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# **Standing Committee on Public Safety and National Security**

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**EVIDENCE**

**Tuesday, November 22, 2011**

**Chair**

**Mr. Kevin Sorenson**



## Standing Committee on Public Safety and National Security

Tuesday, November 22, 2011

• (1100)

[English]

**The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)):** Good morning, everyone. Welcome. This is meeting number 13 of the Standing Committee on Public Safety and National Security. It is Tuesday, November 22, 2011. Today we are continuing our study of Bill C-19, an act to amend the Criminal Code and the Firearms Act.

I will remind our committee that we will try to keep each of the next two hours to 55 minutes each so we can have 10 minutes at the close for committee business to deal with Mr. Chicoine's motion. Hopefully the transition between the two meetings can be very quick so we can give proper attention to Mr. Chicoine's motion.

We will begin by hearing from the Office of the Information Commissioner of Canada, Ms. Suzanne Legault, Information Commissioner. We welcome you here. It's always good to have you before the committee.

From YWCA Canada we have Ann Decter, director of advocacy and public policy. We also have Lyda Fuller, the executive director of the YWCA Yellowknife.

Appearing as an individual we have Daniel McNeely. From 1998 to 2006 he was involved with Northwest Territories Business Development and Investment Corporation. He has travelled northern Canada extensively.

We have three presenters here this morning. One was unable to make it, so we will stretch it out and give you a little more time. We've been giving about seven minutes to each one. As long as we're done before nine or ten minutes, we should be all right.

Madame Legault, we look forward to your comments.

Thank you.

**Ms. Suzanne Legault (Information Commissioner, Office of the Information Commissioner of Canada):** Thank you, Mr. Chair.

Thank you for giving me the opportunity to appear before you and the members of your committee in regard to Bill C-19. My remarks will be brief and will simply provide an overview of my mandate. I will discuss specific provisions of this bill that, in my opinion, would set an unfortunate precedent in the management of government records.

[Translation]

As this is my first time appearing before your Committee, Mr. Chair, I feel it is important to briefly outline the nature of my role at the federal level.

The Information Commissioner is an agent of Parliament appointed under the Access to Information Act. My role is largely to review the complaints of individuals and organizations who believe that federal institutions have not respected their rights under the Act. I am supported in my work by the Office of the Information Commissioner of Canada.

[English]

In the course of our investigations we use mediation and persuasion to help resolve disputes. We bring cases to the Federal Court when they involve important principles of law or legal interpretation. As an ombudsperson, I also work to promote access to information in Canada and abroad.

We actively promote greater freedom of information in Canada in the name of transparency and accountability through targeted initiatives such as Right to Know Week, and ongoing dialogue with Canadians, Parliament, and federal institutions.

On Bill C-19, which your committee is reviewing, although it has no direct or immediate impact on my day-to-day responsibilities, it does raise major concerns about transparency and accountability in general. As Information Commissioner, I have serious concerns about the impact this bill will have on government information management, and a specific concern about section 29 of the transitional provisions, which dispenses with the archivist's role in the management of the federal records in question and the right of Canadians to access those records.

[Translation]

In a nutshell, this transitional provision allows the Commissioner of Firearms and each chief firearms officer in the provinces and territories to destroy, as soon as feasible, all records related to the registration of firearms.

[English]

Further, subclause 29(3) overrides sections 12 and 13 of the Library and Archives of Canada Act, whereby the archivist's consent is required before destroying government records, as well as subsections 6(1) and 6(3) of the Privacy Act—but I understand in that regard that the Privacy Commissioner will share her concerns with respect to this matter.

Mr. Chair, destroying records on this scale without first obtaining the consent of the archivist, as required by section 12 of the Library and Archives of Canada Act, not only modifies the existing records management system, which seeks to ensure transparency and accountability in the disposal of such records, but in my view also seems contrary to the Federal Court's decision in Bronskill.

In that case, Mr. Chair, Justice Noël stated that the Access to Information Act and the Library of Archives of Canada Act are inextricably linked, such that “Parliament considers access to information in Canada and document retention as essential components of citizens’ right to government information.”

I should mention that this decision is currently under appeal before the Federal Court and that I may very well seek leave to intervene in that case.

● (1105)

[Translation]

In light of the quasi-constitutional status given to the system for accessing government records and the key role of the archivist in preserving such records, it therefore follows, in my view, that this bill ignores both the spirit and the purpose of the Access to Information Act and the Library and Archives of Canada Act.

[English]

Moreover, I fully agree with the content of the Association of Canadian Archivists’ November 8 letter to Minister Toews, posted on the association’s website. In it, the association essentially describes the proposed legislation as overriding a records management system that works and ensures that there is adequate transparency when the government seeks to destroy a selection of its records.

As the archivists state in that letter, Mr. Chair, the national archivist is best placed to balance “the competing public policy requirements regarding the use, preservation, and destruction of records”.

In closing, thank you very much, Mr. Chair, for the privilege of appearing before your committee. I would be pleased to answer questions.

[Translation]

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

[English]

Now we will move to Ms. Decter.

**Ms. Ann Decter (Director, Advocacy and Public Policy, YWCA Canada):** Good morning.

As you know, I’m Ann Decter, and I’m the director of advocacy and public policy at YWCA Canada. I’m here today with my colleague, Lyda Fuller, who is the executive director of YWCA Yellowknife, and has obviously travelled a long way to speak with you.

Thank you for the opportunity to present our concerns with Bill C-19, which would end the long-gun registry; erase registration records for over seven million firearms; allow unrestricted firearms to be purchased without licence verification or point of sale registration; and eliminate registry-generated warnings about stock-pilings of weapons. These will have very serious consequences for women experiencing violence in this country.

YWCA Canada is the nation’s largest single provider of shelter to women and children fleeing violence. Every year, 100,000 women and children leave their homes seeking emergency shelter. Almost 20,000 of them come through the doors of our 31 shelters looking

for safety, for a roof over their heads, and for some care and some support.

Our shelters tell us that the long-gun registry is useful and needed. Our rural shelters—and those include Sudbury, Brandon, Prince Albert, Lethbridge, Peterborough, Saskatoon, Banff, Yellowknife, and Iqaluit—tell us that police consult the long-gun registry every time they go to a domestic violence incident, not automatic checks, but deliberate and specific searches for firearms in the home, especially long guns.

There is unanimous support for the registry among service providers working in violence against women. In every province and territory, the shelter and transition house association supports the long-gun registry. Why? Because shotguns and rifles are the guns most commonly used in spousal homicides, and especially when women are the victims—not handguns, but shotguns and rifles.

Ending violence against women, which is a goal of YWCA Canada, will require much more from Canadians than willingness to complete a registration form in order to own a hunting rifle.

The Canadian Association of Chiefs of Police, who spoke to this committee last week, has described the long-gun registry as providing “a reasonable balance between the exercise of an individual privilege and the broader right of the society to be safe”. What hangs in that balance is the safety of women and children.

Thank you.

Lyda.

**The Chair:** Go ahead, Ms. Fuller.

● (1110)

**Ms. Lyda Fuller (Executive Director, YWCA Yellowknife, YWCA Canada):** Good morning.

Women in the Northwest Territories face extremely high rates of violence in comparison with women in the rest of Canada. The rate of reported sexual assault in the Northwest Territories has been documented at six times the national rate, and shelter use is 4.4 times the rate. In 2008-09, NWT family violence shelters admitted 281 women and 226 children, which was a 25% increase from the previous year.

Intimate partner violence is a major barrier to social development in northern communities and to an improved quality of life for women. Women in most NWT communities face formidable barriers to accessing services and supports to escape from violence. They are actively discouraged from speaking with one another about their situations and from seeking the support of outsiders, such as the settlement officer or the nurse. Women live in fear, and they are essentially voiceless. This committee will not hear from them.

Community pressure serves to keep people quiet about these issues, especially in communities in which violence is condoned as an appropriate way to solve problems and in which sanctions against abusers are low. An NWT survey of public attitudes found that 34.8% of respondents in communities outside the four largest centres agreed with the statement, “physical violence between a couple is a private matter”.

The roots of high violence and the high incidence of social suffering in northern communities, including violence against women and other vulnerable populations, lie in the overall impact of colonization and the impact of the resultant collective and individual trauma that flows from cultural disruption. Generations of separation, institutionalization, dependence, dislocation, and residential school experiences have traumatized people and have replaced the traditional culture of respect with a culture of fear and oppression. In this situation, women, children, and elders are powerless.

In small communities, an emergency RCMP response can range from an hour by road to several days if the community is only accessible by air and the weather is bad. The communities are small, often between 150 and 450 people. Our YWCA travels regularly to these small communities to work with women in the 11 smallest NWT communities, which would be those communities without resident RCMP.

After we have built trust through repeated visits and by listening without judgment, they tell us more about their lives. The north is a hunting culture, and long guns are hunting guns, but they are also used by men to intimidate, subdue, and control their partners. We hear this repeatedly from women.

As a provider of shelter services, the primary facilitator of emergency protection orders, and the organizer of capacity enhancements for the five NWT shelters for women experiencing abuse, we have heard from many women who have experienced abuse. We see older women threatened so badly that they run out of the house without boots and a parka in severe weather. We see young women raped by family members.

This legislation to destroy the long-gun registry removes one of the most effective and tangible means of protecting women in rural and remote communities from the pervasive violence they face.

RCMP repeatedly tell us that they access the long-gun registry information. It allows them to confiscate long guns from the homes where abuse is occurring. Without the registry, they have no means of identifying what guns are owned or of knowing themselves what they may be walking into. But this is only part of the debate.

By not helping those with the authority to intervene to remove weapons used to intimidate women, society is making a choice. We are giving women a strong message.

● (1115)

From my perspective, the most damaging outcome of this legislation is the message to northern women. Passage of Bill C-19 says to women who experience abuse by partners who have long guns, "We are not interested in protecting you", and worse, it says, "We are not interested in assisting the RCMP to protect you either".

There is no magic number of visits that we can make to NWT communities to encourage women individually or collectively to try to keep themselves safe when the Government of Canada is clearly saying they do not matter.

Thank you.

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

We'll now move to Mr. McNeely.

Mr. McNeely you have testimony. We look forward to hearing it.

**Mr. Daniel McNeely (As an Individual):** Good morning, committee members, panel colleagues, invited guests.

I come from a large geographically remote area of Canada, a small community in particular of about 450 people. Within our land claim area we have five communities consisting of a total population of natives and non-natives in the neighbourhood of 3,500.

History is still being repeated for aboriginal northerners raised in the north when purchasing firearms, and by no means are we stacking beaver pelts to the height of the rifle itself.

I think to amend this piece of legislation, Bill C-19, it should reflect where it's more effective in the various parts of Canada.

In our particular area, as Lyda mentioned, we do depend solely on this piece of equipment to bring livelihood and income to not only our families but to the elders themselves.

Since the registry was incorporated in 1999, it has grown to be a very cumbersome piece of legislation to comply with for all age groups. In our area in particular, and probably in the north for that matter, the average educated person has probably in the neighbourhood of grade 8 to 10...in some cases very minimal. So it's very hard and I would say again cumbersome to comply with, and not only to access your FAC certification or to apply and acquire the needed licences.

Just to give you an example, if you were to go through the course itself to acquire your licence...they ask you how fast a bullet travels from point A to point B. I really don't think anybody in the north, in our area, for example, or even way up in the Beaufort Sea, could answer this. They will probably tell you that if the moose falls down, that's how far it travels. That's the end of the story.

It's very difficult, I would say, in our parts. When you look at amending it to reflect where it's needed more in Canada...I think that's what should be done. It's not as if you're scrapping the whole program.

To look at some of the supporting facilities in the Northwest Territories in particular, there is not a training centre that we can come to, or go to, or travel to, and say, okay, we're here to take a course to acquire the permits to buy ammunition and firearms. Just the cost itself is outstanding, and it's very frustrating when you look at it. There are more prioritized needs for the money spent just to incorporate this program, not to mention the operations or the after care in carrying out and administering this program.

Both Lyda and I have had to travel down here to voice our opinions, considering the fact that our MP has really abstained from this whole position altogether. I don't know where he stands, but at least I'm invited to make a presentation and answer any questions, and I'll be glad to do so.

That's really about all I have to say, Mr. Chair.

● (1120)

**The Chair:** My thanks to all our guests.

We'll move into the first round of questioning. From the government side we have Ms. Young.

**Ms. Wai Young (Vancouver South, CPC):** Thank you, and my thanks to our witnesses for travelling great distances to be here today.

I'm going to be very specific and direct with my questions. I hope you don't mind. If you would be concise with your responses, that would be helpful. I'm going to direct the first set of questions to Ms. Decter and Ms. Fuller. First, though, I will give you a bit of a background on why this issue is of particular interest to me. I want to get a sense of where some of your information and data are coming from.

I'm a trained sociologist and I've been working for 25 years in developing social policy and programs across Canada, primarily for the vulnerable and the disadvantaged. I wanted to share that with you. I also worked as a counsellor of native youth and families in the east side of Vancouver. I've also been a community activist in the east side of Vancouver, so I'm quite familiar with some of the issues that you've been talking about. In addition to that, I've sat on the board of the YWCA Vancouver for a time. I hope that gives you a broad sense of where I'm coming from.

We've been hearing expert witnesses for a number of days, and this bill is a transformation of another bill and previous bills over the last several years that have included a number of interesting facts. I want to share these with you. I think we have dissected the differences between gun licensing and gun registry. We know that there are an incredible number of checks and balances in the licensing process, and that they will continue to be in place. What we're talking about abolishing is the long-gun registry, registering the different guns that you own. The licensing process is going to remain.

We've heard about the value of the Canadian licensing system and how strong, vibrant, and critical it is. That is not being touched. We've also heard how ineffective and inaccurate it is. The registry is about 50% inaccurate.

We've heard this from expert testimony by the RCMP, from officers on the street throughout Canada. We've also heard that the gun and shooting deaths have been in decline for over 30 years. The decline of the last 10 years of shooting and gun deaths is not attributable to the registry. It is part of a long-term decline in violence. For over 30 years, it's been in decline, and hopefully that will continue. So this whole sense of attributing the decline of shooting and gun deaths to the registry is inaccurate.

We've also heard that statistically women are killed, number one, by knives; number two, by beatings; number three, by strangulations; and number four, some 9%, by guns.

I don't want to not acknowledge that people are threatened. Gun crime happens; shootings happen. In Vancouver, we have shootings all the time, even in my own riding.

We've also heard that the purchase of a gun without a licence and the sale of a gun to somebody without a licence are criminal offences. The licensing aspect of purchasing guns is going to remain in Canada.

Given all of this expert witness testimony, I'd like to say that we know the sector you work in, and that I particularly know this sector because I have worked with vulnerable women. I'd like to know whether the YWCA has conducted its own empirical study linking some of these things you've mentioned, because my goal is to keep women safe. I don't want to feel safe, feeling it without having the empirical data to say this is the cause and this is the effect.

• (1125)

**The Chair:** Ms. Fuller or Ms. Decter.

**Ms. Ann Decter:** Our data are based on the Government of Canada data. That's what we are speaking to. We don't have the capacity to conduct an empirical study. It's not clear what you're asking for in an empirical study, but we would be more than happy to conduct one if you provide the funding.

**Ms. Wai Young:** Maybe I'll be a bit more clear.

You've made a number of statements in your presentation—as well as Ms. Fuller's presentation—statements that I as a sociologist am querying, because I think you're making some cause and effect statements. We have not heard any empirical data from all of the expert testimony that we've heard to substantiate what you're saying.

Because you're making these kinds of statements today, I'm just wondering whether you know of any studies. Have you done a study of your own, in which case you can say A plus B equals C?

**Ms. Ann Decter:** We are not saying A plus B equals C.

**Ms. Wai Young:** But you are saying that—

**Ms. Ann Decter:** We are saying that it is helpful, we are saying that it is consulted, we are saying the RCMP relies on it, and we are talking from our experience.

As I said, we do not have the funding to conduct that kind of empirical study. I think you will find that with any kind of prevention legislation, which is what this is, those are very hard to determine.

When I sat before this committee on May 4, 2010, we heard from Chief Superintendent Marty Cheliak, as he then was. He reported one case, which I found particularly chilling, where a family phoned the police because they felt the father was depressed and they were concerned about the guns they had in the house. They told the police about the guns they thought were in the house. The police did a check on the registry and found there were 21 additional guns registered in that house that the rest of the family knew nothing about.

This is the kind of evidence that you can have in terms of prevention. How many lives that saved, I don't know. I would prefer never to read again about a man who got depressed and killed his family and/or killed himself. These are just sad incidents. And I would ask this. What can we weigh in the balance?

**Ms. Wai Young:** In the interest of time, may I just say—

**Ms. Ann Decter:** How does that weigh in the balance?

**The Chair:** Actually, our time is up. That's probably a good spot to leave it.

Now we'll move back to Madam Boivin.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Thank you, Mr. Chair.

[English]

I will just conclude on that point.

[Translation]

Do you know of a single instance where someone's death was caused by the Firearms Registry?

[English]

**Ms. Ann Decter:** No.

[Translation]

**Ms. Françoise Boivin:** Thank you.

Please excuse my being late. A lot of things are going on at the same time on this Hill, particularly with regard to Bills C-10 and C-19.

My questions will focus mainly on one extremely worrisome aspect, which you have spoken about. You are worried about the fact that enforcement of sections 12 and 13 of the Library and Archives of Canada Act is being overridden. I have read the document you submitted to us, and I'd like it if you could explain to us further.

Do you think that Bill C-19 contradicts section 67 of the Access to Information Act? Under this section, no one can destroy, mutilate or alter a record. Do you also think this is so for sections 12 and 13 of the Library and Archives of Canada Act? I think I know what your answer will be. Do you think there will be grounds for a legal challenge?

**Ms. Suzanne Legault:** If I'm not mistaken, there are two parts to your question.

First, the presentation I gave here this morning dealt with our federal public policy system for managing government information. We rely on the national archivist to determine the retention period and schedules for the destruction of government records. To perform this job, he relies on the expertise of all the people involved and on various criteria. In my opinion, in terms of the development of public policies, it would set a bad precedent to remove the archivist's responsibility for managing information under this bill.

Second, I will talk about section 67(1) of the Access to Information Act. As you say, I obviously don't think that this act would be infringed. As a legal expert, you must know that this act cannot be infringed if there is a law providing that such actions are legal. I don't think that section 67(1) would be at issue in these circumstances.

• (1130)

**Ms. Françoise Boivin:** Thank you.

Six provinces, namely British Columbia, Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island, have succeeded in managing their own firearms program. In your opinion, how will the provisions aimed at destroying the data in the registry affect these provinces?

**Ms. Suzanne Legault:** I can't comment on this subject, Mr. Chair. Once again, it would really be up to the national archivist to study the matter in detail, with all these elements, in order to reach a

decision and an appropriate schedule for the destruction of documents in the circumstances.

**Ms. Françoise Boivin:** You're the Information Commissioner. We know about the Federal Court decision in the *Bronskill* case. I thought we were heading towards more open government when it came to information. Information should be public and retained. There's a lot of talk about transparency.

Doesn't it worry you, as the Information Commissioner, that a bill like C-19 should be passed and that all the rules of access to information should be changed? It's one way of looking at it. It seems somewhat inconsistent with what we're always trying to do, namely to be as transparent as possible. We're destroying instead of retaining. Doesn't that worry you a little, in terms of your role as Information Commissioner?

**Ms. Suzanne Legault:** I'm here to recall that the basis of access to information is the management of information. The transitional provisions in the bill remove responsibility from the national archivist, to whom it was given, of determining the best way to manage all types of information. We don't retain all the information produced; we'd be completely swamped if we did so. We retain all information that has some operational, decision-making, cultural or historical value. There are various criteria. The expert in this area is the national archivist. This is the person who examines all the elements and determines the best way to manage information. When this stage is properly done, my work as the Information Commissioner is facilitated, because I know that the right information, the information that should be retained, is retained.

**Ms. Françoise Boivin:** Aren't you worried that this stage may be short-circuited? We're not talking about insignificant information; we're talking about the registry, information that concerns people, data that are personal and private. This is pretty serious information. Doesn't short-circuiting this stage worry you?

**Ms. Suzanne Legault:** Of course. That's why I'm here. That's exactly what I said in my initial presentation.

**Ms. Françoise Boivin:** Do you think it would be hard to destroy all the data, or can this be done with a single click?

**Ms. Suzanne Legault:** I think you should put this question to an expert in technology who could tell you exactly how the registry is designed. I really don't have the expertise.

**Ms. Françoise Boivin:** I suppose you're not concerned, as the Information Commissioner, with knowing how to protect this information, of which there is a considerable quantity, and knowing how it can disappear. Does that not concern you? You say that's not your role.

**Ms. Suzanne Legault:** I affirm exactly the same thing I said to you earlier. This is part of information management. Information management is the responsibility of all senior managers in all federal institutions. They must comply with policies respecting information management and the Library and Archives of Canada Act. The bill would eliminate this stage of information management, which is one of our functions in the federal government. That is what worries me. To my mind, this would not be a sound precedent when it comes to public policy.

**Ms. Françoise Boivin:** Thank you. That's clear.

My comments are for the ladies of the YWCA. As we know, owning guns is part of the lifestyle of many people in rural Canada, in regions in the North.

[English]

**The Chair:** Very quickly.

[Translation]

**Ms. Françoise Boivin:** My intervention will be brief.

What were the repercussions of the firearms registry on women in rural regions? Did it improve the safety of women in rural areas?

[English]

**The Chair:** I think we're going to have to leave it there. You're maybe going to have to answer that in with another question. We're already over our time. I have to try to manage the roughly seven minutes here for each one. You may be able to answer that later on.

We'll now move to Mr. Leef, split with Mr. Breitzkreuz, please.

• (1135)

**Mr. Ryan Leef (Yukon, CPC):** Thank you, Mr. Chair.

Welcome to our northern guests.

What I've been hearing a bit in testimony today, and we've heard it filter out a little bit over the last few meetings.... What is a little bit concerning for me is that we've now taken this issue of the registry and it seems as though we've created a female and male issue, a victim and offender issue. What we're forgetting here are the athletes, hunters, trappers, sport shooters, collectors, and law-abiding Canadian citizens who use guns every day. We've now created man against woman, victim and offender here, without really demonstrating where that registry is truly saving lives. As you said, A plus B isn't equalling C, or we don't have the empirical evidence to do that.

As a northerner, I can certainly appreciate the challenges in the north and the higher violence rates there. My tendency would be to want to deal with the root cause of those crimes, deal with the drug and alcohol addictions and the issues that are uniquely facing the north, to prevent those things from happening. I'm really failing to see where the registry stops a person from making a horrible choice to be involved in domestic violence.

My question is to Mr. McNeely. Do women hunt in the communities you live in?

**Mr. Daniel McNeely:** Absolutely.

**Mr. Ryan Leef:** Do women own guns?

**Mr. Daniel McNeely:** Yes.

**Mr. Ryan Leef:** So this isn't just men owning guns in the homes in your communities.

**Mr. Daniel McNeely:** Yes. I was going to add to that, Mr. Leef. I also understand where my northern colleagues are coming from. But by the same token, we shouldn't mix with the amendment process, or the direction to amend domestic violence, in saying that this is the way it is. Maybe there's a reason for the registry being accessed or used in the Northwest Territories. Let's take one out of ten. I would probably say nine times out of ten the registry is being used for domestic violence, as you were saying. In our part of the world I

think it's more an education than opening the issue of amending Bill C-19.

**Mr. Ryan Leef:** You talked about the education level, about people having a tougher time understanding and therefore complying with the requirements of that registry. If that's cumbersome and tough, with the criminal implications now of not registering properly, not filling out your forms properly, or letting those things expire, you're now in a position where people trying to exercise a traditional way of life in the north are facing criminal implications, both women and men who own firearms. If they fail to do something right, they are facing criminal sanctions for errors. Is that something of a concern to the communities in the Northwest Territories?

**Mr. Daniel McNeely:** I would say it's probably a concern for a large part of the NWT population, and probably our neighbouring territories of the Yukon and Nunavut have similar concerns as well.

**Mr. Ryan Leef:** This is just anecdotal information; I don't need names. Has anybody told you they haven't registered their guns or they're not registering their guns?

**Mr. Daniel McNeely:** Yes, numerous times, including me.

**Mr. Ryan Leef:** Why would that be?

**Mr. Daniel McNeely:** It's really a headache, to begin with.

**Mr. Ryan Leef:** And those people—

**Mr. Daniel McNeely:** You're talking about this process being cumbersome, which is true for the average person in the north or in our area. And I, for one, agree. By the same token, we're amending part of that, or trying to address amending part of that.

**Mr. Ryan Leef:** Right. Now these people who haven't done that are criminals. There is also, admittedly, a good proportion of people who haven't provided information to the registry, which is not necessarily any help to the RCMP. We've certainly heard that through the Edmonton Police Service, the Saskatchewan police services, and the Ontario conservation officers. On the front line, the RCMP officers I know and have worked with as a former member of the RCMP found the registry horribly ineffective. There's definitely a disconnect between what the chiefs of police are saying and what the front-line police officers are saying.

Anyway, I'll turn over the remainder of my time to my colleague.

• (1140)

**The Chair:** Mr. Breitzkreuz, you have roughly two minutes.

**Mr. Garry Breitzkreuz (Yorkton—Melville, CPC):** Thank you, Mr. Chair, and thank you to our witnesses for appearing before us today.

I want to point out that there is a precedent for destroying information. After the Second World War, all the information that was collected on people of Japanese background who had been in Canada or detained here was destroyed.

What really concerns me is the misuse of firearms registry information, and it's potentially putting Canadians at risk. The inaccuracy of that information is a reality. Archivists want accurate information. They wouldn't want to collect a lot of garbage.



It would be irresponsible for a government to turn over that kind of information. I would like to point out to you that when the Auditor General did her report, she reported that 90% of the registration certificates contained errors. Nothing has been done to correct those errors. So as I said, I think it would be irresponsible to turn that over.

A police officer has probably died because he thought the information in there was correct. He let down his guard. The family has requested that we respect their privacy on this, but wouldn't it be very irresponsible on the part of government to turn over information that is so totally inaccurate and potentially could put Canadians at risk? If the wrong people were to get that information—and we have anecdotal evidence to support this—the individuals could be targets for the criminal element, because the criminal element would use this information as a shopping list.

**The Chair:** Thank you very much, Mr. Breitzkreuz.

Unfortunately, you've not formulated your statement into a question. It was two minutes and three seconds, so we're just going to go right back to Mr. Scarpaleggia. If the rules apply for one side, they apply for the other. We're going to try that to be fair.

Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Thank you, Chair.

Mr. Breitzkreuz brought up the issue of the destruction of data on Japanese Canadians who were interned during the war. Is that correct? Are you aware of that?

**Ms. Suzanne Legault:** I'm not aware of it. I don't know.

**Mr. Francis Scarpaleggia:** I would imagine that if this is true and if this was done, it was done because internment itself was a gross violation of human rights. But I find it hard to see that the gun registry is a gross violation of human rights. At least, the Supreme Court of Canada has said that that's not the case.

Mr. McNeely, I sympathize with the inconvenience that the registry causes many people in your community. That's one of the reasons why my party, as part of its election platform, promised that if elected it would not be a criminal offence for first-time failure to register. But would you like to see the licensing provisions done away with as well? As well as registration, you'd like to see licensing done away with?

**Mr. Daniel McNeely:** In our area, probably.

**Mr. Francis Scarpaleggia:** Because I'm told that—

**Mr. Daniel McNeely:** I say probably, Francis, for the simple reason that I'm voicing my opinion that—

**Mr. Francis Scarpaleggia:** Absolutely. That's an honest reply.

The government often makes the distinction between the registry and the certificate—the firearms acquisition certificate. Yet from what I've been told, the paperwork needed to obtain a firearms acquisition certificate is so much more complex than to register. I'm told that you can register at the gun shop.

So you'd be in favour of getting rid of the licensing requirement?

**Mr. Daniel McNeely:** Yes.

**Mr. Francis Scarpaleggia:** Fair enough.

**Mr. Daniel McNeely:** Maybe switch it over to a permitting system.

**Mr. Francis Scarpaleggia:** Well, that would essentially be the same thing, but that's fine.

Ms. Decter, the argument we seem to be hearing—and I don't want to put words in anyone's mouth—is that police officers who are in favour of the registry, emergency room doctors who are in favour of the registry, and those who run women's shelters and are in favour of the registry are somehow irrational about this whole issue. The argument goes that the registry doesn't save lives, so these people have a fear of what life would be like without the registry and they're not being rational or they're greatly misinformed. Would you like to comment on that?

• (1145)

**Ms. Ann Decter:** Actually, I'd like to pass it to Lyda because I think she can explain exactly how the registry works in terms of enforcing the revocation of guns after an emergency protection order.

**Ms. Lyda Fuller:** The YWCA in Yellowknife facilitates emergency protection orders and we do about 90% of them for the whole territory. We work closely with the RCMP, who use the gun registry to identify what guns are in a location, so that they can't be sloughed off when they go to revoke them. They know what guns are there, and they can then look for those guns and say, "That's not all the guns you have. We show that you have other guns, or more guns, or whatever."

They have been adamant with us about the value of the registry in domestic incidents. If I'm irrational.... You see so much violence in northern Canada, and I will do anything I can to try to reduce that, to try to reduce the impact on the lives of women, kids, elders, and men. So I'm not understanding how this is a battle of statistics when we register cars and we register births.

**Mr. Francis Scarpaleggia:** No, we've heard that—

**Ms. Lyda Fuller:** I'm failing to understand entirely how the lives of Canadians can be taken so lightly.

**Mr. Francis Scarpaleggia:** I heard a statistic. I think it was Ms. Young who said that—and correct me if I'm wrong, Ms. Young—only 9% of women are killed by guns. Was it? I shouldn't be asking you questions; I should be asking the witness questions.

According to the RCMP's 2002 data, 71% of spousal homicides involve rifles and guns. How do you reconcile these figures?

**Ms. Ann Decter:** That figure should be 71% of spousal homicides with firearms involve rifles. So when you're talking about homicides with firearms, particularly of women, it is long guns and rifles.

**Mr. Francis Scarpaleggia:** Okay. The argument has also been made that it doesn't matter if you have a gun or not, because if you don't have a gun, you'll resort to strangulation, or you'll use a knife. How would you respond to that?

Obviously, a firearm is going to be a more foolproof means, let's say, of committing a murder. It's very hard for the person to resist, as one would if one were in a struggle with a knife or something. Do you agree with that?

**Ms. Ann Decter:** Well, yes, it would be hard to disagree with that.

**Mr. Francis Scarpaleggia:** Okay, but many do. Thank you for putting that on record.

I have a study from the University of Montreal by two criminologists who were looking at the data from 1974 to 2004, and they found, doing their regressions, that Bill C-51 and Bill C-68 were followed by a significant drop in the number of homicides committed with a firearm, a decrease of 5% to 10%, depending on the province. So here we have some evidence. We have some social science peer-reviewed work that shows there is a link between the two.

Then we have someone else by the name of—

**The Chair:** Please finish very quickly.

**Mr. Francis Scarpaleggia:** So we do have some hard evidence. I don't understand where the idea comes from that this is not based at all on the best evidence we have.

**The Chair:** Thank you very much, Mr. Scarpaleggia.

Now we will go back to Mr. Sandhu, please.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Thank you, Mr. Chair.

Thank you to our guests today from our northern part of Canada. I want to thank the YWCA for providing a great service throughout Canada, not only in northern Canada.

I think it's becoming pretty clear that my colleagues talk about science and facts, and this is not something that Conservatives are concerned about. Basically, they want to push this through without any concern for the public safety of Canadians.

We've heard from our men and women in uniform; I'm talking about the leaders from the Canadian Association of Chiefs of Police, the leaders of our force in Canada, and they're clearly against it. I'm hearing today from our friends in northern Canada that this is of great concern to them in regard to violence against women. Yet it's a different story from the other side.

I'm going to read a quote, and I'm going to ask Ms. Decter or Ms. Fuller to comment on it. If I said there is no evidence that it has stopped a single crime or saved a single life, what would you say to that?

• (1150)

**Ms. Lyda Fuller:** I'd say that's not true. I think it has saved lives, for sure. We've had emergency protection orders where people have been threatened with guns, and the police have confiscated them; the person has continued to harass the partner but hasn't killed them.

**Mr. Jasbir Sandhu:** In your experience, can you comment on how the gun registry is an important tool in saving the lives of women? Can you tell us how it's important in domestic violence, and how it may have saved a woman's life?

**Ms. Lyda Fuller:** Again, it goes to our conversations with women and with the RCMP around the emergency protection orders, and other incidences of violence.

The RCMP use this for every single domestic call they get. Even in cases where they can't get into the community for a day, they still want to know, when they go there, what they're going to be facing.

I'm not saying they don't know that there might be other weapons, because you're darn tootin' they're not going to let their guard down, but they know what specific weapons they need to make sure they collect when they're there. Otherwise, they could collect one gun and that might be it, but that's not the case. They need those records. They use the records every single time they go to a domestic.

**Ms. Ann Decter:** I will add that our YWCAs in other parts of the country say the same thing. It may have started as a very expensive tool, but it is now effective, efficient, and relied on. It has become part of policing in this country, in particular, with regard to domestic violence.

**Mr. Jasbir Sandhu:** That's certainly the case. Yes, it did start with quite a bit of money, but the operational costs are pretty minimal right now.

We've talked about gun licences, and we've talked about the registry. Is it your understanding that under Bill C-19, if gun owners are licensed, they can give or sell guns to unlicensed owners without consequences?

**Ms. Ann Decter:** I'm sorry, I don't know the bill that well.

It is my understanding that you could purchase a gun without having your licence verified. You have to show something, but maybe you're showing something like the way an underage kid goes into a bar—it's somebody else's.... So the verification process is lost, and we consider that a problem. It sets the regulation of guns back to 1977.

**Ms. Candice Hoepfner (Portage—Lisgar, CPC):** I have a point of order. That is completely inaccurate.

**The Chair:** That's more of a point of information.

Continue, Mr. Sandhu. You have another 40 seconds.

**Mr. Jasbir Sandhu:** I have a question for our commissioner.

How difficult would it be to destroy all of the data? Would we have to destroy the backup data also?

**Ms. Suzanne Legault:** I really don't know what the registry is like or how it's set up. I think you have to ask somebody who is an IT professional.

**The Chair:** All right. That sounds like a pretty good place to adjourn this first hour of meetings.

I want to thank all four guests for appearing today. We appreciate hearing different perspectives on this question. Certainly, as our study continues, I would also encourage you to forward more information to our committee if you want to, or if you feel you didn't answer the question because of time. I know, because of the timelines, I cut a few of you a little short, so I apologize for that, but I do thank you for appearing.

We are going to suspend momentarily. I ask our next guests to come to the table, please.

• (1155)

(Pause)

• (1155)

**The Chair:** Good morning, everyone.

We'll reconvene our meeting. In the second hour we are continuing our consideration of Bill C-19, an act to amend the Criminal Code and the Firearms Act. Appearing before us on the panel this morning, we have a number of individuals.

From Project Ploughshares, we have Kenneth Epps, senior programs officer.

Also appearing as an individual by video conference from Vancouver, British Columbia, we have Linda Thom, a sport shooter and a Canadian Olympic gold medallist in women's events. In 1985, she was made a member of the Order of Canada, and she has been inducted into Canada's Sports Hall of Fame.

We have John Gayder, a constable with the Niagara Parks Police Service in Ontario. He helped found the sporting clubs of Niagara in 1994, and he has served two terms as president.

We also have Mrs. Jennifer Stoddart, who is the Privacy Commissioner, and Patricia Kosseim, general counsel.

Welcome here. We're glad you made it. We actually started about five minutes prior to our advertised time for starting, so that we can do some committee business. We apologize for that, and for your haste in coming here.

I'm going to ask each of you to open for approximately seven minutes with an opening statement, and then we hope you would entertain some questions from our committee members. Perhaps we would begin with Mr. Epps, in order to allow Mrs. Stoddart some time.

Mr. Epps.

**Mr. Kenneth Epps (Senior Program Officer, Project Ploughshares):** Thank you.

Thank you for the invitation to address the standing committee on Bill C-19. As you heard, my name is Ken Epps and I am the senior program officer at Project Ploughshares, which is a project of the Canadian Council of Churches on peace building and disarmament issues and is based in Waterloo, Ontario.

My statement today will focus on the international dimensions of Bill C-19, in particular on the implications of the act for Canada's international commitments related to reducing and eliminating firearms trafficking and on Canada's controls for the export of firearms to other states.

Every UN member state recognizes that the illicit trade in small arms and light weapons is a widespread and persistent problem. This is because international arms trafficking coincides with and supports other illegal activities, such as drug and human trafficking, and it feeds lethal violence worldwide. In spite of a general global decline in the number and lethality of armed conflicts, the devastation from criminal, urban, domestic, and other forms of violence persists and is even growing in many states. The authoritative 2011 publication, *Global Burden of Armed Violence*, estimates that more than half a million people die each year as a result of violence.

In the past decade and a half, Canada has actively supported the development of several regional and global agreements designed to establish international laws and norms to reign in the illicit trade in small arms. I would like to briefly mention four of the most important of these agreements for which Canada will not be able to meet core commitments as a result of Bill C-19.

Canada signed the CIFTA firearms convention of the Organization of American States in 1997. CIFTA is a hemispheric, legally binding agreement to tackle illicit manufacturing of and trafficking in firearms and related materials. Canada has yet to ratify the treaty, largely because it cannot meet CIFTA requirements for marking of firearms imports. The elimination of registration of non-restricted weapons under Bill C-19 will mean that Canada also cannot meet record-keeping and exchange of information requirements of CIFTA, especially those related to international tracing requests. This means that Canada will not soon become party to the most important anti-firearms trafficking agreement of the Americas. Only three other OAS states have failed to ratify CIFTA, including the U.S., where President Obama has called on the U.S. Congress to pass the treaty into law.

Canada also has signed, but not ratified, the firearms protocol of the UN Convention against Transnational Organized Crime, which entered into force in 2005. The protocol contains provisions similar to CIFTA, and for the same reasons, Bill C-19 will likely condemn Canada to not be party to the protocol for some time. This is despite the fact that at the recent Commonwealth heads of government meeting in Australia, Prime Minister Harper agreed to the outcome document that called on all Commonwealth states to ratify and implement all the protocols of the UN crime convention.

The third agreement, the 2001 UN Programme of Action on small arms and light weapons, is arguably the pre-eminent global agreement on small arms and light weapons. It was agreed upon by consensus at the United Nations and calls on all states to prevent, combat, and eradicate small arms trafficking by strengthening national, regional, and global legal systems. Canada, like all other UN member states, is politically bound to implement its provisions. At the national level, the Programme of Action calls on each state to implement provisions related to improving national standards and in particular "to ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons under their jurisdiction." The elimination of registration requirements for non-restricted firearms by Bill C-19 will mean that Canada cannot meet this commitment and others in the Programme of Action.

Finally, as an additional product of the Programme of Action process, the UN international tracing instrument was agreed to by the UN General Assembly in 2005.

• (1200)

ITI provisions also include commitments to keep accurate and comprehensive records for all small arms and light weapons in their jurisdiction. Bill C-19 will create a significant hole in Canada's firearms record keeping that will reduce Canada's ability to participate in international cooperation on firearms tracing.

Bill C-19 will have an impact on the Canadian implementation of each of these four international instruments. At a time when the emerging international norms on firearms trafficking require more cooperation among states, based on greater firearms accountability by states, Bill C-19 will open significant gaps in Canadian commitments.

State partners will conclude that Canada has withdrawn support for strong regional and global action on firearms trafficking and on the proliferation and misuse of small arms. Canada's influence in multilateral small arms forums will be weakened accordingly.

I would like to conclude my remarks with a few words and a question about Bill C-19 and Canada's export controls. Canada's control of military exports governed by the Export and Import Permits Act is important to the practice of foreign policy and international security. Canadian export control guidelines call for the close control of military exports to states that are strategically or legally problematic for Canada. Bill C-19 does not refer to the Export and Import Permits Act, and consequently, in principle, regulations and procedures for Canadian firearms exports should be unaltered. Firearms, including non-restricted firearms, are included in items 2-1 and 2-2 of the group 2 military goods within the export control list.

• (1205)

**The Chair:** Very quickly, Mr. Epps.

**Mr. Kenneth Epps:** There have been questions raised about the imports of firearms, and Minister Toews has assured Canadians that Bill C-19 will not change the way border officials track guns. But I think there's an important question about exports, and that is this. Will Bill C-19 result in authorization exemptions for exports of non-restricted firearms from Canada, particularly to the U.S.? I raise that question because I don't literally know the answer.

**The Chair:** Thank you very much. We'll try to literally find you that answer.

Madam Stoddart, we'll move to you, and then to Ms. Thom.

Just before you begin, Ms. Thom, are we coming through loud and clear in British Columbia?

**Ms. Linda Thom (As an Individual):** Yes. Thank you very much. Thank you very much for arranging this for me.

**The Chair:** I just wanted to be certain that our feed was fine there.

We're going to go to Ms. Stoddart, and then we'll come back to you, and then Mr. Gayder.

Welcome here.

**Ms. Jennifer Stoddart (Privacy Commissioner, Office of the Privacy Commissioner of Canada):** Thank you very much, Mr. Chair. Thank you for inviting me here to discuss this legislation. I'm accompanied by our general counsel, Patricia Kosseim, should there be any technical legal questions on my remarks.

As Privacy Commissioner of Canada, it's my role, as you know, to comment on the privacy implications of the bill as they relate, in this case, to the retention, accuracy, and disposal of personal information. I'd also be pleased to answer your questions from the perspective of my mandate as Privacy Commissioner.

I'd like to start by giving you a brief overview of the involvement of my office with the firearms registry program.

As many of you will know, my predecessors took interest in the Canadian firearms program because it involved the collection and use of significant amounts of sensitive personal information. My office looked at the firearms program in detail when it was first introduced and for about five years afterwards. For example, in 2001 we issued a document called a "Review of the Personal Information Handling Practices of the Canadian Firearms Program". We also received over the years a number of complaints relating to this registry. More recently, in 2009 we carried out investigations concerning a survey of firearms licensees, where we concluded that the information disclosed by the RCMP to the survey research company was in fact properly safeguarded.

My office has reviewed Bill C-19, and I'll now present some specific observations related to the personal information implications for Canadians whose personal information is collected under the Firearms Act.

[Translation]

I will talk now about clause 29 and the legitimate power to dispose of personal information.

Federal institutions collect personal information as part of their programs and activities, generally in order to help make decisions about individuals to whom such information pertains. The Privacy Act contains a number of guidelines on the protection of personal information. Some of these guidelines, called fair information practices, are clearly and directly related to today's discussion.

One of these practices is retention. It's important to retain personal information as long as necessary to fulfill the purpose for which it was gathered. Just as important for the protection of personal information is the need to ensure the accuracy of such information. The retention of information means that individuals can apply for a disclosure of information and challenge the accuracy of the information if there are grounds for doing so. This is fundamental in the making of decisions about individuals.

I note that clause 29 of the bill establishes the obligation to dispose of all records pertaining to firearms that are not prohibited or restricted now found in the firearms registry. This requirement would also apply to related records held by chief firearms officers in the provinces and territories.

Clause 29 says that relevant information must be disposed of "as soon as feasible." This seems to be consistent with one of the foundations for the protection of personal information whereby any personal information that is not used for the reason for which it was gathered must be destroyed.

This provision removes the destruction of records from the application of the Privacy Act and any relevant regulations. These regulations require that personal information should be retained for at least two years after its use by a government institution for administrative purposes. In other words, information must be kept for at least two years unless the person concerned agrees that it may be destroyed.

• (1210)

[English]

I acknowledge the government's authority to enact an exemption to these retention provisions under the Privacy Act. However, if clause 29 of the present bill considers "as soon as feasible" to be much shorter than the two-year requirement under the present Privacy Act regulations, there may be some situations where certain information that might still be relevant—for example, in a possible court action—is destroyed.

I'd like to talk about some challenges in personal information disposal. I would simply like to underscore that whatever schedule the government decides to follow in the destruction of personal information, it should allow enough time for properly and securely disposing of personal information in the main, secondary, and related registry databases.

In 2010 my office published an audit titled "Personal Information Disposal Practices in Selected Federal Institutions". The report found that the selected departments did do a good job overall when it came to disposing of personal information. However, my office also uncovered inadequate control mechanisms and inconsistent practices. My office made recommendations, and improvement measures have been implemented. Disposing of data is indeed a complex process.

Let me conclude by underlining that appropriate safeguards and secure disposal are paramount in ensuring that information no longer required for government use is not misused or exposed to potential data breaches.

Thank you very much once again for your attention, Honourable Chairman. I look forward to your questions.

**The Chair:** Thank you very much, Commissioner Stoddart.

We'll now move to sunny British Columbia and comments from Ms. Thom.

We've already introduced you and talked a little bit about your bio, so you have seven minutes, please.

**Ms. Linda Thom:** Thank you very much.

You will have, Mr. Chair, more extensive notes, which I e-mailed to the clerk. I have shortened them to speaking notes that I have here with me.

Again, thank you very much for the opportunity to appear. I would also say thank you very much for arranging this in British Columbia for me.

My name, as you know, is Linda Thom. I'm a wife, mother, grandmother, and real estate agent, and usually I live and work in Ottawa. I'm also a ski instructor, a graduate of Carleton University and the Cordon Bleu cooking school in Paris, and so forth.

I've also had the great good fortune to represent Canada in two international shooting careers, during which I won five gold, three silver, and two bronze medals for this wonderful country. The best known of these, of course, is the Olympic gold medal that I won in Los Angeles in 1984.

I've been honoured by my sport, by the media, by other sportsmen and -women, and by Parliament, and I've been honoured by my country. I'm privileged to say, as you've already mentioned, that I'm a member of the Order of Canada.

Nevertheless, I'm accorded fewer legal rights than a criminal. Measures enacted by Bill C-68 allow police to enter my home at any time without a search warrant because I own registered firearms, yet the same police must have a search warrant to enter the home of a criminal. I'm not arguing that criminals should not have this right—they should. I'm arguing that this right should be restored to me and all Canadian firearms owners.

I got my driver's licence when I was 16, like most people, and that same year I joined a shooting club and bought my first rifle. That was 51 years ago. Since then, on civilian ranges in Canada, I can recall only one injury involving a firearm. Over the same time, tens of thousands of Canadians have been killed and hundreds of thousands injured in traffic accidents.

I've been a ski instructor since 1998. In the last 13 years in Canada, many skiers have suffered broken bones and other injuries, and a few, very sadly, have been killed while downhill skiing.

All of the shooting sports, including hunting, are among the safest in Canada. You just have to look at our insurance rates: they are as low as you can get.

As MPs, I'm sure you maintain databases, and I'm sure you're aware that they are incomplete despite the best efforts of your staff. I'm sure you're aware, too, of how time-consuming it is to keep them even reasonably up to date.

The long-gun registry today may contain as little as half of the rifles and shotguns legally owned in Canada, and it of course has none of the illegally owned ones.

When I served on a previous federal firearms advisory committee in the 1980s, we were emphatically told by former Ottawa chief of police, Tom Flanagan, that policemen and -women should never rely on the registry information as to whether or not there were guns at a property. To do so would be downright dangerous and against his advice.

Although the LGR was created to prevent crime with firearms, it has failed miserably, because it can't predict anti-social or insane behaviour. Prevention of violent incidents involves going to the root of the problem, as social scientists have been telling us: stopping bullying in schools and the workplace, alleviating mental and physical abuse at home, creating jobs, and creating self-esteem.

Let's be honest: the long-gun registry is ineffective as a preventive tool. It is woefully incomplete and, if relied upon, can put peace officers at serious risk. In truth, the registry's only use is after a crime has been committed, and it is rarely helpful then. Very few guns used in crime have been in the registry.

Why on earth, then, are we throwing good money after bad to keep the long-run registry going? It is not just a waste of money. It is a misuse of resources sorely needed elsewhere.

Canada will continue to have important safeguards in place: the licence to possess or acquire a firearm, which requires a mandatory waiting period; required courses; written and practical tests; gun dealers' records; the safe storage and transportation requirements; restricted and prohibited gun registries, which will still exist; gun club safety courses, requirements, and supervision; hunting licences and game tags; hunter safety courses; and of course, the Criminal Code, plus enforcement of all of the above by game wardens, police, and border guards.

•(1215)

By abolishing the long-gun registry Parliament will free up money and other resources, such as human resources, that would be much better utilized by hiring or transferring more policemen and policewomen to active police work and bolstering anti-smuggling squads. You have already heard in other presentations that 70% to 90% of illegal firearms are smuggled in from the United States, and the seized firearms are available in 24 to 48 hours, depending on whether you want them to be traced or not traced in any major city in Canada. By abolishing the registry you will also free millions of responsible and law-abiding Canadians from being treated worse than criminals under the law.

Thank you.

•(1220)

**The Chair:** Thank you very much, Ms. Thom.

Now we'll move to Mr. Gayder.

You have seven minutes.

**Constable John Gayder (Constable, As an Individual):** Thank you very much, sir, and thank you also for your very kind introduction earlier. I do need to clarify the fact that I'm here as an individual. I'm not here representing any agency.

I have reviewed the excellent testimony of Mr. Weltz, Mr. Grismer, Mr. Kuntz, Mr. Bernardo, and Mr. Farrant in relation to

how expensive and ineffectual the long-gun registry is. I am in complete agreement with them.

The long-gun registry has become the symbolic focal point in the gun control debate. But it is really just one of many elements within the Firearms Act that are odious to law-abiding gun owners and a detriment to law enforcement.

The Firearms Act and its long-gun registry were marketed to law enforcement as a tool to target the criminal misuse of firearms, but only six of its 125 pages deal with increased penalties for criminals. The other 119 pages are aimed squarely at law-abiding Canadians who own or seek to own firearms. It is a political constant that people will only have respect for a legal system when the legal system has respect for them.

Of course, we're talking about the same Canadian citizens who went to war twice in the last century to successfully rescue Europe. It was Canadian farm boys and hunters who especially showed that the firearms skills they had learned at home, at high school gun clubs, and in the woods were useful in defending freedom. In doing so, these citizen soldiers showed the awesome content of our national character. At the time, firearms ownership was a natural and respected element of our national makeup.

Unfortunately, by the 1990s, we were told by the Coalition for Gun Control and other groups that Marc Lépine now defined our national character. Canadian citizens who wanted to possess firearms were to now be treated as potentially ticking time bombs.

How did that happen? How did we as a nation allow our national character to be defined by a single madman?

Canadians are great people. Sure, there are occasional, rare, and bitterly unpleasant problems. But the idea of using these abominations to instruct how we govern our entire good nation is foreign to the historical traditions—being innocent until proven guilty, trusting in our fellow man—that have made our nation great. If the human race were really as homicidally inclined as the Firearms Act treats them, we would have been extinct eons ago.

Peace officers could not do their jobs, nor would they want to, if the vast majority of Canadians were not good people deep down. What would be the point? Disgusting, misogynist kooks like Marc Lépine need to be captured alive and brought before the courts. If that's not possible, it is wrong to honour them by creating expensive and ineffective laws that insult good people. When we think of Marc Lépine, we must not allow ourselves to succumb to dismal prejudices that if not checked would instruct us to treat everyone as a pre-criminal.

In World War II, Canada registered and confiscated firearms belonging to Canadians of Japanese, German, and Italian ancestry. We subjected their homes to warrantless searches, just like those found in the Firearms Act. Recently we have been very careful to prevent committing similar injustices in the war on terror. Yet we have submitted Canadian firearms owners to the same type of treatment. In fact, today, convicted pedophiles and bank robbers are not even subject to the kinds of intrusions visited upon gun owners by the Firearms Act.

Some of the groups subjected to the wartime registrations and confiscations based on hysteria have received official government apologies. I'll submit to you that a case can be made that Canadian firearms owners are also owed an apology for being the victims of unwarranted suspicion. Bill C-19 is a good start down that road.

With regard to the long-gun registry being useful for enforcing prohibitions or for removing weapons from the home of a dangerous spouse, the registry should never be trusted as an accurate inventory or checklist. A home in which the threat of violence is real still needs to be checked for weapons as if the registry never existed, because real or potential weapons beyond what are contained in the registry could exist in that home.

You'll remember that we've heard a lot about the errors and omissions in the registry. It's the information not in the registry that is the most dangerous. Gang members and other sociopaths don't register their guns, so the registry is useless when visiting their homes or stopping their cars.

• (1225)

Supporters of the registry claim it is a useful tool for alerting officers to the presence of a firearm in a home, but what are the responding officers to do with that information? Even the smallest-calibre firearm represents a potentially large danger area. When responding to a call, it's still going to require a patrol officer to go up the front steps to find out what is going on in that home, either through conversation with the participants or through direct observation. At that distance, those conversational distances, they could be stabbed or clubbed in an ambush almost as easily as they could be shot. This is the same way officers have been doing business since before the registry. The registry changes nothing.

I'll close by stating that front-line officers, the ones who are at the interface where the laws created by Parliament get applied to the public, want Parliament's attention. They want funding to go toward things that have been proven to assist in the detection and apprehension of real criminals. They don't want money wasted on dreamy, ivory tower ideas like the long-gun registry, which are costly, ineffective, and drive a corrosive wedge between them and the public they are sworn to protect.

Thank you.

**The Chair:** Thank you, Mr. Gayder, and my thanks to all our guests.

We'll move to the first round of questioning. We'll go to the government side, with Mr. Norlock.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Thank you, Mr. Chair, and I'd also like to thank our witnesses.

I want to make it known that I don't believe any member of Parliament around this table loves his wife or community, or cares about the people in those communities—whether they be women, children, or the disadvantaged—more than anyone else.

I take great exception when somebody says that someone's stand on a particular issue shows that he or she doesn't care about a certain segment of society. That tends to be the leftist way of arguing, often when their argument begins to lose.

I want it known that I respect everyone around this table. Just because some people don't agree with the stand that I and my party have taken doesn't mean they don't love their community as much as anyone else. So I took exception to Mr. Sandhu's preliminary statement. I hope we can get away from this business of "we care more about people than you do". We just see things differently.

Ms. Thom, as a woman, wife, and mother, and as a gun expert and someone who knows the benefits and dangers surrounding the ownership of firearms, do you feel that Bill C-19 does away with your feeling of safety and security in your community?

**Ms. Linda Thom:** No, absolutely not. In fact, I think it would be safer, because I believe there'll be more peace officers on the beat. The resources that go into maintaining this registry by police forces all up and down this country have reduced the number of officers out on the street, officers performing social interventions and improvements, all that sort of thing. In addition, they'll be able to bolster anti-smuggling squads, because a lot of firearms are coming in from the United States.

Back in the day when Bill C-68 was passed, Mr. Rock, the justice minister at the time, promised to increase smuggling squads. He failed to deliver on that promise. In fact, I think if they were truthful, police chiefs up and down the country would tell you they actually lost resources rather than gained them, because they have to have people to babysit the registry.

• (1230)

**Mr. Rick Norlock:** Mr. Gayder, we heard from a previous witness that registering a firearm is akin to registering your car, your dog, or your cat. In your experience as a law enforcement officer in Ontario, which is a job I know something about, would you agree that registering a firearm is the same as registering these other items? Would you not agree that by failing to register a firearm you automatically have committed a Criminal Code offence for which you can go to jail, while failure to register a car or a cat or dog does not put you in the same jeopardy? You've committed an offence against a provincial statute that carries with it a fine, and this in turn carries with it some temporary loss of the use of that item.

**Cst John Gayder:** Yes, that's the way the legal system is set up. Failure to register a car, or driving a car without a licence, is a provincial offence. Failing to register a firearm is a criminal offence.

**Mr. Rick Norlock:** Thank you.

Do I have any more time?

**The Chair:** You have about another three minutes.

**Mr. Rick Norlock:** Great.

Mr. Epps was talking about our international commitments, most of which, you mentioned, are binding. I'm given to understand that some are non-binding because they're covered under Canada's export laws—to the extent that any law or government can prevent illegal exports or imports taken care of by our export policies.

I'm also given to believe, by statements that are made in the U.S., and in particular following—perhaps not as well as I should—U.S. politics, that CIFTA is not going to be ratified by the U.S. Senate because of the statements and some information taken from there. I just want to mention that, because our export laws and import laws do cover Canada's commitments in those particular areas.

To go back to some of the statements you made, Ms. Thom, would you not agree with me that if we're interested in keeping guns out of Canada, the government of the day would make sure that illegal firearms, and in particular those firearms in Canada that are restricted or in some cases prohibited...and would you not say that by putting more resources towards our borders, that would go a long way to begin to slow down those illegal imports—or smuggling, actually, which is what it is?

Secondly, you mentioned police officers. I like to refer to them as “boots on the ground” with regard to law enforcement. Would you not agree that some of the commitments the current government made with the hiring of additional municipal and provincial as well as federal police officers, and the fact that in the first year we hired 1,200 federal RCMP officers—as opposed to the year prior to our taking office, where there were only 300 trained—go a long way to making our society more safe, as opposed to making a person who just happens to own a piece of property called a firearm feel like a criminal because they didn't follow a law?

**The Chair:** Please give a quick answer, Ms. Thom. You have about 20 seconds.

**Ms. Linda Thom:** Yes, I agree that those resources are going to really, definitely, make a difference to the safety of Canadians.

You know, there's prevention too. I'd like to say a word for social scientists who really try to focus government attention on getting after and preventing bullying in the workplace and in the home—abuse and that kind of thing. That also is very important.

But I do agree with what you said, Mr. Norlock. I do agree that better use of those resources—boots on the ground, anti-smuggling squad, bolstering and improving our front line with the United States versus smuggling—will help a lot.

• (1235)

**The Chair:** Thank you very much, Ms. Thom.

**Ms. Linda Thom:** You have to get those illegal guns off the street.

**The Chair:** We'll now move to Madame Boivin.

[Translation]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

I'd like to say to Mr. Norlock that I can sympathize. We have been treated as though we were

[English]

defenders of child molesters and lobbyists for criminals. So for it to be said or implied that you don't love your community: ouch.

[Translation]

However, the problem in this debate over the firearms registry is that the reality lies somewhere in the middle. No one in this room thinks that the long-gun registry is going to eliminate all conjugal violence or all individual deaths. It remains that it's a tool. Likewise, I have a hard time listening to arguments by people who don't think the registry serves any purpose. The reality lies somewhere in between.

Unfortunately, we are not dealing with a government that is prepared to listen to reasonable positions. We hear speeches from athletes like you, Ms. Thom, from police like Mr. Gayder and from hunters and, since the debate has been raging, we've known that some very minor amendments might succeed in reconciling all positions. Unfortunately this isn't the path the government has decided to take, and so we're struggling with Bill C-19.

[English]

I have a question for Mr. Epps.

I'm curious because sometimes governments create laws like this without having some type of long-term, overall, or further vision. They are so on their little thing that they want to correct and make the hunters and athletes happy that they forget we have some international obligations. Do you believe that Canada will have to introduce a new tracking system for firearms to meet international obligations because of Bill C-19?

Also, am I correct in saying that at the United Nations arms trade treaty preparatory meetings in July, the Government of Canada sought to include in the preamble of the treaty that small arms have certain legitimate civilian uses and to exclude sporting and hunting firearms for recreational use from the scope of the treaty? And would you agree that Canada's position misunderstands the purposes of the treaty and confuses legitimate ownership of legal guns with the arms trade that fuels conflicts around the world?

**Mr. Kenneth Epps:** Thank you.

In response to the first question about a potential new system to meet Canada's obligations, clearly something will be needed, if Bill C-19 is passed, for Canada to meet existing obligations, some of which are political rather than legal, and that's a point to be made. But as I pointed out, it will make it difficult for Canada to ratify conventions that are already in existence that have been ratified by other states in the hemisphere and worldwide that are important instruments for dealing with illicit trafficking of firearms. These instruments have been developed by states based on the understanding that to deal with trafficking of firearms one has to have good systems in place for legal firearms. I'm not sure if an entirely new system is going to be needed, but something definitely will be needed to fill those gaps if Canada is to meet its commitments.



With regard to the arms trade treaty, I quite deliberately did not mention it in my remarks because it's yet to be a treaty. It's still in negotiation, so it's unknown what its commitments will be. But certainly the strong treaty that is desired by many states, and certainly by NGOs like Project Ploughshares and many states that suffer from illicit trafficking, will require all firearms to be covered by the treaty. The point to make here is that this is about transfers of firearms from one state to another. It's not about domestic ownership or internal transfers of firearms, but it would require commitments similar to things like CIFTA and other existing instruments. And it would require all firearms to be covered because under international law there are no distinctions.

I hope that answers your question.

• (1240)

[Translation]

**Ms. Françoise Boivin:** Ms. Legault, six provinces, namely British Columbia, Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island, manage their own firearms programs.

Who owns the data in the registries of the provinces that manage their own firearms program?

**Ms. Jennifer Stoddart:** Ms. Boivin, technically, we don't talk about ownership. I imagine that the terms pertaining to the control and possibility of disposing of personal information are stipulated in the agreements the federal government must have concluded with each of the provinces. However, I can't tell you anything more, because I've never seen these agreements.

**Ms. Françoise Boivin:** Would the data be easy to transfer? For example, if the federal government withdrew from the program, would it be impossible, in light of the protection of personal and private information, to transfer the complete management of this program to the provinces if they so wished?

**Ms. Jennifer Stoddart:** No, the Privacy Act provides that the signing of agreements or arrangements with provinces for the control and management of personal information is at the discretion of the government.

**Ms. Françoise Boivin:** Do you have any idea of the costs that might be entailed to destroy the data in the registry?

**Ms. Jennifer Stoddart:** I have no idea.

**Ms. Françoise Boivin:** The accuracy of the personal information in the registry has long been in question. The government has decreed a moratorium in recent years, which means that the data may no longer be current in 2011.

Are you reasonably satisfied with the accuracy of the information in the registry?

**Ms. Jennifer Stoddart:** Ms. Boivin, I don't have any information enabling me to have an opinion on the accuracy of the information found in the registry.

**Ms. Françoise Boivin:** In other words, you can't say that it's inaccurate but you can't say that it's accurate, either.

**Ms. Jennifer Stoddart:** That's right.

**Ms. Françoise Boivin:** Thank you.

[English]

**The Chair:** Thank you. That is right on the timeline as well.

Now we'll move back to the government, with Mr. Rathgeber, please, for seven minutes.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Thank you, Mr. Chair, and thank you to all the witnesses for your attendance here today. My questions will be limited to the Office of the Privacy Commissioner of Canada.

Ms. Stoddart, it's nice to see you again. You are the Privacy Commissioner for Canada, and your office's express mandate is to protect and promote the privacy and rights of Canadian citizens.

You talked in your opening comments about the storage and destruction of the data currently held by the firearms registry. I'm more curious about the collection in the first place. As the person whose office is charged with protecting the privacy of Canadians, are you not gravely concerned that mandating law-abiding Canadians—hunters, fishermen—to part with personal information is philosophically a breach of their privacy?

**Ms. Jennifer Stoddart:** Honourable Member, I can't answer you on the philosophy. I'm only really mandated to answer you concerning the application of the Privacy Act. The Privacy Act allows the government to collect personal information if it is in relation to a law or a program that is extant. To the extent that the government of the day has a law or a program, it can then collect personal information in support of this.

**Mr. Brent Rathgeber:** But your mandate is to protect and promote the privacy of Canadian citizens. You have commented on the appropriateness of legislation. I refer to the proposed secure flight legislation, concerning which you're on record as stating—and I hope I'm quoting you correctly—that “the Canadian government has a duty to protect the privacy and civil rights of citizens”. You had concerns about the proposed secure flight legislation. Do you recall that?

**Ms. Jennifer Stoddart:** I do.

**Mr. Brent Rathgeber:** So do you not have similar concerns about forcing law-abiding hunters and fishermen to part with personal information when they've done nothing illegal?

**Ms. Jennifer Stoddart:** Honourable Member, I was commenting in that context on proposed legislation. I'm here to comment again on proposed legislation, and my comments have to do with the necessary destruction under this proposed legislation and some of the principles in the Privacy Act about destruction for a program that would be eliminated—with the information that was gathered from Canadians no longer being relevant to a program that would be abolished. I comment on the proposal to destroy Canadians' personal information and perhaps caution about making sure there is no further need for it in some cases.

• (1245)

**Mr. Brent Rathgeber:** Based on what you said about the proposed secure flight legislation, am I safe to assume that if we were in fact debating the implementation of a firearms registry, you would have the same concerns that you have with respect to the proposed secure flight legislation?

**Ms. Jennifer Stoddart:** That is a hypothetical question, Honourable Member. Were that legislation to come before the House and were I to be called, I would look at that legislation at that time.

**Mr. Brent Rathgeber:** Thank you.

The RCMP has told us that there have been 300 breaches of the firearms registry, I think between 2000 and 2004, and I understand that only 80 of them have been resolved and charges laid. So are there still over 200 outstanding?

**Ms. Jennifer Stoddart:** I can't comment on that, Honourable Member. Over the roughly 12 to 15 years of the Canadian firearms program, we have received about 70 complaints, all of which have eventually been resolved.

**Mr. Brent Rathgeber:** So you don't have access, or you don't investigate the complaints that are filed with the RCMP, the keepers of the data?

**Ms. Jennifer Stoddart:** No, I investigate complaints that come to my office.

**Mr. Brent Rathgeber:** I have a question for Ms. Thom, if you can hear me from Vancouver.

**Ms. Linda Thom:** I can, thank you.

**Mr. Brent Rathgeber:** We've heard information, I think from the YMCA, regarding the effectiveness of the long-gun registry in promoting the safety of women. I think in your comments you indicated that you took issue with it with respect to the accuracy of the information. Could you comment on whether in your view the long-gun registry in its current form does or does not protect the safety of women?

**Ms. Linda Thom:** No, it doesn't prevent crime, because it can't predict it. The thrust of my argument there is that the registry really is only effective after the fact, after a crime has been committed; therefore, what we should be doing is taking a look at prevention measures. This really hits on social services and the methods to get at and alleviate the problems that are going on domestically, or street gangs, that sort of thing, who might attack women—and men, at night. Men are also at risk, of course.

Unfortunately, the registry has been a huge boondoggle and a huge waste of money, because if we had put that kind of money into boots on the ground and into aiding social agencies and educational institutions to educate people so that they can understand what to look for, if someone is acting oddly.... Something as basic as more street lighting, in some cases, would really help a lot. I am sure every police force in Canada would welcome more people in their anti-guns and anti-gangs squads, and of course the federal police in the anti-smuggling—and border police, too. That is the job of those border police constantly, every single day, and we need not to forget them.

**Mr. Brent Rathgeber:** I'll have to stop you there.

I want to go back to Ms. Stoddart with respect to the secure flight legislation. That legislation would have potentially shared the information of suspected terrorists. Is that not correct?

**Ms. Jennifer Stoddart:** I think it would have, as I remember it—

**Mr. Brent Rathgeber:** It would have allowed the Canadian government to share information regarding—

**Ms. Jennifer Stoddart:** It would have shared more than that.

**Mr. Brent Rathgeber:** Right. And you were concerned that those individual Canadians were entitled to the protection of the Privacy Act.

**Ms. Jennifer Stoddart:** Yes.

**Mr. Brent Rathgeber:** Thank you.

**The Chair:** Thank you very much. You have 30 seconds left, but I'm not going to give them to you because I want Mr. Scarpaleggia to have....

We're going to go until ten minutes to the hour, so you have about a minute or two minutes to make a statement or ask a question.

**Mr. Francis Scarpaleggia:** I don't know where to start, Ms. Stoddart.

Mr. Breitkreuz has said on a couple of occasions that data from the registry—correct me if I'm wrong, Mr. Breitkreuz—somehow has on occasion leaked from the registry or has gotten into the hands of people who shouldn't have it, and therefore he fears that to maintain the registry or to transfer it to the provinces means that there's a chance that criminals, for example, could get access to that information and use it as a shopping list, I guess, for break and entry.

Have you heard of these incidents at all?

**Ms. Jennifer Stoddart:** No, I haven't heard of those incidents, but when I was privacy and access to information commissioner in Quebec, it is on record that there was a serious attempt by criminal elements to gain access to the drivers' licence database. I'm not surprised that someone might refer to some phenomenon, because as privacy commissioner in Quebec I had to deal with that issue.

• (1250)

**Mr. Francis Scarpaleggia:** Okay.

Mr. Gayder, I—

**The Chair:** You have 30 seconds, Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia:** We know that police officers are accessing the registry against their own best interests, because doing so puts their lives at risk, according to many witnesses. My question is, why are your colleagues doing something that is so blatantly not in their self-interest?

**Cst John Gayder:** I believe that was addressed by previous witnesses who talked about the automatic nature of—

**Mr. Francis Scarpaleggia:** But there are also specific requests. There are some automatic ones, but there are also some specific requests; a previous witness mentioned that.

**The Chair:** Answer very quickly, Mr. Gayder.

**Cst John Gayder:** I don't know why they would do that, because the registry is not very efficient, not very knowledgeable.

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

I want to thank all of our guests again for appearing here today. We appreciate your different opinions and perspectives.

We're going to now move into committee business.

I'll allow you a few moments to exit from the table, if you want.

We are going to deal now with a motion. We're moving to committee business, and there's no need to go in camera on this business. My understanding is that we're going to deal with a motion brought forward by Monsieur Chicoine:

That the Standing Committee for Public Safety and National Security shall convene for the duration of one meeting to invite Mr. Bob Paulson in order to discuss his appointment as the new Commissioner of the RCMP.

Mr. Chicoine, I will give you the floor. If you want to speak to your motion and introduce it a little bit, I'd welcome that.

[Translation]

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Thank you, Mr. Chair.

Yes, we wanted to invite the Commissioner who was recently appointed by the Minister of Public Safety to find out about his priorities for the coming years. There are certain difficulties affecting the RCMP, and we'd like to have a chance to find out what Mr. Paulson's priorities are in this connection. So the purpose of the invitation is to get to know Mr. Paulson better and find out about his priorities for the coming years.

[English]

**The Chair:** All right. This motion is in order. It was presented properly and we have been given our 48-hour notice on it.

Ms. Hoepfner.

**Ms. Candice Hoepfner:** Thank you, Mr. Chair.

I think on the government side we would completely agree with this motion. It might be in translation, so I might suggest a friendly amendment. The motion says "to discuss his appointment", but I wonder if we want to discuss his role instead of appointment. We don't really want to discuss the appointment; it's more the process. I think we would want to discuss his role.

Would you be open to a friendly amendment?

**The Chair:** We'll just make that note. We have a fair bit of latitude when he appears anyway, so definitely we would be discussing the role and the—

**Ms. Candice Hoepfner:** I'm not finished.

**The Chair:** Yes, you'll get that. We're just making that change. That is accepted, then, as a friendly amendment.

Continue, Ms. Hoepfner.

**Ms. Candice Hoepfner:** Thank you.

If we do go ahead and accept this motion, just in regard to timing, I'd like to see us finish this bill first. And then ideally what would be good is if we could at least give instructions to the analysts on our report on drugs and alcohol, and while they're working on that, the meeting could be filled up with this. I just wanted to present that as an option in regard to the timing of when we bring the RCMP

commissioner in. As well, I think it would be nice for him to have just a little bit of time in his role, so that we get his perspective and not just the briefing notes he would have just received.

So we do support it. On timing, we would like to be the most efficient we can.

**The Chair:** All right. Anyone else?

Mr. Garrison.

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** I just want to make sure I understand. You're proposing during that meeting that we deal with two topics. Or are you suggesting a sequence of meetings? I'm not sure I understand your suggestion.

**Ms. Candice Hoepfner:** I guess we can decide—

**The Chair:** Go ahead, you can explain it.

I think what I'm hearing is that we want to finish this before we proceed with Commissioner Paulson.

**Mr. Sylvain Chicoine:** Finish what?

**The Chair:** Bill C-19.

**Mr. Randall Garrison:** There's no objection on our side for that.

• (1255)

**The Chair:** Then we'd come quickly into the drugs in prison report and give instructions to our clerks and analysts as to how that report can begin. Then we can come to perhaps this one. There may be time for others as well while they're working on that report.

Ms. Hoepfner, were you done?

**Ms. Candice Hoepfner:** I was going to say what you said. You said what I was going to explain. I just appreciate that so much.

**The Chair:** All right. Thank you.

**Ms. Candice Hoepfner:** As a good man will do.

**The Chair:** That's the kind of communication we like.

Mr. Garrison.

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

Given that we have a limited number of sessions remaining before Christmas, I think we have no problem with the suggestion Ms. Hoepfner is making.

I believe we also have had on our agenda a request from the Auditor General to appear before the committee, and we may wish to consider this. I understand we received a letter suggesting that he would like to appear.

**The Chair:** I think we received a letter not so much that they would appear before our committee, but that they would meet and talk about the role of the Auditor General with committees. Now, I'd have to see the invitation.

Andrew, maybe you want to—

**Ms. Candice Hoepfner:** I think we should deal with this motion first, Mr. Chair, before we continue on with other business.

**The Chair:** Yes. I know other people have mentioned, on the government side as well, individuals who they would love to see appear. So that's one we can—

**Mr. Randall Garrison:** The other thing we have, which has a time limit, is if we were to ask the minister to appear on the estimates, then that would also have to occur fairly soon.

**Ms. Candice Hooppner:** Why don't we deal with this motion? I think we're in agreement that we have it—

**Mr. Randall Garrison:** Without prejudice to any of these others, we can agree to your suggestion.

**Ms. Candice Hooppner:** Exactly. I think we would want him in before Christmas, right?

**Mr. Randall Garrison:** Right, and without prejudice to any of the other things.

Okay, thank you.

**The Chair:** We still do have some time left before the estimates, so that's not pressing right now, but you're right, before the last

supply day...and I don't think we've been given the last day of supply yet.

Did I have anyone else on the speaking order here? I don't think so.

Are we ready for the vote, then? I think we have consensus on this. We can call him a little later here.

All in favour of Mr. Chicoine's motion? I see unanimity.

(Motion agreed to)

**Mr. Randall Garrison:** Wonderful!

**The Chair:** We don't always have unanimity, so when we do we'll celebrate that. That is good. I appreciate both sides recognizing that.

I think with no further committee business, I will adjourn this at two minutes to one.

We're adjourned.

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