one of the issues that is problematic in our study is the difficulty in understanding the nature of what is being called rural crime. We have heard comments from the RCMP, individuals and organizations. One of the problems faced in rural areas is the response time, meaning the time it takes for the RCMP to arrive at the scene of an incident. This response time is relatively long. Let's just say it is more often long than short. Questions arise about human resources and the appropriate equipment for police officers. That being said, we understand that this part of police intervention takes place after the crime has been committed.

You mentioned that the crime rate was twice as high in the three Prairie provinces. Yet, the resources in this area are, on average, the same as in the rest of Canada. There may be fewer in Alberta, but things have changed. From the outset, we have therefore been wondering why the crime rate is higher in these regions.

• (1550)

[*English*]

Prof. Wendy Cukier: I think you will know from the research that it's complex. You have to look at the root causes first of all, what leads people to criminal behaviour. We heard from Mr. Priestley-Wright, for example, that the people who stole his vehicle appear to have been involved with drugs. They appear to have been afraid. I don't know what their circumstances were, if they were caught or not. But if you look at some of the violence involving youth in rural communities, it's not that different from urban communities. A lot of research explains the causes of domestic violence.

I've done some work looking at rural versus urban economic growth, and from my perspective a lot of our resources go into urban centres. It's also easier sometimes to provide services in densely populated areas so there are some structural challenges in providing the same level of service, whether we're talking about education, health or policing in communities where people are more spread out. That being said, investing in primary prevention is definitely without question the best place to invest.

You mentioned policing by the RCMP. I think police officers in rural communities whether it's the Sûreté du Québec, the Ontario Provincial Police or the RCMP, work under much more challenging circumstances in some respects than those policing in large urban centres that typically have fewer individual police officers patrolling. Often in smaller communities the police are spread much more thinly. The fact that so many police officers killed in this country are killed serving Canada in smaller communities I think is a strong testament to the fact that they themselves are also victimized in violent incidents.

The third thing I think is important, and again Mr. Priestley-Wright mentioned this, is the kinds of supports available in rural communities to victims of violence. I believe he said he wasn't sure life was worth living, that he sometimes regretted having survived the violent confrontation. That's a tragic but truthful example of what often happens to victims of violence who don't receive support or justice.

[Translation]

Mr. Michel Picard: I don't have much time left. If I may, I'll ask Mr. Priestley-Wright a question.

Mr. Priestley-Wright, you said in your presentation that you were a city councillor for some time. Given your experience, the environment in which you live and the concerns of the municipality you advised, could you tell me whether the discussions on crime were part of your city council's debates and, if so, under what terms?

• (1555)

[English]

Mr. Fredrick Priestley-Wright: Yes, sir, very definitely. We had presentations from the local detachment of the RCMP almost monthly, giving out statistics, etc.

I'd like to make a comment here. The RCMP response time is considered by some to be not adequate, but what happened to me happened in a matter of seconds. These people came in. They got my truck. I was less than two minutes from my back door when they were in, got my truck and were gone. For all my neighbours who have had similar experiences with rural crime and whatnot, it's the same thing: They're in; they get what they want and they're gone. You can't even phone 911 in time.

The frustrating part as a councillor is that you have complaints all the time about rural crime, rural crime, rural crime. The reality is that those criminals are so knowledgeable that the average person cannot really cope with it.

The Chair: I'm sorry, Mr. Priestley-Wright, but I have to stop Mr. Picard there. As you can appreciate, being a councillor at one point, the clock is the enemy of everyone.

I think it's Mr. Eglinski. No, it's Mr. Paul-Hus.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): No, it's Mr. Eglinski.

The Chair: Mr. Eglinski.

Mr. Jim Eglinski (Yellowhead, CPC): Thank you, Mr. Chair.

I'd like to thank both witnesses for being here.

I'll start with Mr. Priestley-Wright, but I will call him Fred because we've known each other for many years.

Fred, shortly after your incident, when you returned from the hospital, there was a rural crime meeting held in Peers, a community very close to yours, and I believe you were there. I wonder if you would advise the group here on the sentiment of the people in that meeting. There were approximately 250 to 300 people there, and they were there because of rural crime. I wonder if you could just relate quickly what the atmosphere was like in that room.

Mr. Fredrick Priestley-Wright: I'll call you Jim.

The atmosphere was not what I thought it would be. The people were upset. They weren't upset necessarily at the RCMP or the system or anything else; it was more frustration, I think. For example, people were saying the criminal can come into your home and he has more rights in your home than you do. In other words, if you tried to restrain him if he was beating your wife, and he fell and broke his arm, you could be charged with assault, things of this nature. This is the reality. We're told, "Phone 911. Phone 911." We're frustrated, and there was a lot of frustration voiced at that particular meeting. We know that the RCMP can't react fast enough. These criminals are so knowledgeable. Maybe they have training sessions when they're incarcerated, I don't know, but they certainly know what they're doing and they certainly have the average citizen, you would say, at their mercy.

Mr. Jim Eglinski: Fred, there are some people who want to make us believe that handguns or weapons are the umbrella over this whole crime wave thing. I wonder if you would give us your perspective. If handguns were banned last year, would that have prevented the attack that you experienced? Do you believe handguns are a situation in rural Canada?

Mr. Fredrick Priestley-Wright: I don't feel that handguns are of concern in rural Canada. They definitely are in the cities. In the rural areas, people just don't have that many handguns. There aren't that many out there. We have guns for protection.

As you know, Jim, where I live and whatnot, when I go from home to my sawmill less than half a mile away, I can see grizzly tracks, I can see cougar tracks, and I'm out there working by myself. The only protection I have is a guard dog and/or a rifle. That's the reality in rural western Canada.

• (1600)

Mr. Jim Eglinski: Thank you.

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

The Chair: You've got...

Mr. Jim Eglinski: You're burning up my time.

The Chair: I'm not burning up your time; it's just that this clock is wrong. We'll go with three minutes, because I'm such a nice fellow.

Mr. Jim Eglinski: Fred, would you explain to the committee the judicial experience that you have been experiencing for quite a long time? The RCMP were able to apprehend the two youths, one age 18 and one age 17, within probably a week of the incident, maybe a little less than that. Maybe you can relate what your experience has been with the courts.

Mr. Fredrick Priestley-Wright: I have spent many hours sitting on hard benches in the Edson courtroom waiting to hear a plea from both individuals, waiting and having the situation set down to another court date, etc. I checked my records, and I believe I sat in the court nine different times waiting for something to come of it. October 1 of this year, we were supposed to have a hearing with respect to the one individual who is not currently in jail, and that is now set over to December 14.

I hope I have a second, as I just want to say this. Sitting there, I got a feeling that our judges, our Crown prosecutors and our defence people were trying hard, but they are just so understaffed that they cannot do their jobs properly. As a result, we're seeing situations like I'm experiencing. I don't blame the judge. I don't blame, as I said, the Crown prosecutors. It's the system, I'm sorry to say.

Mr. Jim Eglinski: Thank you.

The Chair: Thank you, Mr. Eglinski, and I apologize to you for running the clock poorly.

Mr. Jim Eglinski: It's okay.

[Translation]

The Chair: Ms. Moore, you have seven minutes.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Thank you very much.

I would like to address Mr. Priestley-Wright.

I'm from northern Quebec, from Abitibi-Témiscamingue. This northern region is located right next to Ontario. Where I'm from, the types of crime you are talking about—property crime—often come in waves. Local teenagers and young adults commit crimes like this. They usually get caught very quickly because someone notices something in the community.

Since the start of the study, we have been trying to understand why the statistics are different between the western provinces and northern Quebec and Ontario.

To your knowledge, based on what has happened to you and your neighbours, and your experience as a city councillor, are these property crimes committed by people from neighbouring towns or are they city people who come to commit crimes in rural areas?

[English]

Mr. Fredrick Priestley-Wright: The RCMP would probably be the best to give you that information.

It appears to the majority of us that the people who are doing the crime are not from the local area. In my case, for example, I believe one was from Edmonton, which is a two-hour drive from my place. The other was from Grande Cache, which is also about a two-hour drive from my place. How they got together I really don't know. It was organized or semi-organized juvenile crime, I suspect. It's not primarily the local people.

• (1605)

[Translation]

Ms. Christine Moore: Right.

[English]

Mr. Fredrick Priestley-Wright: I think the difference there is that, for us, we have more of a road network than you probably do in the area that you're talking about. It's easier for people to come from outside of the area and into our areas, the rural areas.

[Translation]

Ms. Christine Moore: Thank you very much.

I wasn't asking for a specific answer with numbers. I really wanted an answer about your experience, and you answered my question very well. That was enough.

In terms of gun control, I have a question for you, Ms. Cukier.

You mentioned in particular that more police officers are killed on duty in rural areas. Can this be explained by the type of firearms used?

I imagine that when urban police officers face gunshots, handguns are often used. However, when shootings occur in rural areas, they often involve large caliber weapons, such as 300 Winchester Magnums, 30-06 rifles or 308 Magnums.

I imagine there is a limit to the protection of bulletproof vests. For example, when firearms are used in rural areas, the risk of death is higher because the guns are often large calibre and have a greater range.

[English]

Prof. Wendy Cukier: I think that's an interesting explanation, but I don't think it aligns with the evidence. If that were the explanation, then what you would see is lots of police officers shot in urban centres but not dying, in contrast to police officers being shot in rural areas and dying. I don't think there's any evidence to support that.

The last police officer who was shot and killed in Toronto, for example, was Todd Baylis in 1994. There have been three police officers since then killed in the greater Montreal area. But if you look at the other 20 or 30 who were killed, it's Lac-Simon, it's Edmonton, RCMP, RCMP, RCMP, RCMP, Kativik, OPP, RCMP, RCMP Saskatchewan, RCMP Saskatchewan, Windsor, Laval—I would count that as part of the greater Montreal area—RCMP, RCMP, RCMP, RCMP.

If you look at the geographic breakdown, the explanation is, frankly, that often police officers go on calls, and in those communities they're more likely to be going to a home with a firearm. If you look at the circumstances under which police are shot and killed, it's typically not in a shootout with a gang in an urban centre. It's typically someone who's disturbed in the midst of a domestic violence incident, or someone who's suicidal, or in some cases, for example in the case of Mayerthorpe, someone who had a beef against the police. We saw that in Moncton, as well.

[Translation]

Ms. Christine Moore: Okay.

I still have a question for you.

When, for example, people with mental health problems, who may be at risk, consult a health professional, how often are they reported to the RCMP unit responsible for the disorder, so that an assessment of the disorder can be made to determine if they are still fit to own a firearm?

Do health professionals consider reporting cases of people with mental health problems, such as depression or specific adjustment disorders?

[English]

Prof. Wendy Cukier: Again, I think that's a good question.

I'm not sure if the committee called Dr. Barbara Kane, who works in Prince George. She's a psychiatrist. Certainly she's somebody who does routinely notify the police when she thinks someone has a mental health problem.

You can look incident by incident. For example, there have been a number of very terrible cases of domestic violence, in particular, where health care professionals really didn't understand the risks of allowing individuals with PTSD, or suicidal ideation, or a history of domestic violence, and didn't even raise the issue of whether they had access to firearms. We know that's a huge problem in instances of domestic violence, especially over the last 10 years when the awareness of the risks associated with firearms in the home has really diminished.

I wouldn't for a moment suggest that firearms don't serve a purpose in rural communities or in indigenous communities, and so on. But if you have a teenager who is showing mental health problems, if you have someone with depression, suicidal...or who is acting out, having guns in the home is a tremendous risk factor.

• (1610)

The Chair: Thank you, Dr. Cukier.

Ms. Damoff, welcome back to the committee.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair.

Thank you to both our witnesses for being here.

My question is for you, Wendy. Welcome back.

Last week two witnesses who appeared before the committee—they were asked to appear by our Conservative colleagues—called on the government to enhance the provisions of the Criminal Code around self-defence and property defence so that property owners can act as the first line of defence without fear of prosecution.

In this particular case, the individual was charged and later acquitted after he fired warning shots towards trespassers on his rural property. They appeared to be breaking into his car, and a ricocheting bullet hit one of them. These individuals said, "Firearms aren't the problem in Canada. Our justice system is the problem". They also said that in these communities people would prefer to "shoot, shovel and shut up" rather than contact the authorities.

I'm wondering what your thoughts are on lessened restrictions on firearms as a solution to property crime.

Prof. Wendy Cukier: If arming for self-protection worked, the United States would be the safest country in the world. Last year

they had more than 10,000 firearm murders, which was substantially more than we had.

I'll reiterate what the data show. The data show that property crime in urban and rural contexts are about the same. What's different is violent crime. I actually think the availability of firearms in rural areas is part of the problem, not the solution.

If you compare the United Kingdom, Canada, the U.S. and Australia, you will see that the rate per 100,000 of murders without guns is roughly the same, but when you put guns into the mix, you see massive differences. The United Kingdom, which has 60 million people, had 27 gun murders last year. They had just as many stabbings, beatings and stranglings as we did on a per capita basis, but they had 27 gun murders.

I think people who are arguing for arming for self-protection may really believe that to be the case. They may be buying into American-style rhetoric, but there is absolutely zero evidence—like, zero evidence—in the public health or criminology literature that's credible that suggests that that will make us safer.

I'll go back to what the United Nations has said about the impact on the safety of women. Where there are more guns, you're going to see more dead women, more suicides and higher rates of interpersonal violence with firearms. That evidence is absolutely clear.

I would really urge the committee to recognize that many people who are fearful and frustrated—and I can understand the frustrations with the justice system—may desire to take the law into their own hands. The Supreme Court of Canada has said repeatedly that there is no right to bear arms in Canada. Our laws were designed to not encourage U.S.-style arming for self-protection. I think that will take us down a path of no return. If people think violent crime is a problem now, more guns will make us far less safe.

Ms. Pam Damoff: Do you actually have the stats comparing Canada and the United States? You mentioned the United States and you just said Canada was much lower. Do you have the actual statistics?

Prof. Wendy Cukier: Yes. The United States has 10 times as many people as we do. They had 11,004 murders with guns in 2016. We had 223. If the proportions were the same, they would have had around 2,000. They have substantially higher rates of gun homicide.

If you look at murders without guns, they're about twice as high. We were 0.93 per 100,000 and they were 1.94. This really reinforces the fact that more guns make us less safe. More guns result in more dead children, more dead women and more dead police officers.

This pattern is consistent, tragically, across Canada. If you compare the rates of gun ownership to the rates of gun death and injury in this country, you see those rates of firearm-related violent crime replicated. The provinces where there are the most guns have the highest rates of women killed with guns and the highest rates of suicide.

The evidence is very clear on this point.

•(1615)

Ms. Pam Damoff: I wonder also if you would be able to provide us with that list of police officers. You read it off, but I wonder if you could just send that off to the clerk.

Prof. Wendy Cukier: Yes. As I said at the outset, I'm happy to provide a written brief, translated and with the data that I'm citing.

Ms. Pam Damoff: Thank you very much.

As you know, our study is on rural crime, but so far much of the discussion has focused on property crime, things like trespassing and people breaking into cars. Do you have any information on whether crime involving firearms has increased in recent years in rural areas? Second to that, what about intimate partner violence involving a firearm?

The Chair: You have a little less than a minute.

Prof. Wendy Cukier: I'm happy to send that through as well.

The Canadian Association of Chiefs of Police reported on that. Statistics Canada has reported on that. While, as I said at the outset, firearm violence in Toronto has received a lot of attention lately because of the feeling that it was random and people were victimized in places where they expected to be safe, the pattern is consistent across the country. The concerns should be shared in all communities and not just focused on large urban centres.

The Chair: Okay, we're going to have to leave it there. Thank you, Ms. Damoff.

[Translation]

Mr. Paul-Hus, you have five minutes.

Mr. Pierre Paul-Hus: Thank you, Mr. Chair.

From the way it started, I think our study is a little twisted. Our study is looking at the problem of crime in rural areas.

We met with witnesses, such as the Maurice family, and today we have Mr. Priestley-Wright. However, everything revolves around their story, and we aren't trying to know who the people are who commit the crimes, why they commit them and how they are supported. Last week, individuals broke into a property, and in the case of Mr. Priestley-Wright, an attempt was made to steal his vehicle.

My colleague Ms. Damoff has already asked the question, but in your opinion, Mr. Priestley-Wright, are most crimes in Alberta committed by little scoundrels 17 or 18 years old or are they organized groups? Is car theft currently the most common crime?

[English]

Mr. Fredrick Priestley-Wright: I feel that it's organized, maybe not tightly organized but loosely organized. They all have their connections. Whatever they steal they have a home for, so to speak.

I'd like to make one comment, if I may. In most of our petty crime in rural areas, I believe the hoodlums use knives. They don't use guns. I agree with the comment made earlier that long-rifle deaths and whatnot occur with people who have mental problems. I'm trying to think back. In all of my years, I would suggest that the majority of the shootings of which I've been aware have been by people who have been shown to be mentally unstable. In other

words, I was attacked with knives. Everybody is attacked with knives. I cannot remember an incident of rural crime where the perpetrators used long guns.

•(1620)

[Translation]

Mr. Pierre Paul-Hus: I would like to summarize. When it happened, you weren't in a position to call the police. Someone tried to steal your vehicle, and it happened quickly. The individuals were subsequently arrested. You mentioned that the judicial process has been very long. You are now telling us that one of the individuals hasn't been incarcerated. Do you know why?

You also mentioned that there was a lack of resources for judges and lawyers. As federal MPs, it is important that we understand where there is a lack of resources. These people were arrested, but why weren't they incarcerated? They tried to kill you, which we think is serious. Why do you say resources are lacking?

[English]

Mr. Fredrick Priestley-Wright: I have to apologize. They were both in remand centres. The one that is incarcerated is in the federal prison system. The other one has pleaded not guilty. I'm sorry. I'm not familiar with all of this terminology that's being used.

In my observation, after sitting through probably nine court hearings, why I feel that the system is overloaded is that so many issues are being set aside for another date and then another date simply because the defence lawyers and Crown haven't had time to get together all the information they require. I assume that's a lack of manpower. I could be totally wrong, but that is my observation from nine different sessions.

[Translation]

Mr. Pierre Paul-Hus: I'll come back to the RCMP investigation. As we know, the RCMP intervened, took your statement, investigated and laid charges.

Do you think the RCMP's work has been effective?

[English]

Mr. Fredrick Priestley-Wright: Yes, I do. They had these two culprits caught within at least three days. Through fingerprints and whatnot they were able to identify them quite readily, because these two individuals had other records, so to speak. I felt that the RCMP worked quite fast on this one.

[Translation]

Mr. Pierre Paul-Hus: Thank you.

[English]

The Chair: Thank you, Mr. Paul-Hus.

Madam Sahota, you have five minutes to finish it off.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

I definitely sympathize with you, Mr. Priestley-Wright. That's a horrible incident that you had to go through. You're suffering physically from that as a result.

I also hear about a lot of incidents of property theft, many including violence, and even in my riding, which is a more urban riding in Brampton, a lack of police response. No one comes for days on end because it is just a property crime.

Do you feel that in the rural areas there's a lack of interest because it is property crime? In your case, the RCMP did respond, but we heard of a few other cases where response times were slow. We're facing similar issues in the urban areas when it comes to this. What's your opinion on that?

Mr. Fredrick Priestley-Wright: I think all of us in rural areas feel that the RCMP do a commendable job based on the staffing they have. They have to pick and choose a bit as well. They're not going to come and issue me with a warrant for driving 15 kilometres an hour over the speed limit when they have to be investigating a serious rural crime like the one I was involved in.

There are only so many of them. They're going full out as far as I'm concerned. They have to pick and choose a little bit.

Ms. Ruby Sahota: From some previous witnesses, we heard testimony in terms of the defence of property and being able to use handguns or a weapon. You were saying that in your scenario you did not have time to access anything like that. You didn't even have enough time to call the police at that moment. In terms of owning handguns and being able to use them more readily, do you think this is something that can help solve the issue of rural crime in your area or not?

• (1625)

Mr. Fredrick Priestley-Wright: I would suggest that everybody in my community has a long rifle and they know exactly where it is. Anybody who comes in and tries to beat my wife is probably going to be confronted with it, but—

Ms. Ruby Sahota: For property crime?

Mr. Fredrick Priestley-Wright: For property, again, I feel that the job is being done as accurately or as completely as it can be with the resources that are available and the time limits they have for dealing with minor property crime.

Ms. Ruby Sahota: Do you feel the resources are not enough, and maybe an increase in resources could better help alleviate some of the rural crime that's taking place?

Mr. Fredrick Priestley-Wright: As I indicated previously, these guys who are doing the thieving and whatnot, they are professional or semi-professional. They work so fast. They know where the police are. They know how long it's going to take them to get to the location that they have targeted.

Ms. Ruby Sahota: We have very similar situations in urban areas, too. People are quick. They get in and they get out. They know what they're doing.

I also found it very interesting that you said that not many of these robberies involve the use of long guns. Most of these crimes do not take place with a weapon involved, i.e., a gun. You said they use knives, mostly.

Mr. Fredrick Priestley-Wright: Well, knives are mostly used. The rural people are not paranoid. They are absolutely scared. With one individual—and this happened to him at noon, for example—they drove up to his shop, opened the door, and started unloading

stuff out of his shop and whatnot. He hollered at them from the house. They told him to get back in the house or he'd get hurt. That's exactly what he did. He went in and phoned 911, and of course, by the time the RCMP could get there, those guys got what they wanted and were gone.

Ms. Ruby Sahota: Since you're a city councillor, how would you define rural crime? That's something I've been thinking quite a lot about in this study. How is rural crime different from crime that happens in the cities? The actual act, why is it different?

Mr. Fredrick Priestley-Wright: For example, in the city they'll go and steal an item, essentially. They won't necessarily clean out a car, although if they know you're away, they'll go in and clean out your house. In a rural area, they really don't care what they take as long as they get a lot, because they know that is of value. They can sell that somewhere.

The Chair: Thank you. We're going to have to leave it there.

Thank you, Ms. Sahota.

Before I let you go, Mr. Priestley-Wright, what was the time between when your wife called and when the RCMP arrived?

Mr. Fredrick Priestley-Wright: I suspect maybe half an hour, a little bit longer.

The Chair: How far away do you live from the detachment?

Mr. Fredrick Priestley-Wright: Seventy kilometres.

The Chair: Seventy kilometres?

Mr. Fredrick Priestley-Wright: Correct.

The Chair: I thank you, on behalf of the committee, for sharing your story. It certainly is horrific. We're glad to see you on the mend, and we hope the mend continues.

Dr. Cukier, you're a familiar witness at this committee. Thank you for your testimony as well.

With that, we're going to suspend.

Before we impanel our other witnesses, we had an agreement that we would go in camera to discuss a little bit of committee business, and then call the next witnesses.

Is that the will of the committee? Do we still want to proceed that way?

Some hon. members: Agreed.

[*Proceedings continue in camera*]

• (1630)

_____ (Pause) _____

• (1635)

[*Public proceedings resume*]

The Chair: Could I have the witnesses take their seats.

Mr. Larsen, would you lead off with your 10-minute statement, please.

•(1640)

Mr. Dale Larsen (Assistant Deputy Minister, Policing and Community Safety Services, Ministry of Corrections and Policing, Government of Saskatchewan): Good afternoon. My name is Dale Larsen. I'm currently assistant deputy minister, policing and community safety services, with the Ministry of Corrections and Policing, Government of Saskatchewan.

I began my career with the ministry in 2013. Prior to that I was chief of police at the Moose Jaw Police Service.

I'm joined by Cory Lerat, currently an executive director with police quality and innovation, and also responsible for the CSO/peacekeeper program and first nations policing in our department.

Cory's previous police history was with the RCMP. He retired as an inspector with 30 years' experience.

In 2012, the Saskatchewan Urban Municipalities Association and Saskatchewan Association of Rural Municipalities informed the Ministry of Corrections and Policing that their policing resources were insufficient to adequately address their community safety needs, primarily those high priority, low risk to harm policing calls in their communities, such as enforcing traffic safety, alcohol infractions and crime prevention initiatives.

Police leaders have known for many years and research has verified that the majority of calls for assistance that police officers attend are non-criminal in nature. Upwards of 80% of that police demand is non-criminal.

A large percentage of these calls, even though high priority, are low risk to harm from an officer safety perspective, calls such as traffic complaints and collisions, bylaw infractions, not-in-progress reports of minor thefts and mischief, and crime prevention initiatives that do not require the attendance of an armed, fully trained police officer.

With this in mind, the CSO/peacekeeper model is meant to offer municipalities, rural municipalities and first nations an additional option to support and enhance current policing services within their boundaries and increase crime prevention initiatives at the community level.

The alternate enforcement model was developed in collaboration with SARM, SUMA, RCMP, Saskatchewan Association of Chiefs of Police, Saskatchewan Federation of Police Officers and the ministry. It was important to work with stakeholders not only in consultation but in program design and implementation.

The development of the CSO program began in April 2013 with a literature review to examine models of delivering a low risk for harm policing model to enhance and support the policing services provided by existing municipal, RCMP and first nations police services. The review examined low risk for harm policing programs based on models from the United Kingdom, the United States and Canada, and in particular, the Province of Alberta and their peace officer program. From the review, a model defined as a provincial program within current community policing strategies evolved. Providing an opportunity to enhance community safety and crime prevention through building partnerships with community stakeholders, it focuses on crime prevention and intervention, as well as

low-risk suppression. It has come to be known as the community safety officer/peacekeeper program.

The literature review also outlined a structure based on four areas: functions, governance, training and competency, and an evaluation and outcomes area.

From concept to reality, the city of North Battleford, with 13,567 residents, a Saskatchewan city with one of the highest crime severity indexes in the nation, was chosen as the proof-of-concept site for the CSO program. The community safety officer program was launched in North Battleford in 2014. Today the program employs six officers and is an integral part of the city's community safety strategy. Even though community safety officers are distinct and separate from regular police officers, they are considered to be a vital element in support of the Battleford RCMP detachment.

The ministry discovered early on that the partnership between CSOs and the police agency of jurisdiction is absolutely critical to the success of the CSO program. F Division RCMP assistant commissioner Curtis Zablocki provided support for the program, commenting that by expanding CSO authority to "take on some of the lower-level investigations, the RCMP will be able to target more serious criminal activity." North Battleford recently reported that, year to date, their community safety officer unit has dealt with 6,105 calls for service and has issued over 3,300 citations for different offences in this city.

Another early success of the program was in Edenwold, Saskatchewan. In an attempt to reduce their rural crime problems, the Rural Municipality of Edenwold, a small rural municipality of 233 residents, was also an early participant in the CSO program. Edenwold has found that their CSOs not only deter theft but also help prevent road damage through enforcement against overweight vehicles. The RM of Edenwold now contracts out the services of their CSOs to three other neighbouring rural communities.

The Saskatchewan CSO peacekeeper induction course is the minimum training requirement for issuance of a special constable appointment, and it's delivered through an MOU between ministry and Saskatchewan Polytechnic for the delivery of the six-week induction training, consisting of four weeks in class and two weeks online. There are some exemptions from the induction course that are considered on a case-by-case basis and that must be approved in writing by my office. The CSOs, once trained, are authorized to carry the following intermediate weapons and restraint devices: OC spray, baton and handcuffs. CSO/peacekeepers do not carry firearms.

CSO/peacekeepers are also provided their boundaries relative to the low risk to harm limitations of their authority. Traffic enforcement activities are not allowed on highways within their jurisdictions that have posted speeds above 90 kilometres per hour. They do not attend or participate in any way with occurrences where weapons are suspected. If CSOs encounter an assault or other potentially violent event in progress, they contact the local police service. Likewise, if impaired driving offences are detected, they contact the local police agency as well. CSO/peacekeepers are not authorized to engage in motor vehicle pursuits.

•(1645)

Upon successful completion of the CSO/peacekeeper training program, they are provided authorities under several provincial statutes, as well as enhanced authorities to attend not-in-progress Criminal Code property offences of theft under \$5,000, and mischief, for the sole purpose of receiving information, evaluating and liaising with the local police of jurisdiction, as required, as well as non-injury motor vehicle collisions within their jurisdictional boundaries. Their employment also includes the authority and powers of peace officers under the provisions of the Criminal Code relating to the service of summonses, subpoenas and legal documents.

Under program reviews, in July 2017 an evaluation of the community safety officer induction course was completed. More recently, in August 2018, a complete CSO program evaluation was delivered, and these recommendations are still moving forward.

In spring 2018, as part of the rural crime strategy, the minister hired one full-time staff dedicated solely to the CSO/peacekeeper program, and to implement the recommendations from the two reviews.

On discipline and public complaints, the CSO/peacekeepers are directly employed by the municipality, rural municipality or first nation, providing employers control of the schedule and deployment of their CSO/peacekeepers within the geographic boundaries pursuant to their special constable appointments.

The Chair: Mr. Larsen, you have a minute and a half. Sorry to interrupt your presentation.

Mr. Dale Larsen: I'm just going to skip ahead then to our final couple of pages in relation to a more direct discussion about first nations.

In Saskatchewan, we have 70 first nation communities, 51 of which fall under the first nations policing program, one self-administered first nation police agency covering five first nations, and 46 first nations that fall under the CPA. Those receive policing services provided by the RCMP under the federal-provincial first nation policing program funded 52% by Canada and 48% by the province. The total for the province of Saskatchewan, in funding federal and provincial, is closing in on \$22 million annually.

As mentioned in a federal terms and conditions guideline document for funding for first nations and Inuit policing, we should look at innovative approaches to police service delivery in first nations or Inuit communities. With this in mind, our team is working with Public Safety Canada to explore ways of fitting the CSO/peacekeepers program into that funding model.

Recently, a pilot project was undertaken to facilitate the training in the communities of Pelican Narrows, Little Pine First Nation and Poundmaker Cree Nation. In September 2018, peacekeeper training started on Peter Ballantyne Cree Nation, in Pelican Narrows. In October—

•(1650)

The Chair: Could you wind up your remarks, Mr. Larsen. I'm sorry to be running the clock here.

Mr. Dale Larsen: No problem. I sure will.

It is anticipated that by the end of the 2018 calendar year, Saskatchewan will have 77 trained community safety officers/peacekeepers working in the province.

In closing, the community safety officer/peacekeeper program provides municipalities and first nations communities an affordable and effective option to enhance local community safety and support, not replace those police agencies of jurisdiction.

It has been our pleasure to share the Saskatchewan community safety officer/peacekeeper program with you today, and we are open to any questions you may have.

The Chair: Thank you, Mr. Larsen.

Dr. Drummond, welcome back to the committee.

Dr. Alan Drummond (Co-Chair, Public Affairs Committee, Canadian Association of Emergency Physicians): Yes, thank you so much. I'm really not sure why I'm here, but there must be a reason.

The Chair: I'm sure for the rest of us as well.

Dr. Alan Drummond: I'll try to just re-emphasize some points that I made in May or June of this year.

Rather than considering myself an expert in the field of firearms violence, which I am not, following 35 years in rural practice as both a family physician and an emergency physician, and a coroner, I feel I can bear some degree of witness to the issue of firearms accessibility and rural death.

Prior to beginning in rural practice in Perth, Ontario, just south of here, I have lived in Montreal, Ottawa and Vancouver, and have served three years of active service in the Canadian military. During that time, I rarely encountered a firearm injury or death.

Having been a rural emergency physician, however, and as a coroner, I've seen more than my share of firearm injuries and death by long-gun suicide. Of the three murders during my 35-year tenure in Perth, I had been involved on two of them—I don't know why I'm the lucky soul—including the difficult experience of investigating a double murder-suicide by long gun as a consequence of intimate partner violence. That is a memory that, 25 years later, still stays with me to this day. It reminds me constantly of the need to prevent firearms access for those who shouldn't have them.

I should note that we consider, as an emergency physicians group, the issue of the public's health an entirely non-partisan issue. This may explain why I, as a rural, licensed gun-owner and a member of the Conservative Party, view the issue of prevention of firearms misuse and injury equally through a non-partisan lens. It just isn't partisan for me. I'm not an anti-gun guy.

As a member of the Canadian Association of Emergency Physicians, this will be my fourth appearance before a committee, dating back to when Warren Allmand was a chair, in 1994. That probably makes me an old guy.

The Chair: I was probably still here.

Dr. Alan Drummond: That makes you an old guy too, then.

The Chair: It's regrettably true.

Dr. Alan Drummond: I know.

As a rural physician, and more specifically as a coroner, I have marvelled at the absolute disconnect between public discourse on gun control with its seeming single-minded focus on illegal hand guns, gun-related crime, gang violence and homicide, and my reality on the ground, which is suicide by legally owned long guns. Such a focus on crime has, in my view, prevented us from taking a very real opportunity to reduce firearm death and disability associated with suicide and...its prevention. Eighty per cent of all firearm fatalities in Canada are due to suicide.

In rural Lanark County, just south of Ottawa, where I live and practise, gun crime is practically unheard of. However, suicide by long gun is not at all uncommon. This is where this government and those that follow it must focus their efforts. Reducing accessibility to firearms, particularly for those at risk of self-harm or intimate partner violence, is where we need to focus our attention. It will obviously not solve the problem, which is complex and multifactorial, but it will be a small but important step in the right direction of reducing the tragic legacy of death by suicide.

I presented in May or June, and I'm not going to go through that again. You have all the data from StatsCan, I'm sure. What our association would call for is greater research. StatsCan is great, but it would be great to have research on how guns are used in terms of suicide, intimate partner violence and homicide so that we can focus our efforts on getting a bang for our buck—that sounds awful—in terms of appropriate action towards reducing firearms access and death. We believe there needs to be a much more rigorous screening of those individuals at risk. We also believe that physicians should play an important role by incorporating the well-established practice of reporting those individuals at risk. We do it for flying, for driving, and for people who have shown a tendency towards child abuse. Why not for guns?

There may be no clear subset of people where these efforts can be identified and focused, but I think we can all agree that the actively psychotic individual with paranoid delusions who wants to murder the Government of Canada probably shouldn't own a gun. I think we can agree that somebody who's involved in intimate-partner violence should not have access to a gun. That's where we, as a profession, and we, as a society, need to make that small but important step in mandatory reporting of individuals at risk.

Thank you.

• (1655)

The Chair: Thank you, Dr. Drummond.

Mr. Friedman, you have 10 minutes, please.

Mr. Solomon Friedman (Criminal Defence Lawyer, As an Individual): Good afternoon, Mr. Chair, vice-chairs and committee members. Thank you for inviting me to address you today. It's always a pleasure to appear before this committee.

Unlike my last appearance, I appear today as an individual in my personal capacity as a criminal defence lawyer. Although my practice is based here in Ottawa, I regularly defend clients and try

cases throughout this region. My work often takes me through small towns and villages, from Stormont, Dundas and Glengarry in the east to Renfrew and Lanark County—like Dr. Drummond—in the west and all places in between.

I have seen first-hand the unique challenges faced by rural residents as both victims of crime, and all too often, the subjects of criminal charges themselves. I found last week's testimony by Edward and Jessica Maurice to ring particularly true in this regard. Their story, sadly, is one I have heard many times before: Rural residents confront intruders on their property. Sometimes the intruders are armed themselves. Invariably, when seconds count, the police are only minutes away. Like the Maurices, they are faced with an awful decision either to act in self-defence or to risk unimaginable consequences.

At the outset, I should distinguish between two entirely separate concepts. There is an obvious difference between vigilantism, which is a crime, and the act of self-defence, which is a long-recognized right in both the common law and the Criminal Code.

To be a vigilante is to act unlawfully, to seek retribution or vengeance for real or perceived wrongs. It is to take the law into one's own hands. It is antithetical to the rule of law in a free and democratic society. It should be discouraged and punished by the criminal justice system.

Self-defence, on the other hand, is something else entirely. For as long as the modern common law has existed, the right of individuals to use proportional and reasonable force in repelling unlawful threats has been recognized and protected. It is enshrined in our criminal law.

However, it has often been my experience that it is the property owners acting in self-defence who are themselves the subject of criminal charges. In the end, many of those clients are ultimately acquitted or, like Eddie Maurice, have their charges withdrawn before trial, but this is little consolation. By that point, they have been arrested, charged and often placed on strict bail conditions. Some don't get bail at all and must await their trials in custody. These arrests are highly publicized. In the Internet age, I often tell clients that it is not the criminal record that should be most feared, but the Google record. Web searches by neighbours, prospective employers and others turn up in the news and social media stories about their arrests and alleged wrongdoing.

Then of course, there is the expense. In Canada, notwithstanding one's ultimate vindication, there is little one can do to recover legal fees expended to defend against even the most baseless criminal charges. As my clients often realize, much as the Maurices did, the process is often punishment itself. What can be done to rectify this?

In my view, the starting point is the current self-defence provisions in the Criminal Code. To be clear, these sections were recently amended and consolidated by the previous government in 2012. It was a long time coming. In fact, as far back as 1995, the Supreme Court stated that legislative action “is required to clarify the Criminal Code’s self-defence regime”. Indeed, the previous provisions were criticized by that court as being “highly technical”, “excessively detailed” and “internally inconsistent”. But there is more to be done, particularly in light of over five years experience with how even the new provisions are being interpreted and applied by police and prosecutors.

Canadians deserve consistency and predictability in the application of the criminal law. More important, it is fundamental to the rule of law that the boundary between illegal action and legal self-defence be clear to all. I offer for this committee’s consideration a number of practical steps that can be taken to further clarify the Criminal Code’s self-defence provisions.

First, Parliament should consider codifying the existing common law self-defence principles in the Criminal Code. While these may not change the ultimate outcome where a case goes to trial—of course a judge knows the law and will instruct the jury accordingly—it would give clear guidance to law enforcement when they are considering a threshold question of whether or not to lay the charge, that is, whether reasonable and probable grounds exist to believe that an offence has been committed.

These recognized common law principles include the following:

One, the accused bears no onus to demonstrate that there was no reasonable way of withdrawing or retreating, from Ward, the Ontario Court of Appeal.

Two, people in stressful and dangerous situations do not have time for subtle reflection, from Mohamed, the Ontario Court of Appeal.

Three, a person defending himself against an attack, reasonably apprehended, cannot be expected to weigh to a nicety the exact measure of necessary defensive action, from Baxter, the Ontario Court of Appeal.

• (1700)

Four, what is relevant to assessing a claim of self-defence is how the accused perceived the relevant facts and whether the perception was reasonable. In other words, an accused person is entitled to be mistaken so long as that mistake was a reasonable one. That is from Pétel, the Supreme Court of Canada.

Next, Parliament should consider an amendment to the Criminal Code that would clarify the circumstances in which an accused person would not bear the burden of establishing the evidentiary basis for a claim of self-defence. At present, in order for a court to consider a claim of self-defence, the judge must find that there is an “air of reality” to the defence, in other words, that the possibility exists in the evidence. While this does not formally shift the burden of proof to the accused, that is often the practical effect. Once this air of reality is met, the Crown must disprove the claim of self-defence beyond a reasonable doubt.

I would recommend an amendment to the Criminal Code establishing that the air of reality is automatically met where the

accused is on his or her own property and the victim is trespassing or otherwise unlawfully there.

Finally, I would propose a wholesale streamlining of the existing self-defence provisions. We can look to other jurisdictions for guidance.

For example, in New Zealand, the law is phrased as follows:

Every one is justified in using, in the defence of himself or herself or another, such force as, in the circumstances as he or she believes them to be, it is reasonable to use.

I conclude with this thought: Rural victims of crime should not find themselves twice victimized, once by criminals, and again by the criminal justice system. Much can be done to ensure fairness in how the Criminal Code is applied and enforced, and to restore the bond of trust between rural Canadians, law enforcement and the courts.

Thank you very much for your kind attention.

The Chair: Thank you, Mr. Friedman.

Ms. Dabrusin, please. You have seven minutes.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you, Mr. Chair.

I want to start with the assistant deputy minister, Dale Larsen.

I’m sorry, I missed the name of the other person who’s with you.

Mr. Dale Larsen: It’s Cory Lerat.

Ms. Julie Dabrusin: Okay. Thank you to both of you.

You raised some issues about how you’re addressing rural crime, but I want to pull it back a little.

I was looking at some stuff from Statistics Canada and it seemed to indicate that Saskatchewan might have slightly different issues as to rural crimes than some of the other prairie provinces. In one, it referred to Manitoba and Saskatchewan as having high rates of rural crime that were the results of higher rates of all types of crime: violent, property, and other crime. In Alberta, it was largely due to property crime.

There was another StatsCan study that referred to the crime severity index being much higher in Saskatchewan than in the other two provinces.

I wonder whether you could comment on that. Do you have any information about why that might be? That might help me understand a bit more.

Mr. Dale Larsen: I noted also that property crime comment or determination that was in the StatsCan publication in relation to Alberta as well.

As you probably realize, the crime severity index and crime rate are two separate things. With our population and some of the violent crime we experience, both in Saskatchewan and Manitoba, it pushes that crime index into a higher component. Just the regular crime severity index in itself includes both property and violent persons crime. It’s difficult to compare one to the other.

In relation to our property crime, we're seeing a bit of a downtrend right now, but it is on the high side from a property crime rate perspective as well.

Ms. Julie Dabrusin: Do you have any statistics within Saskatchewan as to whether there's a difference in, say, the severity of crime or the types of crime in your urban areas versus your rural areas?

•(1705)

Mr. Dale Larsen: Surprisingly, Regina and Saskatoon, the bigger urban municipalities in the province, have close crime severity indexes to the overall provincial numbers. In the example we provided of North Battleford, their crime severity index is probably in the neighbourhood of twice the numbers for Saskatoon or Regina.

Ms. Julie Dabrusin: Have you done any research or examination as to why that might be?

Mr. Dale Larsen: Some of it is based on the formula itself. With a city such as North Battleford with a population of 13,000, trying to equate that to a rate derived from a per 100,000 population sometimes skews some of the data. We've looked into some of the, more or less, actual crimes and the rate that drives them, as opposed to the crime severity index, and are always trying to deal with those violent crime areas.

Currently, North Battleford has experienced a bit of a drop, but it's not substantial enough by far, that's for sure, from our perspective.

Ms. Julie Dabrusin: I'm running out of time and I wanted to jump in.

We've been talking a little bit about a project in Alberta that was taken on by the provincial government where \$8 million was invested in policing, and it created some different ways of developing community links and building out. It was actually having an impact, reducing property crime, according to a six-month report. So six months in, that was what they had seen.

I don't know if you've had a chance to look at what's been happening in Alberta. Is there anything similar in the way you're doing things in Saskatchewan?

Mr. Dale Larsen: Yes to both of those.

I think what you might be referring to is the crime reduction teams that Alberta implemented with approximately \$8 million to \$10 million funding last year.

Ms. Julie Dabrusin: Yes, that's right.

Mr. Dale Larsen: I think they have four in place right now. Currently, our second one was fully manned about a month ago. You're right. They're showing some interesting numbers in relation to not only property but to violent crime as well, downturn numbers.

Ms. Julie Dabrusin: Is that the same thing as when you were talking about the CSO program? Is that tied to that similar type of a program, or are these different programs?

Mr. Dale Larsen: No, the crime reduction teams are full police officer positions. In this province we currently have just the RCMP positions engaged in those, and we're looking toward municipal blend as well, but we haven't got there yet.

Ms. Julie Dabrusin: The other thing that came up when we were talking last week was a reference to something called Alberta sheriffs. Is there anything similar to that in Saskatchewan?

Mr. Dale Larsen: There is not as of yet. The Alberta sheriffs not only do highway patrol and enforcement, but they also do prisoner transport and court security. We're separate a bit in relation to our court security and prisoner transport units that fall under our attorney general side of the ministry. The peace officer program that Alberta currently has was kind of the model that we looked at in relation to our community safety officer program that we're implementing.

Ms. Julie Dabrusin: Perfect.

I have less than a minute, so just quickly, do you have response time statistics for your province, and do you have them broken down by urban and rural areas?

Mr. Dale Larsen: We have looked at those recently because of our PRT program, our protection response team, but at the push of a button I couldn't get them from the larger municipal agencies right now.

Ms. Julie Dabrusin: Right, but then do you have some type of a calculation as to what the average response time is in rural parts of Saskatchewan? Is there an average time?

Mr. Dale Larsen: I have, to some degree, but I don't have an average number for you.

Ms. Julie Dabrusin: All right. Would you be able to provide that to us at a later date?

Mr. Dale Larsen: We would have to check with F Division, our provincial police service of jurisdiction, and see if it could provide us with something.

Ms. Julie Dabrusin: Thank you.

The Chair: Thank you, Ms. Dabrusin.

Thank you, Mr. Larsen.

Before Mr. Motz starts, I'm looking at the clock. It's 5:10. By the time I do one seven-minute round, we'll be close to done. Is there any appetite to extend, given that we did have committee business in between the two panels? Do you want to do another two five-minute questions, for instance, afterward? Are you good with that?

Some hon. members: Agreed.

The Chair: Okay, we'll finish off the seven-minute round and do two fives, one Liberal and one Conservative.

Mr. Motz, you have seven minutes, please.

•(1710)

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you, Chair.

Thank you to all the witnesses who are here.

Dale, it's Glen Motz from MHPS, you remember, and congratulations on your appointment. I haven't had a chance to talk to you since then.

Mr. Dale Larsen: Thanks, Glen.

Mr. Glen Motz: Mr. Friedman, you mentioned in your comments that the process is the punishment, specific to self-defence. Could you elaborate on the idea that, just because individuals are entitled to claim self-defence as a legal justification, it doesn't mean they won't still be subject to significant barriers in accessing justice? Can you explain that a little further?

Mr. Solomon Friedman: Sure.

We have to distinguish between somebody being charged with an offence and someone being convicted. In my experience, I've seen many cases where individuals are charged, but then the charge is withdrawn or they're acquitted after a trial.

The threshold to lay a charge is reasonable and probable grounds, and particularly in a province like Ontario where charges don't have to be approved by the prosecutor, you're relying on the policing policy and the individual knowledge and experience of the first officer to respond to a scene. Particularly where a firearm is used, or where there has been a violent incident, often I have seen that the first instinct of the officer is to lay a charge, and then say, "We'll let the court sort it out."

The trouble with that is, of course, as I said, that the process is the punishment. This means a person is going to have their liberty restricted, sometimes by being placed in custody, strict bail conditions and an incredible expense, not to mention the stigma that's associated with having criminal charges hang over your head.

So it begins on the ground level, and it doesn't matter if you're acquitted or vindicated. Clients always say that no one remembers that follow-up small-print story at the end of the day. People remember the front-page news when you were paraded off in handcuffs for exercising your right to self-defence.

Mr. Glen Motz: Thank you for those comments. That plays into what I want to ask you next, sir.

The self-defence jurisprudence is quite clear. I think in *R. v. Bengy* the court found that the court must be alive to the fact that the people in stressful and dangerous situations do not have time for subtle reflection. You also mentioned the SCC decision in *R. v. Pétel*. To me, these decisions sometimes skew heavily in favour of a protection of self-defence rights.

Do you feel that the state of the law in the courts is effectively communicated to law enforcement to aid in their charging decisions? You indicated it wasn't, so how do we address the issue? How do we best deal with it?

Mr. Solomon Friedman: I think there are two ways to do it. One is to ensure that front-line officers receive a bare minimum of legal education when it comes to self-defence. Now, we're not expecting police officers.... I've encountered many police officers who are law graduates, who do have law degrees, but the vast majority do not, and you can't burden every police officer with having to carry around the Criminal Reports for the past 100 years.

What you can do, however, is number one, have a change in policy that reflects training in these areas. The second thing to do is remember what police officers do often refer to, and that is the Criminal Code. Very often police officers will open the Criminal Code as a reference point. If these principles are only in the common

law, they are equally as binding as if they were in the Criminal Code, but they are just not accessible.

To me, an easy answer to this is to, say, take the common law that already governs the courts—that's why we see so many acquittals, but so many charges as well—and import those into the Criminal Code. Let the police officer say you don't need to weigh the niceties of your actions, or you're entitled to be mistaken. You don't need a law degree to know that. I can just read it in the Criminal Code.

Mr. Glen Motz: Fair enough.

To speak to your comments about the need for the charges to self-defence laws to aid police making charge decisions, is it more likely that someone who defends themselves and their property is charged by the police currently, or does that depend on the circumstances entirely?

Mr. Solomon Friedman: There are two separate provisions, and one is for the defence of persons where broader authority is granted. But I've encountered police officers who didn't know that you actually have a right to defend your property. In fact, the Criminal Code sets out a three-part test for when you have the right to defend property.

If you believe on reasonable grounds another person either has entered your property or is about to enter your property, and that act of entering your property constitutes an offence, you are permitted to use reasonable force in the circumstances.

I've had police officers tell me in cross-examination when I'm asking them as to why a charge was laid say they weren't defending a person, they were defending their property. But what they don't get to is the last part of the provision that says as long as the act is reasonable in the circumstances, then defence of property is permitted.

In my view, police need to be better educated that it's not just the defence of persons. Equally there's a defence of property provision that has its own rules but has binding effect.

• (1715)

Mr. Glen Motz: When we look at the whole area of rural crime, this is not a gun debate; this is a rural crime debate. We know that a lot of rural crimes do not involve firearms, but some do.

From your perspective, what do you think is probably the most effective change any government can do to have a positive impact on public safety in rural Canada on rural crime? I mean all aspects, from what Dr. Drummond said, and our witnesses who have experienced this. From your perspective, how can we make sure that happens?

Mr. Solomon Friedman: Because I'm greedy, I'm going to give you two changes, with the federal government playing a leadership role and influencing the provinces to follow suit.

I agree with Dr. Drummond. This is not a political issue. This is a policy effect and a legal issue.

In my view, number one, there needs to be reform to the self-defence provision so the code as it's written reflects the common law. Those are pretty simple legislative amendments. The Supreme Court has been calling for them since 1995. The last government tried. It added in a number of factors, but the police simply are not applying them, in my view, the way they ought to. That's number one.

Number two, the federal government can show leadership on the RCMP level by implementing policy for.... Mind you, we all know that the RCMP is actually the rural police force for the majority of this country where there are not provincial police forces and those places where there are not municipal police forces.

The federal government can show leadership by having a policy to allow first responders, police officers, to know the test for self-defence and apply it in the way the Criminal Code intended. What I would hope to see is the provincial attorneys general follow suit when it comes to the Crown policy and when it comes to their own provincial and municipal police forces.

Mr. Glen Motz: Thank you.

The Chair: Thank you, Mr. Motz.

Ms. Moore, you have even minutes.

[Translation]

Ms. Christine Moore: Thank you very much.

[English]

My questions and comments will be directed to Dr. Drummond.

My first one is about drunk driving. There is often a lot of drunk driving in rural areas, because there is no other way to get back home. That is really problematic. I work in an emergency department in a small rural area. We had a man who was so drunk that he had two times the limit of potential mortal alcohol in his blood. We had to intubate him, because he was not able to breathe anymore by himself, and he had been driving 30 minutes before.

Can you comment on alcohol drunk driving in rural areas? Is it something that you've seen often? Often, police officers bring those people to the hospital to draw a blood sample.

Do you think health professionals, including nurses, think about talking to the legal authorities about people who may potentially have a mental disease, or mental condition, and that perhaps a firearm would need to be taken away from them? As you're part of the health profession, do you know where to call, or do you think about doing nothing?

Dr. Alan Drummond: I dispute your comment about there being no other choice. Of course, there's a choice. There is no excuse for drinking and driving no matter what the rurality index is of your given community.

I'm going to try and focus on firearms, because that's why I thought I was here, but it does raise the issue that when we encounter somebody who has been drinking and driving—and has either come to our emergency department or been brought to our emergency department in Ontario and probably every other province in this country—we have a legal obligation, a mandatory obligation, to report that individual as somebody who may be unsafe to drive, because if they drink and drive, they could do it again. There's a

mandatory reporting provision which on pain of death if we don't do it gets us into a lot of trouble.

By the same token, we encounter people quite often in the emergency department who are thinking about suicide, or ruminating about suicide, and then practically in every rural home there's a firearm—not every rural home, but a significant number of them. When somebody comes in with suicidal ideation or thoughts of suicide, or significant depression, it should be part of our process—it isn't actually, but it should be—to ask about the presence of guns in the home, and to make sure that during that period of severe depression, or suicidal thoughts, that they don't have access to a weapon.

Currently, we don't have the legal right to notify the police that somebody, who has presented suicidal thoughts, has a weapon in their home. That is something that we need to resolve. I understand there are concerns about the confidentiality process, and the fact that medicine is based on the ability to freely discuss items of concern with a physician without fear of government reporting, but that is a fact.

Your second point was with respect to....

• (1720)

[Translation]

Ms. Christine Moore: Do health care professionals have the reflex to notify the police? There is a hotline that can be called. Do they think about it?

Sometimes, a person goes to emergency, sees a triage nurse and tells the nurse about his problems, but then finds the wait to be too long and decides to go home. No one other than the nurse knows that this person came to emergency.

Do nurses understand that notifying the police is also part of their role or do they tend to consider it the doctor's responsibility?

[English]

Dr. Alan Drummond: Clearly, we as physicians, emergency nurses, but particularly emergency physicians, have a societal obligation to report individuals who may be a danger to themselves or others. There may not be any legal mechanism by which we can call a police department to say we have a drunk driver in our department and he's leaving, but if I had a drunk driver in my department, who left, I would call the police, and I would take my chances with my colleague, the lawyer.

Ms. Christine Moore: Mr. Friedman, if, for example, as a nurse I call the police because I am worried about someone leaving the emergency department because he is totally drunk or because I think he could commit some harm with a firearm, could I have a charge laid against me because I called the police to say that?

Mr. Solomon Friedman: It depends on what type of charge we're talking about. You certainly couldn't have a criminal charge laid against you. I am not a doctor so I don't specialize in professional misconduct, but I know a little about the colleges for both nurses and physicians and their confidentiality rules.

From the criminal perspective and the firearms control scheme—and I don't think I differ with Dr. Drummond on this—there is a reporting mechanism for everybody; it's a phone number, 1-800-731-4000. You can call the RCMP at any time to report a public safety complaint with respect to firearms. It's on the RCMP Canadian firearms program website. It's well publicized in gun stores all over the country.

I see the results of people using it and individuals do have their firearms seized and held until a hearing can take place to determine their suitability to own firearms. I think that's a perfectly appropriate process.

The Chair: You have half a minute.

[*Translation*]

Ms. Christine Moore: Okay.

I know that it is a little more difficult in Quebec to report someone who is intoxicated. As a nurse, I was told that I might have problems unless I could prove that the person represented an imminent danger. We had to use some kind of code with local police. For example, we would ask them to bring us a coffee, enter from the front and park next to the red car.

Do you think it's an exaggeration for health care professionals to use such a system when, basically, all they want to do is to protect citizens?

[*English*]

Mr. Solomon Friedman: I'll speak as a lawyer with my confidentiality obligations. I am protected by the only existing professional solicitor-client privilege—not confidentiality—I am bound by solicitor-client privilege. That privilege is waived in the face of an imminent threat to an identifiable person. I am then relieved of that privilege.

To me, as a lawyer, we know...and everyone thinks their privilege or their confidentiality is the most important, but mine is recognized as the most important constitutionally. But I am still relieved of it.

If there is an imminent threat to an identifiable person, I certainly wouldn't see why a professional confidentiality wouldn't be waived.

• (1725)

The Chair: Thank you.

Thank you, Ms. Moore. We really are running behind.

Mr. Spengemann, you have seven minutes, please.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Mr. Chair, thank you very much.

Mr. Larsen and Mr. Friedman, the motion that gave rise to this study is entitled “Rural Crime in Canada”, not “Crime in Rural Canada”. I am asking if this is a semantic distinction or that we may be inadvertently creating a classification that doesn't warrant that classification.

Should we be talking about crime in rural Canada, given that we have a common constitutional framework, a common Criminal Code and a common set of federal-provincial relationships? Are these just different allocations of resources and deployments, or is there

something that warrants the title, “rural crime” as distinct from “urban crime”?

Mr. Solomon Friedman: May I answer that first?

Mr. Sven Spengemann: Sure, and then I'd like to get Mr. Larsen's views as well.

Mr. Solomon Friedman: Yes. Obviously, I didn't title the motion. I just showed up where I was asked to, which is generally what counsel does. Someone tells us to go somewhere and we go somewhere and speak.

I see a difference in the nature of offences and victims in rural Canada. I think they both face different challenges, just like the prosecution and the investigation of offences are different in rural and urban Canada.

You're right. There is one Criminal Code, one Constitution. But if you speak to a police officer who has spent his or her entire career in a rural area versus an urban area, they'll have very different experiences. So I think it is valuable to commit resources to trying to understand the distinction to ensure that we have a uniform, safe environment, whether you're in rural or urban Canada.

Mr. Sven Spengemann: Thank you very much.

Mr. Larsen, may I have your views on this?

Mr. Dale Larsen: I would echo some of what was just mentioned.

I am assuming you're talking about Dr. Ruddell's book.

Obviously in the rural setting for police officers some of the challenges are quite a bit different from a larger metropolitan urban area. Largely because of the nature of their deployment, they're usually single-officer units, and backup for them could be some time away.

That distance issue in relation to rural crime is always a challenge. We realize we can't put a police officer on every section of land, so going in that direction with more policing isn't necessarily the best or most effective way to try to deal with this problem.

We have to engage rural communities on a wider scale, such as rural crime watch, which we're expanding in Saskatchewan, and those types of different initiatives. We're exploring some of the available technology for tracking and monitoring farmyards as well.

Mr. Sven Spengemann: Thanks very much for that.

I note that the motion itself does not mention firearms, and I want to maintain that lens for my next question which is directed to Mr. Friedman.

Mr. Friedman, Canadians who are listening to the testimony that you gave on the codification of the common law with respect to self-defence may find themselves thinking about Florida's law, which is the “stand your ground” law. Are you familiar with that piece of legislation, and if so, how does that compare with what you're proposing to the committee today?

Mr. Solomon Friedman: Yes, I'm familiar with it, as familiar as I am with a piece of foreign legislation that doesn't apply in Canada. That comes from both a different constitutional and a different criminal law framework.

Nothing that I have proposed has anything to do with the “stand your ground” law. I think the “stand your ground” law, in general, is often misunderstood. I've had prosecutors say, “What you're talking about is 'stand your ground,'” and then the judge acquits my client on a self-defence provision.

What we're talking about is recognizing that you don't have to perform an exact mathematical calculus as to the reasonableness of your force. We know that these things happen in stressful situations, and our common law recognizes that.

No, this isn't castle doctrine, another American legal concept that does not have application here.

Mr. Sven Spengemann: Nor is this a paradigm that would be limited. Maybe in practice it would bear out numerically, but it would be limited to firearms. It could be any other use of force to stop an offence.

Mr. Solomon Friedman: No, not at all. The question is whether or not the force is reasonable and proportional.

It's interesting. Sometimes we don't even talk about a discharge of firearms. It could just be the pointing of a firearm, which is otherwise an offence. It's a crime to point a firearm at someone unless you're in a justified circumstance such as self-defence, but no, we're not talking about self-defence linked exclusively to firearms.

Mr. Sven Spengemann: Thank you very much for that.

Mr. Larsen, in the previous panel we had evidence before the committee of a crime that had happened to Mr. Priestley-Wright, with significant indications that he suffered mental trauma as a result of the attack. How are we doing with respect to the provision of mental health services for victims of violent crime in rural settings?

•(1730)

Mr. Dale Larsen: I guess I haven't seen too much movement on the victimization aspect.

In Saskatchewan, we are making great strides in attending to the needs of those incidents that involve someone with mental health issues through our PACT. That's the police and crisis response team, where a police officer is partnered with a health professional. We have those in almost all of our municipalities throughout the province. Saskatoon was the main starter of this program, which has evolved to Regina, Moose Jaw, Yorkton, and Prince Albert, and will eventually be in North Battleford.

We also are looking at piloting a product that was recently announced in Manitoba and is used by the RCMP there. We're trying to incorporate it here. That's the HealthIM product, a hand-held app that officers can utilize when they have someone with a mental health issue. It makes the communication a lot quicker with the health authority or the hospital that they're attending. It helps to move things along a lot quicker, which helps both the individual and the officer.

Mr. Sven Spengemann: I have 30 seconds left for a quick recommendation from your angle with respect to the root causes of crime in rural settings. Is there anything that you would recommend to the government on addressing root causes?

Mr. Dale Larsen: That's an answer that probably would take longer than 30 seconds.

Mr. Sven Spengemann: Yes. That's unfair given the time limit.

Thank you very much, Mr. Chair.

The Chair: Thank you, Mr. Spengemann.

Mr. Eglinski.

Mr. Jim Eglinski: Thank you.

Do I have five minutes?

The Chair: You have five minutes, please.

Mr. Jim Eglinski: I'll start with Mr. Friedman.

I want to continue on where you were with my friend here. We were talking about police and making that decision to lay a charge in a self-defence situation. You mentioned police specifically. I want to defend them a little bit.

Do you find also that Crown counsels need to be better educated in the rules? I like your theory here about changing the Criminal Code, because there's a lot of confusion there with everyone—with the police officers, with the Crown counsel, and with the public.

Mr. Solomon Friedman: As defence counsel, I'm not going to let an opportunity to give a little jab to Crown counsel go, right?

The Chair: Oh, come on.

Mr. Jim Eglinski: I thought you wouldn't.

Voices: Oh, oh!

Mr. Solomon Friedman: No, of course not. I should say at the outset that not only do I have the highest respect for the peace officers who I deal with in my professional capacity, sometimes as clients and sometimes as witnesses in cases, but for Crown counsel as well. They're dealing with the tools they have.

I'll say this about Crown counsel. The Crowns I come up against are well educated, professional and extremely knowledgeable on the law; however, their hands are often tied by policy. Let's go to Ontario for an example.

In Ontario, the provincial Crown attorneys are governed by the Crown policy manual. If you open up the Crown policy manual to the section entitled “Firearms”, you'll see that while individual Crown attorneys have wide discretion to withdraw charges, to proceed by lesser means and to divert charges for a wide variety of offences, they do not have that same discretion for firearms. They have to get approval from either a deputy Crown attorney or the local Crown attorney or another designated Crown attorney. Even when I sit down and say, look, this is a self-defence case, what I often hear is that it's a gun case and it's going to trial, which is not the case for other offences.

I think Crown policy is as important as police policy here in ensuring that charges that don't have a reasonable prospect of conviction or are otherwise not in the public interest—the two general hallmarks for continuing a prosecution—apply equally to firearms offences.

Mr. Jim Eglinski: That's a very good answer. Thank you.

I want to stretch that a bit. Previously, you mentioned the pointing of a firearm. As soon as you point a firearm, everybody says that it has to go to court. Have you seen that in your experience, even with Crown counsel, because of the policy and procedures laid down by their senior brass or the police?

Mr. Solomon Friedman: Let's just back up a moment so that we're clear on the law. It is a criminal offence to point a firearm at somebody, but there's a comma there: "without lawful excuse". Now, very often, the responding police officer doesn't want to be the one to make that determination as to whether or not there was lawful excuse.

Sometimes there is good reason for that. I know that I may advise my client not to give a statement to police that can't help them, but there are cases where I tell my client that, in those circumstances, you give your side of the story and tell them exactly what happened. The trouble, though, is a policy one where you have a pointing of a firearm. Even if there appears to be a lawful excuse, we see those winding their way through the courts.

We have to recognize, of course, that there are some acts where the exact same action will be unlawful in one context, but with a lawful excuse or a reasonable defence, such as self-defence, will be completely lawful. The question is, does the policy recognize that distinction? In my experience, I would say not always.

• (1735)

Mr. Jim Eglinski: I have a question for you, Mr. Drummond.

As a coroner and a rural doctor, you spoke about suicides.

Dr. Alan Drummond: That's right.

Mr. Jim Eglinski: You spoke about the long gun being used.

Dr. Alan Drummond: Yes.

Mr. Jim Eglinski: In your experience, what was the most common element that you found in suicides?

Dr. Alan Drummond: Suicides in general?

Mr. Jim Eglinski: Yes.

Dr. Alan Drummond: It was previous mental health issues, predominantly substance abuse—

Mr. Jim Eglinski: What type of method did they use that you found to be the most common?

Dr. Alan Drummond: It's very clear that hanging and ligature is the most common, at about 50% of the time. Guns are used in about 25% of suicides.

Mr. Jim Eglinski: Thank you.

The Chair: You have a little less than a minute.

Mr. Jim Eglinski: Mr. Larsen, you heard the evidence by Mr. Friedman about the changing of the Criminal Code. As a former police officer and in the role you are in now, do you see a need for us to revamp that?

Mr. Dale Larsen: You're going to have to refresh my memory on the section in relation to—

Mr. Jim Eglinski: It's the use of defence and stuff like that for property or personal. Do you think we need to clarify it and upgrade it from its current status under the Criminal Code?

Mr. Dale Larsen: I'm not sure if it needs to be upgraded or changed in the Criminal Code so much, but I would agree that there does seem to be a need for some clarification to help the police officer on the street make the proper decision and understand the prosecution's side of it, whether that's a change to the code for reference or better training and communication with police and prosecutions.

Mr. Jim Eglinski: Thank you.

The Chair: Thank you, Mr. Eglinski.

Madam Damoff, you have the final five minutes.

Ms. Pam Damoff: Thank you, Chair. I didn't realize that.

Dr. Drummond, thank you for coming.

I think you were wondering why you were here. You provided us really valuable information as we were looking at Bill C-71, because so often there's a misperception about how firearms are used. Because so much of what we've heard in this study has been around arming people to protect their property, it seemed like it would be valuable to get input from you in relation to intimate partner violence and suicide on what happens when there is a firearm in the home. I wonder if you can speak to that a bit.

Dr. Alan Drummond: That evidence is very clear. It is well established, dating back for decades. Even though the Americans have issues with response to the CDC being unallowed to fund gun research, the gun research continues to go on. It's been very, very clear that keeping a gun in the home is associated with a fivefold increase in suicide. With respect to intimate partner violence, again, there's about a fivefold increase in risk of death by the mere presence of a firearm in the home. I would imagine that the Canadian Paediatric Society might be involved at some point. They also have released a policy statement—earlier this year, perhaps, or late last year—that a gun in the home is associated with a high risk of pediatric accidental injury.

The mere presence of a gun, regardless of the type of gun, is associated with higher death rates—for suicide, intimate partner violence, probably homicide, and certainly childhood accidents.

Ms. Pam Damoff: Have you seen any increase in the number of injuries coming into the emergency room from firearms over the last few years, or is it consistent?

Dr. Alan Drummond: The Canadian Paediatric Society highlighted that there was at least one injury per day for Ontario youth by firearm—I think they used that term "firearm" very loosely—in the year that they studied. In terms of responsible gun ownership, I believe the great majority of rural Canadians practise responsible gun ownership. They take safety courses. They take hunting safety courses. We don't actually see very often an accidental injury in our emergency department. Speaking as a coroner, what I tend to see is someone who has blown their head off with a shotgun. That's what I see more often than anything else.

Ms. Pam Damoff: One thing that's come up previously is the comment that if they don't have a firearm, they'll just use something else. Is that a reality?

Dr. Alan Drummond: No, it is not. That's one of those great myths of the Canadian firearm debate, that if they don't have a gun, they'll find another way. We hear that time and time again. The truth is that it's simply not true. Of those who have survived a suicide attempt, only 10% of those remaining survivors will actually complete suicide.

Suicide is an impulsive act. Yes, there are some people who plan it meticulously and have plan A and plan B and plan C, but for the great majority of people who commit suicide or attempt suicide, it's an impulsive act during a time of feeling overwhelmed. If you can get them through their depressive episode, their suicidal episode, their psychotic episode, then chances are very, very good that they will not go on to suicide.

That's a myth that needs to be debunked.

• (1740)

Ms. Pam Damoff: Thank you.

How much time do I have left?

The Chair: You have a little bit more than 30 seconds.

Ms. Pam Damoff: Maybe I'll just end it there, then.

The Chair: Okay. Thank you.

On behalf of the committee, I want to thank the witnesses.

Before I dismiss the committee, colleagues would be interested in knowing that yesterday I was in Regina at RCMP Depot to witness my nephew, along with his colleagues in his troop, being sworn into the RCMP. I was privileged to present him his badge.

A voice: Very cool.

The Chair: It was—yes, exactly—very cool. It put flesh on the bones of much of what we've been talking about for the last few days. I'd encourage colleagues, if they have any opportunity to witness that ceremony, to take advantage of it. The RCMP serves our nation well. They had a map of Canada showing where every one of the graduates, every one of the constables, was going. It was overwhelmingly rural, and overwhelmingly to places I'd never heard of.

With that, again, I want to thank you for the help you've been to the committee.

The meeting is adjourned.

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